

# THE CORPORATION OF THE TOWN OF KINGSVILLE

## BY-LAW 76 - 2021

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### **Being a by-law to provide for improvements to the Danube Drain in the Town of Kingsville, in the County of Essex**

**WHEREAS** the Council of the Town of Kingsville, in the County of Essex, has procured a report under section 78 of the *Drainage Act* for improvements to the Danube Drain;

**AND WHEREAS** the report dated October 1<sup>st</sup>, 2020 has been authored by Antonio B. Peralta, P. Eng. and the attached report forms part of this by-law;

**AND WHEREAS** \$268,431.00 is the amount to be contributed by the Town of Kingsville for the drainage works;

**AND WHEREAS** Council is of the opinion that the report of the area is desirable;

### **THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF KINGSVILLE, PURSUANT TO THE DRAINAGE ACT ENACTS AS FOLLOWS:**

#### **1. AUTHORIZATION**

The attached report is adopted and the drainage works is authorized and shall be completed as specified in the report.

#### **2. BORROWING**

The Corporation of the Town of Kingsville may borrow on the credit of the Corporation the amount of \$268,431.00 being the amount necessary for the completion of the drainage works.

#### **3. DEBENTURES**

The Corporation may arrange for the issue of debenture(s) on its behalf for the amount borrowed less the total amount of:

- a) Grants received under section 85 of the *Drainage Act*;
- b) Monies paid as allowances;
- c) Commuted payments made in respect of lands and roads assessed with the municipality;
- d) Money paid under subsection 61(3) of the *Drainage Act*; and
- e) Money assessed in and payable by another municipality.

#### **4. PAYMENT**

Such debenture(s) shall be made payable within 2 (two) or 5 (five) years (as determined by the Director of Financial Services or designate) from the date of the debenture(s) and shall bear interest at a rate not higher than 2% more than the municipal lending rates as posted by Infrastructure Ontario on the date of sale of such debenture(s).

- 1) A special equal annual rate sufficient to redeem the principal and interest on the debenture(s) shall be levied upon the lands and roads as shown in the schedule and shall be collected in the same manner and at the same as other taxes are collected in each year for 2 (two) or 5 (five) years (as determined by the Director of Financial Services or designate) after the passing of this by-law.

- 2) For paying the amount \$268,431.00 being the amount assessed upon the lands and roads belonging to or controlled by the municipality a special rate sufficient to pay the amount assessed plus interest thereon shall be levied upon the whole rateable property in the Town of Kingsville in each year for 2 (two) or 5 (five) years (as determined by the Director of Financial Services or designate) after the passing of this by-law to be collected in the same manner and at the same time as other taxes collected.
- 3) All assessments of \$100.00 or less are payable in the first year in which the assessments are imposed.

**5. SCHEDULE OF ASSESSMENTS OF LAND AND ROADS**

**CONSTRUCTION SCHEDULE OF ASSESSMENT****DANUBE DRAIN IMPROVEMENTS****(Geographic Township of Gosfield South)****TOWN OF KINGSVILLE****5. PRIVATELY OWNED - AGRICULTURAL LANDS (non-grantable):**

| <u>Tax Roll<br/>No.</u>                                                   | <u>Con. or<br/>Plan<br/>No.</u> | <u>Lot or Part<br/>of Lot</u> | <u>Acres<br/>Owned</u> | <u>Acres<br/>Afft'd</u> | <u>Hectares<br/>Afft'd</u> | <u>Owner's Name</u>    | <u>Value of<br/>Benefit</u> | <u>Value of<br/>Outlet</u> | <u>Value of<br/>Special<br/>Benefit</u> | <u>TOTAL<br/>VALUE</u> |
|---------------------------------------------------------------------------|---------------------------------|-------------------------------|------------------------|-------------------------|----------------------------|------------------------|-----------------------------|----------------------------|-----------------------------------------|------------------------|
| 300-32600                                                                 | 2 E.D.                          | 9                             | 72.58                  | 72.58                   | 29.373                     | 617885 Ontario Limited | \$ 213,996.00               | \$ -                       | \$ -                                    | \$ 213,996.00          |
| <b>Total on Privately Owned - Agricultural Lands (non-grantable).....</b> |                                 |                               |                        |                         |                            |                        | <b>\$ 213,996.00</b>        | <b>\$ -</b>                | <b>\$ -</b>                             | <b>\$ 213,996.00</b>   |

**6. SPECIAL NON PRO-RATEABLE ASSESSMENTS (non-agricultural (Sec.26)):**

| <u>Tax Roll<br/>No.</u>                                                               | <u>Con. or<br/>Plan<br/>No.</u> | <u>Lot or Part<br/>of Lot</u> | <u>Acres<br/>Owned</u> | <u>Acres<br/>Afft'd</u> | <u>Hectares<br/>Afft'd</u> | <u>Owner's Name</u>               | <u>Value of<br/>Benefit</u> | <u>Value of<br/>Outlet</u> | <u>Value of<br/>Special<br/>Benefit</u> | <u>TOTAL<br/>VALUE</u> |
|---------------------------------------------------------------------------------------|---------------------------------|-------------------------------|------------------------|-------------------------|----------------------------|-----------------------------------|-----------------------------|----------------------------|-----------------------------------------|------------------------|
| Road Crossing Replacement                                                             |                                 |                               |                        |                         |                            | Town of Kingsville - Public Works | \$ 54,435.00                | \$ -                       | \$ -                                    | \$ 54,435.00           |
| <b>Total on Special Non Pro-Rateable Assessments (non-agricultural (Sec.26)).....</b> |                                 |                               |                        |                         |                            |                                   | <b>\$ 54,435.00</b>         | <b>\$ -</b>                | <b>\$ -</b>                             | <b>\$ 54,435.00</b>    |
| <b>TOTAL ASSESSMENT</b>                                                               |                                 |                               |                        | 72.58                   | 29.373                     |                                   | <b>\$ 268,431.00</b>        | <b>\$ -</b>                | <b>\$ -</b>                             | <b>\$ 268,431.00</b>   |

1 Hectare = 2.471 Acres  
D-19-120  
October 1st, 2020

**6. CITATION**

This by-law comes into force on the passing thereof and may be cited as the “Danube Drain Improvements” by-law.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED this  
12<sup>th</sup> day of October, 2021.**

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**MAYOR, Nelson Santos**

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**ACTING CLERK, Sandra Kitchen**