WHEREAS Section 326 of the Municipal Act, S.O. 2001, c.25, as amended, provides that a local municipality may by-law identify a special service and designate an area of the municipality in which the residents and property owners receive or will receive additional benefit from that special service that is not received or will not be received in other areas of the municipality;

AND WHEREAS the Council for the Corporation of the City of Peterborough has granted Draft Plan Approval to Draft Plan of Subdivision 15T-10507 (Avonlea Subdivision, Phase 2) subject to a condition requiring the Subdivider to acknowledge that the City may implement a Special Area Charge pursuant to Section 326 of the Municipal Act, S.O. 2001, c.25, as amended for properties within the plan that abut and rely upon rear laneways in order to reflect the enhanced level of municipal services that will be provided to those properties;

AND WHEREAS the conditions of Draft Plan Approval for Draft Plan of Subdivision 15T-10507 require the amount of any Special Area Charge be established prior to Final Approval of the first phase of development within the Draft Plan of Subdivision;

AND WHEREAS the registered subdivision agreement (Instrument No. PE180757) for the first stage of development (Plan 45M-238) of the Draft Plan of Subdivision established the value of a Special Area Charge as being $96.52 for 2013, subject to an annual adjustment following the general tax levy increase, which will be added to the annual property tax bill for those properties within the plan that abut and rely upon rear laneways;

AND WHEREAS the conditions of Draft Plan Approval for Draft Plan of Subdivision 15T-10507 require the Subdivider to provide notice of the amount of the Special Area Charge in all Agreements of Purchase and Sale;

AND WHEREAS the properties that abut and rely upon rear laneways and are subject to the Special Area Charge are LOTS 61, 62, 63, 64, 65, 88, 89, 90, 91, 92 and LOTS 102 to 144, both inclusive, on PLAN 45M-238 in the City of Peterborough.

THE CORPORATION OF THE CITY OF PETERBOROUGH BY THE COUNCIL THEREOF HEREBY ENACTS AS FOLLOWS:

1. Pursuant to Section 326.(1)(a) of the Municipal Act, S.O. 2001, c.25, as amended, the ongoing Public ownership and maintenance of rear laneways is hereby deemed to be a Special Service.

2. Pursuant to Section 326.(1)(c) of the Municipal Act, S.O. 2001, c.25, as amended, residential lots within the Avonlea Subdivision (Phase 2) that abut and rely upon rear laneways are hereby designated as an area of the municipality in which the residents and property owners receive or will receive an additional benefit from the Special Service that is not received or will not be received in other areas of the municipality;

3. The City of Peterborough will add an annual charge to the 2013 property tax bill of designated residential lots for the 2013 taxation year at a rate of $96.52.
4. The City of Peterborough will add the applicable annual charge to the tax bill of designated residential lots for subsequent years subject to an annual adjustment following the general property tax levy increase.

By-law read a first, second and third time this 2nd day of July, 2013.

(Sgd.) Daryl Bennett, Mayor

(Sgd.) John Kennedy, City Clerk