

THE REGIONAL MUNICIPALITY OF YORK

BILL NO: 68

BY-LAW NO. S-0066-2006-066

A by-law to transfer the sewer system servicing the Community of King City  
to the Corporation of the Township of King

WHEREAS the Regional Municipality of York has enacted and passed By-law No. S-0060-2001-071, being “A by-law to declare a proposed sewer system to be a trunk sewer system and to assume the trunk sewer system from the Corporation of the Township of King” (the “by-law”);

AND WHEREAS the effect of the by-law was to deem the local sanitary sewage collection system (the “Collection System”) in the community of King City to be a Regional trunk sewer;

AND WHEREAS by Agreement dated December 11, 2003, (the “Agreement”) the Collection System was to be constructed by the Region in phases, and the Region was to convey ownership of each completed phase to the Township of King in the manner described in the Agreement;

AND WHEREAS construction of the first phase of the Collection System is nearing completion;

AND WHEREAS pursuant to the Agreement the Region will transfer the local collection system provided, amongst other things, that the Township obtain funding for a substantial portion of its financial obligations pursuant to the Agreement;

AND WHEREAS Section 11 of the *Municipal Act, 2001* provides that the assignment of the collection of sanitary sewage to The Regional Municipality of York is non-exclusive and that therefore both the upper-tier and lower-tier municipalities have the power to pass by-laws respecting such matters so long as such by-laws do not conflict;

AND WHEREAS it is deemed to be in the public interest to enact a by-law as set out herein;

NOW THEREFORE, the Council of The Regional Municipality of York  
HEREBY ENACTS as follows:

1. In this by-law:
  - (a) “Collection System” means the sewer system described in by-law No. S-0060-2001-071;
  - (b) “Future Service Areas” means those portions of the Collection System which are contained within the area described as “Future Service Areas” on Schedule “A” to this By-law;
  - (c) “Phase” means a portion of the Collection System;
  - (d) “Regional Works” means a Regional pumping station and forcemain connection to the York Durham Sewer System;
  - (e) “Substantial Completion” means the point at which a Phase is connected to the Regional Works and is commissioned and operational, such that the property owners within that Phase can connect to the Collection System and have immediate access to the sewer servicing system;
2. Each Phase of the sewer system that services the community of King City pursuant to By-law No. S-0060-2001-071 is hereby transferred to the Corporation of the Township of King on the date of Substantial Completion of the Phase.
3. Notwithstanding Section 2 above, the portion of the Collection System within each new plan of subdivision in the Future Service Areas shall be conveyed or transferred directly to the Township by the developer and shall not require separate or additional transfer by the Region to the Township of King.

4. Notwithstanding Sections 2 and 3 above, in the event that the Township of King makes application for funding under the Canada-Ontario Municipal Rural Infrastructure Fund respecting the Collection System or any Phase of it, the Phase or Phases for which application is made is hereby transferred to the Corporation of the Township of King.
5. Should notification in writing of funding in the amount of \$5,000,000 under the Canada-Ontario Municipal Rural Infrastructure Fund not be received before December 31, 2006, then all the rights and obligations of the Corporation of the Township of King together with all lands and interests in lands, including easements, in relation to the Collection System are hereby assumed from the Corporation of the Township of King effective December 31, 2006, save and except any Phase transferred pursuant to Section 2 of this by-law.
6. This by-law, except Sections 4 and 5, shall come into force and effect on June 30, 2006. Sections 4 and 5 shall come into force and effect on the date upon which the Corporation of the Township of King enacts a by-law assuming the Collection System, or any Phase thereof, transferred by the Region pursuant to this By-law, provided such by-law provides for the reversion to the Region of the Collection System, or any Phase thereof, on the same terms and conditions contained in Section 5 of this By-law.

ENACTED AND PASSED this 22<sup>nd</sup> day of June, 2006.

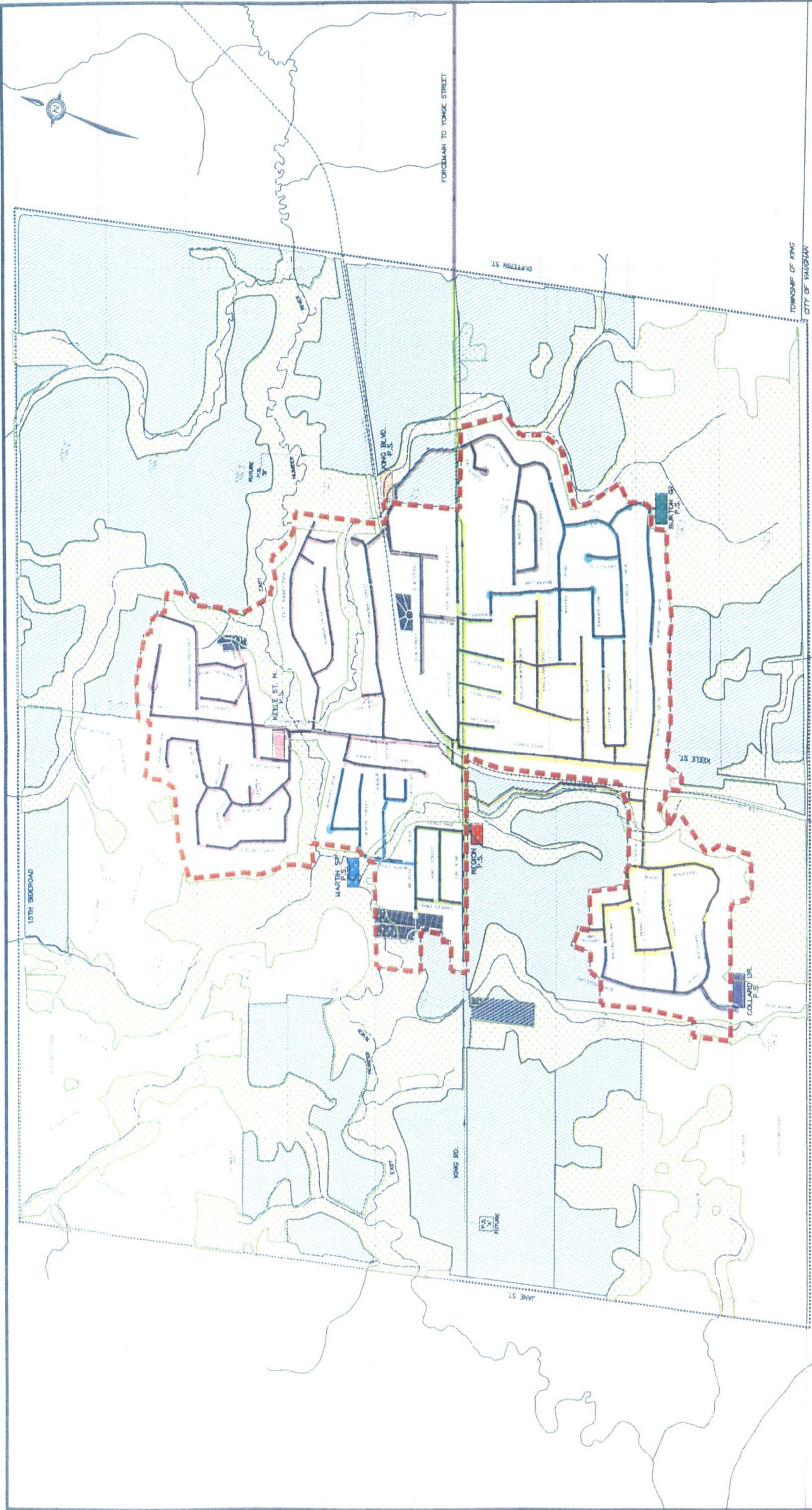
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Regional Clerk

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Regional Chair

SCHEDULE "A"



LEGEND

- PROPOSED SANITARY SEWER
- PROPOSED SANITARY FORCEMAIN
- FUTURE SANITARY FORCEMAIN
- PROPOSED OFFICER PUMP AREA

POTENTIAL CONSTRUCTION CONTRACTS

- EXISTING SERVICE AREAS
- FUTURE SERVICE AREAS
- EPA

AREA No.1

AREA No.2

AREA No.3

AREA No.4

AREA No.5

AREA No.6

AREA No.7

AREA No.8A

AREA No.8B

**TOWNSHIP OF KING**

**R.V. Anderson Associates Limited**

Scale: N.T.S.

Designed: JPL

Checked: JPL

Drawn: KSR

Project No: 5416

Date: MAY 2003

REGION OF YORK

**KING CITY SANITARY SERVICING**

PRELIMINARY CONSTRUCTION CONTRACTS

FUTURE FULL DEVELOPMENT