

**THE CORPORATION  
OF THE  
TOWN OF NIAGARA-ON-THE-LAKE  
BY-LAW NO. 4964A-19**

**A BY LAW TO AMEND BY-LAW 4964-17 BEING A BY-LAW TO  
AUTHORIZE MAINTENANCE AND REPAIR OF THE EPP DRAIN  
UNDER THE PROVISIONS OF THE DRAINAGE ACT (Epp Drain  
Outlet Actual Cost Levy)**

**WHEREAS** the Council of The Corporation of the Town of Niagara-on-the-Lake (Council) passed By-law 4964-17 in accordance with the provisions of the Drainage Act, R.S.O. 1990, c. D.17 (the Act) to provide for the maintenance and repair of the Epp Drain Outlet at an estimated cost of \$393,268.00;

**AND WHEREAS** the maintenance and repair of the Epp Drain Outlet has now been completed and certified complete by the Engineer that prepared the K. Smart Associates Limited Report, dated March 30, 2016;

**AND WHEREAS** the actual total assessment for the Epp Drain Outlet 2016 is \$392,100.74;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE** pursuant to The Drainage Act, R.S.O. 1990, Chapter D.17, enacts as follows:

1. That the actual total cost of the Epp Drain Outlet shall be levied to the assessed lands and roads in accordance with the provisions of the Engineer's report in By-law 4964-17, which adopted the report;
2. That the actual cost levied shall be reduced by the amount of grant received under Section 85 of the Act and by the amount of allowances granted under the Act in accordance with Section 62(3) of the Act;
3. That the actual cost to be levied shall be as outlined in Schedule D - Actual Cost By-law attached and the amounts shown in Schedule D shall be due within 30 days of the date of the invoice for the amount owing unless alternate provisions for payment are made as noted in By-law 4964-17;

This by-law comes into force on the passing thereof and may be cited as the "Epp Drain Outlet Actual Cost Levy By-law."

**READ A FIRST AND SECOND AND THIRD TIME AND PASSED THIS 10<sup>TH</sup>  
DAY OF JUNE 2019**

**LORD MAYOR BETTY DISERO**

**DEPUTY CLERK PETER TODD**

Orig.: Mar. 30/16  
C.O.R.: June 5/17  
Actual: Sept 20/18

**SCHEDULE D - SCHEDULE FOR ACTUAL COST BYLAW  
EPP DRAIN OUTLET 2016  
Town of Niagara-on-the-Lake**

File No. 11-270

|                     |                                                            |            |                                                         |                              | Report           | Actual           |                |                  |                     |
|---------------------|------------------------------------------------------------|------------|---------------------------------------------------------|------------------------------|------------------|------------------|----------------|------------------|---------------------|
| Farm Tax Rated      | Con                                                        | Lot        | Roll No.                                                | Owner/Address                | Gross Total (\$) | Gross Total (\$) | 1/3 Grant (\$) | Allow-ances (\$) | Net Assessment (\$) |
| <u>(26-27-010-)</u> |                                                            |            |                                                         |                              |                  |                  |                |                  |                     |
| C                   |                                                            |            | 001-09400                                               | ECCC (Parks Canada)          | 3,316            | 3,377.40         | 0.00           | 500              | 2,877.40            |
| SB                  |                                                            |            | Special Benefit Assessment to ECCC (Roll No. 001-09400) |                              | 226,010          | 230,050.56       | 0.00           | 0                | 230,050.56          |
| C                   |                                                            |            | 001-09500                                               | ECCC (Parks Canada)          | 2,257            | 2,288.79         | 0.00           | 0                | 2,288.79            |
| C                   | 691                                                        | Pt 4       | 001-16200                                               | ECCC (Parks Canada)          | 1,718            | 1,749.81         | 0.00           | 0                | 1,749.81            |
| <u>(26-27-020-)</u> |                                                            |            |                                                         |                              |                  |                  |                |                  |                     |
| C                   |                                                            |            | 011-00400                                               | ECCC (Parks Canada)          | 148              | 150.74           | 0.00           | 0                | 150.74              |
|                     |                                                            |            | 011-00500                                               | -                            | 791              | 805.65           | 0.00           | 0                | 805.65              |
|                     | M11                                                        | Pt 4       | 011-00520                                               | R. & S. Jain                 | 272              | 277.04           | 0.00           | 0                | 277.04              |
|                     | M11                                                        | Pt 4       | 011-00605                                               | M. Kalman & P. Crabtree      | 148              | 150.74           | 0.00           | 0                | 150.74              |
| F                   | M11                                                        | 1          | 011-00700                                               | Del Ben Investments Inc.     | 1,659            | 1,689.72         | 563.24         | 0                | 1,126.48            |
| F                   | M11                                                        | 2          | 011-00800                                               | 1019585 Ontario Limited      | 2,358            | 2,401.66         | 800.55         | 0                | 1,601.11            |
|                     | 327                                                        | 1          | 011-00805                                               | E. Kurtz                     | 52               | 52.96            | 0.00           | 0                | 52.96               |
|                     | 327                                                        | 2          | 011-00810                                               | A. Just                      | 52               | 52.96            | 0.00           | 0                | 52.96               |
|                     | 327                                                        | 3          | 011-00815                                               | E. Kurtz                     | 52               | 52.96            | 0.00           | 0                | 52.96               |
|                     | 327                                                        | 4          | 011-00820                                               | A. Just                      | 52               | 52.96            | 0.00           | 0                | 52.96               |
|                     | 327                                                        | 5          | 011-00825                                               | E. Kurtz                     | 52               | 52.96            | 0.00           | 0                | 52.96               |
|                     | 327                                                        | 6          | 011-00830                                               | A. Just                      | 52               | 52.96            | 0.00           | 0                | 52.96               |
|                     | 327                                                        | 7          | 011-00835                                               | E. Kurtz                     | 52               | 52.96            | 0.00           | 0                | 52.96               |
| F                   | M11                                                        | 3          | 011-00900                                               | 954521 Ontario Ltd.          | 1,328            | 1,352.59         | 450.86         | 0                | 901.73              |
|                     | M11                                                        | 7          | 011-01100                                               | M. Freel                     | 158              | 158.89           | 0.00           | 0                | 158.89              |
|                     | M11                                                        | Pt 5       | 011-01200                                               | M. & L. Freel                | 220              | 224.07           | 0.00           | 0                | 224.07              |
| F                   | M11                                                        | Pt 8       | 011-01300                                               | R. Teather                   | 363              | 369.72           | 123.24         | 0                | 246.48              |
| F                   | M11                                                        | 6, Pts 4&5 | 011-01301                                               | Andres Wines Ltd.            | 3,402            | 3,464.99         | 1,155.00       | 0                | 2,309.99            |
|                     | M11                                                        | Pt 8       | 011-01350                                               | Nutri-Botanicals Corp.       | 667              | 679.35           | 0.00           | 0                | 679.35              |
|                     | M11                                                        | 9          | 011-01400                                               | E. & E. Morkunas             | 148              | 150.74           | 0.00           | 0                | 150.74              |
| F                   |                                                            | Pt 23      | 011-01700                                               | G. & I. Reimer               | 3,451            | 3,514.90         | 1,171.64       | 0                | 2,343.26            |
| F                   |                                                            | Pt 23      | 011-01800                                               | D. & D. Lailey               | 1,154            | 1,175.37         | 391.79         | 0                | 783.58              |
|                     |                                                            | Pt 22      | 011-02100                                               | Abe Epp & Family Inc.        | 999              | 1,017.50         | 0.00           | 0                | 1,017.50            |
|                     |                                                            | Pt 22      | 011-02300                                               | J. Wiebe                     | 1,921            | 1,956.58         | 0.00           | 0                | 1,956.58            |
| F                   |                                                            | Pt 22      | 011-02801                                               | H. & R. Neufeld              | 841              | 856.57           | 285.62         | 0                | 571.05              |
| F                   |                                                            | Pt 21      | 011-03000                                               | J. & D. Zabek                | 173              | 176.20           | 58.73          | 0                | 117.47              |
| F                   |                                                            | Pt 24      | 011-06400                                               | 1692712 Ontario Inc.         | 2,522            | 2,568.70         | 856.23         | 0                | 1,712.47            |
| F                   |                                                            | Pt 25      | 011-06500                                               | 517232 Ontario Limited       | 3,500            | 3,584.80         | 1,188.28       | 0                | 2,376.52            |
| F                   |                                                            | Pt 25      | 011-06800                                               | E. & D. Wiens                | 556              | 566.29           | 188.76         | 0                | 377.53              |
| F                   |                                                            | Pt 24      | 011-07220                                               | J. & M. Saczkowski           | 1,436            | 1,462.59         | 487.53         | 0                | 975.06              |
| F                   |                                                            | Pt 24      | 011-07300                                               | P. Wilkie & J. Rigg          | 855              | 870.83           | 290.28         | 0                | 580.55              |
|                     |                                                            | Pt 24      | 011-07400                                               | F. & P. Connolly             | 148              | 150.74           | 0.00           | 0                | 150.74              |
|                     |                                                            | Pt 26      | 011-07700                                               | A. Debont & T. Taylor-Debont | 148              | 150.74           | 0.00           | 0                | 150.74              |
|                     |                                                            | Pt 26      | 011-07800                                               | G. & L. Johansen             | 148              | 150.74           | 0.00           | 0                | 150.74              |
| F                   |                                                            | Pt 26      | 011-07900                                               | K. J. Watson Farms Limited   | 235              | 239.35           | 79.78          | 0                | 159.57              |
| x                   | Total Assessments on Lands:                                |            |                                                         |                              | 263,412          | 268,145.08       | 8,091.43       | 500              | 259,554             |
| M                   | Niagara River Parkway/Ricardo Street                       |            |                                                         |                              | 12,104           | 12,328.11        | 0              | 0                | 12,328.11           |
| S                   | Special Assessment to Niagara River Parkway/Ricardo Street |            |                                                         |                              | 112,249          | 114,614.09       | 0              | 0                | 114,614.09          |
| M                   | Concession 1 Rd.                                           |            |                                                         |                              | 2,806            | 2,857.95         | 0              | 0                | 2,857.95            |
| M                   | Line 1 Rd.                                                 |            |                                                         |                              | 410              | 417.59           | 0              | 0                | 417.59              |
| M                   | East and West Line                                         |            |                                                         |                              | 836              | 851.48           | 0              | 0                | 851.48              |
| M                   | Upper Canada Heritage Trail                                |            |                                                         |                              | 467              | 475.65           | 0              | 0                | 475.65              |
| M                   | Queen's Parade                                             |            |                                                         |                              | 341              | 347.31           | 0              | 0                | 347.31              |
| M                   | John Street East                                           |            |                                                         |                              | 643              | 654.91           | 0              | 0                | 654.91              |
| x                   | Total Assessments on Roads:                                |            |                                                         |                              | 129,856          | 132,547.09       | 0              | 0                | 132,547.09          |
| x                   | TOTAL ASSESSMENTS EPP DRAIN OUTLET 2016:                   |            |                                                         |                              | 393,268          | 400,692.17       | 8,091.43       | 500              | 392,100.74          |

**Notes:**

- All of the above lands noted with an "F" are classified as agricultural and currently have the Farm Property Class Tax Rate (F.P.C.T.R.).
- Section 21 of the Drainage Act, RSO 1990 requires that assessments be shown opposite each parcel of land and road affected.  
The affected parcels of land have been identified using the roll number from the last revised assessment roll for the City.  
For convenience only, the owners' names as shown by the last revised assessment roll, has also been included.
- The lands noted above in the City of Temiskaming Shores are in the geographic Township of Dymond.
- The value of the assessments identified in this schedule are estimates only and should not be considered final.