



BY-LAW NO. 2023-0009

A By-law to authorize the imposition of special charges under the Retrofit Halton Hills Pilot Program in accordance with Ontario Regulation 586/06 on 12377 Fifth Line (the "Benefitting Property")

WHEREAS at its meeting of November 15, 2021, the Council of the Town of Halton Hills enacted By-law 2021-0056, being a by-law to authorize the undertaking of energy efficiency, renewable energy and water conservation works on private residential property as local improvements under the Halton Hills Residential Energy Retrofit Program (Retrofit Halton Hills Pilot Program) in accordance with Part III of Ontario Regulation 586/06, Local Improvement Charges – Priority Lien Status made under the Municipal Act, 2001, c. 25 ("O. Reg. 586/06");

AND WHEREAS the owners of the Benefitting Property and the Town of Halton Hills (the "Town") have entered into a property owner agreement dated September 8, 2022 (the "POA") pursuant to Section 36.2 of O. Reg. 586/06 for the Town to undertake work as a Local Improvement (the "Work") on the Benefitting Property and to raise the cost of the Work (the "Cost") by imposing a special charge on the Benefitting Property;

AND WHEREAS the Town Clerk has certified the POA pursuant to Section 36.4 of O. Reg. 586/06;

AND WHEREAS the Work has been completed;

AND WHEREAS a local improvement roll was prepared in accordance with section 36.10 of O. Reg. 586/06, setting out the Cost the proposed special charges to be imposed on the benefitting property, when the special charges are to be paid, and the lifetime of the Work;

AND WHEREAS the Town has given notice of the proposed local improvement roll to the owner(s) of the benefitting property pursuant to Subsection 36.11(1) of O. Reg. 586/06;

AND WHEREAS the Treasurer has certified the proposed local improvement roll in accordance with subsection 36.11(2) of the O. Reg. 586/06; and

AND WHEREAS Section 36.14 of O. Reg. 586/06 provides that after the Treasurer has certified the local improvement roll, the Town shall by by-law provide that the amount specially charged on the lot set out in the roll shall be sufficient to raise the lot's share of the cost by a number of equal annual payments and that a special charge shall be imposed in each year on the lot equal to the amount of the payment payable in that year.;

AND WHEREAS on May 2, 2022 Council for the Town of Halton Hills enacted By-Law No. 2022-0027 which authorized the Town Treasurer to add loans from the Halton Hills Retrofit Program onto the applicable Tax Rolls upon the award of such grants by the Manager of Climate Change.

NOW, THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWN OF HALTON HILLS ENACTS AS FOLLOWS:

1. The provisions of Section 36.14 of O. Reg. 586/06 apply to the benefitting property as a result of the completion of the Work pursuant to the POA.

2. The amounts specially charged on the lot as set out in the certified local improvement roll attached as Schedule A to this by-law (the "Special Charge") is sufficient to raise the lot's share of the Cost and shall be imposed on and collected by annually adding the annual amount payable as set out in Schedule A to this by-law (the "Annual Payment") to the tax roll of the lot.
3. The Annual Payments as set out in certified local improvement roll attached as Schedule A do not extend beyond the lifetime of the Work.
4. The amount of each payment made in respect of the Special Charge shall be entered in the local improvement roll by the Treasurer.
5. This By-Law shall come into force and take effect on the date of its passing and shall be deemed repealed on the date on which the Treasurer certifies that the Special Charge has been paid in full.

BY-LAW read and passed by the Council for the Town of Halton Hills this 13th day of February 2023.

MAYOR – ANN LAWLOR

TOWN CLERK – VALERIE PETRYNIAK