

Municipality of Chatham-Kent
Chatham-Kent Public Utilities Commission
Water/Wastewater Services

To: Mayor and Members of Council

From: Tim Sunderland
General Manager
Chatham-Kent Public Utilities Commission

Date: March 15, 2021

Subject: Preliminary Assessing By-law for George Street Sanitary Sewer Project
(Community of Merlin)

Recommendations

It is recommended that:

1. The George Street Sanitary Sewer Project and the necessary By-law under Part XII of the Municipal Act, 2001 be approved.
2. Administration be authorized to borrow monies towards the project by the issuance and sale of debentures. Pending the sale of the debentures, the Mayor and Treasurer be authorized to make such temporary borrowing as may be required in order to meet the payments due to vendors.

Background

The George Street sanitary sewer petition was submitted to the Chatham-Kent Public Utilities Commission (CK PUC) in April 2020.

A public meeting was not held for this petition due to the few number of properties involved in this petition. An information and vote package describing the proposed project and associated costs, was distributed to the benefiting property owners by mail. A ballot was included in the package with the return date of November 20, 2020.

It was indicated to the property owners that CK PUC would require that a majority of affected property owners be in favour of the project and that, as a guideline, 66% of the returned voters should support the project before administration would recommend that the project proceed to construction.

Sixty seven percent (67%) of the property owners returned the ballots and the ballot results were one hundred (100%) in favour of proceeding with the project.

At the regular scheduled December 17, 2020 CK PUC Commission meeting, Commission approved proceeding with providing sanitary servicing to the residences along George Street.

Comments

The system will be connected to the existing 200 mm sanitary sewer on George Street and continue west for 60 metres using 200 mm diameter sanitary sewer. A total of three (3) vacant residential properties exist within the proposed sanitary area and will be provided a 150mm sanitary service connection from the sanitary sewer main to the road limit.

The Engineering and Transportation Division prepared the estimated costs for the proposed sanitary sewer extension. The estimated costs for the sanitary sewer installation, including Engineering, MECP approvals, and HST is \$101,862. The estimated cost per connection is \$33,954 and does not include the 2020 Part XII Charge of the Municipal Act, 2001.

The Part XII charges are payable by the property owners upon issuance of a building permit with respect to each dwelling unit, building or structure and the amount is in accordance with the applicable by-law rates at the time of payment. Since these three lots are all currently vacant, the Part XII charges have not been included in these assessment costs.

It is recommended that Council approve the George Street Sanitary Sewer Project By-law as outlined in Schedule "A" and Schedule "B" and the necessary By-law under Part XII of the Municipal Act, 2001.

Areas of Strategic Focus and Critical Success Factors

The recommendations in this report support the following areas of strategic focus:

Economic Prosperity:

Chatham-Kent is an innovative and thriving community with a diversified economy

A Healthy and Safe Community:

Chatham-Kent is a healthy and safe community with sustainable population growth

People and Culture:

Chatham-Kent is recognized as a culturally vibrant, dynamic, and creative community

Environmental Sustainability:

Chatham-Kent is a community that is environmentally sustainable and promotes stewardship of our natural resources

The recommendations in this report support the following critical success factors:

Financial Sustainability:

The Corporation of the Municipality of Chatham-Kent is financially sustainable

Open, Transparent and Effective Governance:

The Corporation of the Municipality of Chatham-Kent is open, transparent and effectively governed with efficient and bold, visionary leadership

Has the potential to support all areas of strategic focus & critical success factors

Neutral issues (does not support negatively or positively)

Consultation

The Engineering and Transportation Division prepared the preliminary engineering information.

Financial Implications

All costs associated with the project will be recovered through assessment.

Prepared by:

Reviewed by:

Sarah Minard, P.Eng.
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Chatham-Kent PUC

Rob Bernardi, P. Eng.
Director, Engineering & Compliance
Chatham-Kent PUC

Reviewed by:

Tim Sunderland
General Manager
Chatham-Kent PUC

BY-LAW NUMBER

OF THE CORPORATION OF THE MUNICIPALITY OF CHATHAM-KENT

A By-Law to authorize the construction of sanitary sewer works and the imposition of a sanitary sewer rate for the payment of the capital cost of the construction of such sanitary works; **George Street Sanitary Sewer Project (Community of Merlin)**

FINALLY PASSED the day of , 2021.

WHEREAS the Council of the Corporation of the Municipality of Chatham-Kent authorized the Public Utilities Commission for the Municipality of Chatham-Kent to prepare the plans and specifications for the proposed Sanitary Sewer Works.

AND WHEREAS a majority of affected ratepayers responded to a vote on the project.

NOW THEREFORE the Municipal Council of The Corporation of the Municipality of Chatham-Kent enacts as follows:

SHORT TITLE

1. This By-law may be cited as the “George Street Sanitary Sewer Project” Sanitary Sewer Works By-law.

DEFINITIONS

2. In this By-law,
 - (i) “Corporation” means the Corporation of the Municipality of Chatham-Kent;
 - (ii) “Council” means the Council of the Corporation of the Municipality of Chatham-Kent;
 - (iii) “Municipal Act” means the Municipal Act, 2001, as amended from time to time;
 - (iv) “Public Utilities Commission” means the Public Utilities Commission for the Municipality of Chatham-Kent;
 - (v) “Service Connection” means the pipe and appurtenances that lead from the sanitary main to the street line;
 - (vi) “Street line” means the boundary of a property adjoining a road allowance;
 - (vii) “Sanitary Sewer Works” means any works for the collection of wastewater, or any part of such works for treatment of wastewater;
 - (viii) “Sanitary Sewer Rate” means a charge for the capital cost of sanitary sewer works.

- (ix) "Sanitary Main" means the collection pipe which carries the wastewater along the road allowance.

APPLICATION OF BY-LAW

3. The Sanitary Sewer Works referred to herein shall be constructed pursuant to the provisions of the *Municipal Act, 2001*, and shall impose fees and charges under Part XII of that Act.
4. The Sanitary Sewer Works, including sanitary sewer lines and appurtenances, shall be constructed along the lands shown on Schedule "A" attached hereto.
5. The Public Utilities Commission is hereby authorized to make such plans, profiles, and specifications and furnish such information as may be necessary for the making of a contract or contracts for the execution of the Sanitary Sewer Works.
6. The Public Utilities Commission is hereby authorized to cause a contract or contracts for the construction of the said Sanitary Sewer Works to be made and entered into, including the administration of a tender process, and to execute any related documentation to give effect thereto.
7. The construction of the Sanitary Sewer Works shall be carried out and executed under the direction of the General Manager of Water and Wastewater Services for the Public Utilities Commission.
8. The Treasurer for the Corporation may make such arrangements with the Canadian Imperial Bank of Commerce, a chartered bank in Canada, for the temporary advances of monies to meet the cost of the Sanitary Sewer Works pending the completion of the same.
9. The Sanitary Sewer Works may be financed over a period not more than fifteen (15) years at a rate of interest to be determined by the Treasurer for the Corporation. The Sanitary Sewer Works shall be paid for by the imposition of a Sanitary Sewer rate on the benefiting lands computed by a unit charge for each parcel or parcels of lands, which is a parcel separately assessed according to the last returned assessment roll, or parcels having received severance consent by the date of this By-law, in accordance with the Schedule of Assessment attached hereto as Schedule "B".

10. Only one Service Connection will be permitted for each separate parcel or parcel having received severance consent by the date of the enactment of this By-law, assessed in Schedule "B."
11. Council hereby authorizes the borrowing of monies for completion of the Sanitary Sewer Works by the issuance and sale of debentures. Pending the sale of the debentures, Council hereby authorizes the Mayor and Treasurer to undertake such temporary borrowing as may be required in order to pay any amounts that become due and payable as a result of proceeding with the Sanitary Sewer Works project.

FUTURE CONNECTIONS

12. If a severance occurs on a parcel assessed in Schedule "B," after the date of the enactment of this By-law, the owner(s) of the severed parcel will be required to pay to the Corporation the cost of one unit as set out in Schedule "B."
13. The owner of an existing parcel will be required to pay to the Corporation, the cost of any additional connections to the parcel.

VALIDITY

14. If a court of competent jurisdiction declares any provision or part of this By-law to be invalid or of no force and effect, it is the intention of the Council in enacting this By-law that each and every other provision of this By-law authorized by law, be applied and enforced in accordance with its terms to the extent possible according to law.

THIS By-law come into full force and effect upon the final passing thereof.

READ A FIRST, SECOND AND THIRD TIME this th day of , 2021

MAYOR – Darrin Canniff

CLERK – Judy Smith



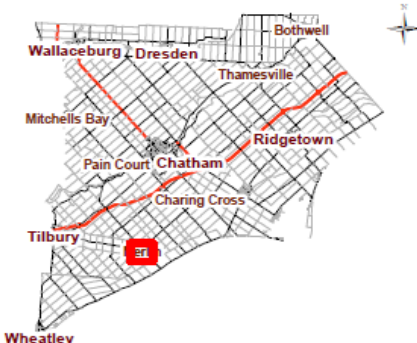
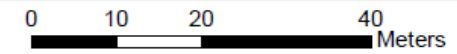
George Street Sanitary Extension

December 9, 2020



Legend

- Proposed Sanitary Main
- Existing Sanitary Main
- Sanitary Area Boundary
- Road Network
- Assessment Parcel



George Street Sanitary Sewer Project

Schedule A

Schedule B

**George Street Sanitary Sewer Project
Schedule of Preliminary Assessment**

Schedule of Charges:	
Service Size	Project Assessment (does not include DCs)
150 mm Service	\$33,953.92

ROLL NUMBER	911	STREET	ZONING ASSESSMENT	ASSESSMENT CHARGE	2020 PART XII CHARGE	GROSS PUC ASSESSMENT	DEFERRED ASSESSMENT (DCs NOT INCLUDED)
365006000369795	110	GEORGE ST	1	\$33,953.92	Not included*	\$33,953.92	N/A
365006000369800	112	GEORGE ST	1	\$33,953.92	Not included*	\$33,953.92	N/A
365006000369900		GEORGE ST	1	\$33,953.92	Not included*	\$33,953.92	N/A

*Part XII Charge payable at the time of issuance of the building permit