

**THE CORPORATION OF THE
TOWNSHIP OF WELLESLEY**

BY-LAW NUMBER 14/2009

**A By-Law to provide for the final cost levy of various drainage works
in the Township of Wellesley
in the Regional Municipality of Waterloo**

WHEREAS the Council of the Township of Wellesley in the Region of Waterloo passed bylaws in accordance with the provisions of the Drainage Act for the drains listed in Schedule A attached;

AND WHEREAS the construction of the drains listed in Schedule A has now been certified complete by the Engineer that prepared the report for the drain;

AND WHEREAS the final total cost of each of the drains has now been determined as outlined in Schedule A;

NOW THEREFORE the Council of The Corporation of the Township of Wellesley enacts as follows:

1. That the final cost of the drains listed in Schedule A shall be levied to the assessed lands and roads in accordance with the provisions of the applicable Engineer's report and the Bylaw which adopted the report as listed in Schedule A;
2. That the final cost levied shall be reduced by the amount of grants received under Section 85 of the Act and shall be reduced by the amount of allowances granted under the Act in accordance with Section 62(3) of the Act;
3. That the final cost to be levied for the various drains listed in Schedule A shall be as outlined in Schedule B attached and the amounts shown in Schedule B shall be due within 30 days of the date of the invoice for the amount owing unless alternate provisions for payment are made in accordance with the provisions of the bylaws listed in Schedule A;

This by-law comes into force on the passing thereof and may be cited as the "2009 Final cost levy on various drains" Bylaw.

Read a first and second time this 2nd day of March, 2009.

Read a third and final time and passed this 2nd day of March, 2009.

Ross Kelterborn
Mayor Ross Kelterborn

Susan Duke
CAO/Clerk, Susan Duke

SCHEDULE A

Bylaw No. 14/2009

| Drain | Bylaw | Estimated Cost | Actual Cost |
|--------------------------------|----------|----------------|--------------|
| Willow Way Drain | 41/2003 | \$ 32,800.00 | \$ 33,823.18 |
| Kingwood Drain | 42/2004 | \$ 56,000.00 | \$ 52,028.57 |
| Frey-Roe Drain 2006 | 36/2006 | \$ 42,500.00 | \$ 44,510.00 |
| Drain 10 Cressman Branches | 33/2007 | \$ 22,400.00 | \$ 23,223.00 |
| Wellesley Drain 7 2008 | 14/2008 | \$ 36,700.00 | \$ 40,979.04 |
| Byron Drain B Improvement 2007 | 15/2008 | \$ 57,100.00 | \$ 56,040.00 |
| Erb Drain Branch B 2008 | 38B/2008 | \$ 29,900.00 | \$ 29,886.00 |

SCHEDULE B

Bylaw No. 14/2009

Schedule for Actual Cost Bylaw

WILLOW WAY DRAIN, Wellesley Township

| Con | Lot | Roll No. | Owner | Estimated Assessment | Actual Assessment | 1/3 Grant | Allowances | NET |
|---|------|-------------|----------------------------|----------------------|-------------------|-------------|---------------|------------------|
| 5E | Pt 3 | 20-1-130 | H. & S. Martin | 261 | 269.14 | | | 269.14 |
| 5E | Pt 3 | 20-1-132-01 | J. Heitzner | 652 | 672.34 | | 800 | -127.66 |
| 5E | Pt 3 | 20-1-132-10 | J. Heitzner | 2,002 | 2,064.45 | | 5,200 | -3,135.55 |
| 5E | Pt 3 | 20-1-133-01 | G. Moser, P. Rieder, et al | 605 | 623.87 | | | 623.87 |
| 5E | Pt 3 | 20-1-191 | J. Kieswetter | 300 | 309.36 | | | 309.36 |
| 5E | Pt 3 | 20-1-192 | J. Kieswetter | 300 | 309.36 | | | 309.36 |
| 5E | Pt 3 | 20-1-193 | R. Heslop | 600 | 618.72 | | | 618.72 |
| 5E | Pt 3 | 20-1-194 | R. Heslop & D. Stumpf | 600 | 618.72 | | | 618.72 |
| 5E | Pt 3 | 20-1-195 | A. & V. Bersenas | 600 | 618.72 | | | 618.72 |
| 5E | Pt 3 | 20-1-196 | D. & M. Rieder | 600 | 618.72 | | | 618.72 |
| 5E | Pt 3 | 20-1-197 | G.&A. Moser | 600 | 618.72 | | | 618.72 |
| 5E | Pt 3 | 20-1-198 | J. Blom & J. Baid | 600 | 618.72 | | | 618.72 |
| 5E | Pt 3 | 20-1-199 | P. Broughall | 600 | 618.72 | | | 618.72 |
| 5E | Pt 3 | 20-1-200 | J. Karan & A. Hauser | 900 | 928.08 | | | 928.08 |
| 5E | Pt 3 | 20-1-201 | S. Hauser, G. Lobban | 1,800 | 1,856.15 | | 4,000 | -2,143.85 |
| 5E | Pt 3 | 20-1-202 | N. Koebel | 600 | 618.72 | | | 618.72 |
| 5E | Pt 3 | 20-1-203 | W. McKay | 731 | 753.80 | | | 753.80 |
| 5E | Pt 3 | 20-1-205 | W. Erb | 2,402 | 2,476.93 | | | 2,476.93 |
| 5E | Pt 3 | 20-1-206 | G. Havlik | 2,376 | 2,450.12 | | | 2,450.12 |
| 5E | Pt 3 | 20-1-207 | E. Jessop | 3,361 | 3,465.84 | | | 3,465.84 |
| 5E | Pt 3 | 20-1-208 | E. Kuntz | 2,350 | 2,423.31 | | | 2,423.31 |
| 5E | Pt 3 | 20-1-209 | E. & S. Herringer | 2,350 | 2,423.31 | | | 2,423.31 |
| Total Assessments on Lands: | | | | 25,190 | 25,975.82 | 0.00 | 10,000 | 15,975.82 |
| Willow Way | | | Wellesley Township | 7,588 | 7,824.67 | | 1,000 | 6,824.67 |
| 5E | Pt 3 | Lane | Wellesley Township | 22 | 22.69 | | | 22.69 |
| Total Assessments on Roads | | | | 7,610 | 7,847.36 | 0.00 | 1,000 | 6,847.36 |
| TOTAL ASSESSMENTS ON WILLOW WAY DRAIN: | | | | 32,800 | 33,823.18 | 0.00 | 11,000 | 22,823.18 |

Note

A negative (-) net amount would be paid to the owner.

SCHEDULE B
Bylaw No. 14/2009

Schedule for Actual Cost Bylaw
KINGWOOD DRAIN, Wellesley Township

| Con | Roll No. | Estimated | Actual | 1/3 | Allowances | NET |
|---|--------------------------------|---------------|------------------|-----------------|--------------|------------------|
| West Lot | (020-007) Owner | Assessment | Assessment | Grant | | |
| * 3 Pt 4 | -061 G. Leis | 1,858 | 1,726.34 | 575.45 | | 1,150.89 |
| 3 Pt 4 | -062 B. & K. Scheifele | 668 | 620.67 | | | 620.67 |
| 3 Pt 4 | -063 G. Kuepfer & T. Holst | 2,387 | 2,217.86 | | 100 | 2,117.86 |
| 3 Pt 4 | -063-01 K. & L. Eby | 1,535 | 1,426.23 | | | 1,426.23 |
| * 3 Pt 4 | -064 T. Bauman | 2,184 | 2,029.24 | 676.41 | | 1,352.83 |
| 2 Pt 4 | -079-10 R. & P. Diebolt | 1,284 | 1,193.02 | | 100 | 1,093.02 |
| 2 Pt 4 | -079-11 M. & C. Dakin | 1,334 | 1,239.47 | | 100 | 1,139.47 |
| 2 Pt 4 | -079-12 C. & M. Wynes | 1,434 | 1,332.39 | | 400 | 932.39 |
| 2 Pt 4 | -079-13 E. & P. Wideman | 1,434 | 1,332.39 | | 500 | 832.39 |
| 2 Pt 4 | -079-14 G. & C. Stohr | 1,334 | 1,239.47 | | 100 | 1,139.47 |
| 2 Pt 4 | -079-15 S. Duke | 1,901 | 1,766.30 | | 200 | 1,566.30 |
| * 2 Pt 4 | -080 S. Duke | 561 | 521.25 | 173.75 | | 347.50 |
| 2 Pt 4 | -080-50 Faith Mennonite Church | 3,432 | 3,188.81 | | 500 | 2,688.81 |
| * 2 Pt 3 | -082 Willowshade | 6,043 | 5,614.80 | 1,871.60 | 1,000 | 2,743.20 |
| 2 Pt 3 | -083 J. & G. Kosch | 647 | 601.15 | | | 601.15 |
| 2 Pt 3 | -083-01 D. & R. Bisch | 574 | 533.33 | | | 533.33 |
| * 2 Pt 3 | -084 K. Jantzi | 2,400 | 2,229.94 | 743.31 | 500 | 986.63 |
| Total Assessments on Lands: | | 31,010 | 28,812.66 | 4,040.52 | 3,500 | 21,272.14 |
| Deborah Glaister Line Wellesley Township | | 14,890 | 13,834.89 | | 500 | 13,334.89 |
| Special Assessment to Deborah Glaister Line | | 3,000 | 2,817.00 | | | 2,817.00 |
| Chalmers-Forrest Road Wellesley Township | | 4,050 | 3,763.02 | | | 3,763.02 |
| Special Assessment to Chalmers-Forrest Road | | 3,050 | 2,801.00 | | | 2,801.00 |
| Total Assessment on Roads: | | 24,990 | 23,215.91 | | 500 | 22,715.91 |
| TOTAL ASSESSMENT KINGWOOD DRAIN | | 56,000 | 52,028.57 | 4,040.52 | 4,000 | 43,988.05 |

Notes:

Lands noted with an asterisk (*) are classified as agricultural and according to current OMAFRA policy qualify for the 1/3 grant

Schedule for Actual Cost Bylaw
FREY-ROE DRAIN 2006, Wellesley Township

| Con | Roll No. | Estimated | Actual | 1/3 | Allowances | NET |
|---|--------------------------------|---------------|------------------|------------------|--------------|------------------|
| Lot | Owner | Assessment | Assessment | Grant | | |
| 12E Pt 9 | 030-004-110-10 A. & L. Lorentz | 153 | 155.23 | 51.74 | | 103.49 |
| 13E Pt 8, 9 | 030-004-111-00 A. & C. Roe | 12,763 | 12,948.95 | 4,316.32 | 100 | 8,532.63 |
| 11W E pt 11 | 040-005-260-00 H. & A. Martin | 1,700 | 1,724.77 | 574.92 | | 1,149.85 |
| 11W N½, N½ | 040-005-260-01 M. Frey | 1,778 | 1,803.90 | 601.30 | | 1,202.60 |
| 11W 12 | 040-005-261-00 L. Frey | 17,188 | 17,438.42 | 5,812.81 | 6,250 | 5,375.61 |
| 11W S½, N½ | 040-005-261-00 L. Frey | 17,188 | 17,438.42 | 5,812.81 | 6,250 | 5,375.61 |
| 11W N½ 12 | 040-005-262-00 E. Bauman | 430 | 436.26 | 145.42 | | 290.84 |
| Total Assessments on Lands: | | 34,012 | 34,507.53 | 11,502.51 | 6,350 | 16,655.02 |
| Lavery Road Wellesley Township | | 3,738 | 3,792.47 | | | 3,792.47 |
| Special Assessment to Lavery Road | | 4,750 | 6,210.00 | | | 6,210.00 |
| Total Assessment on Roads: | | 8,488 | 10,002.47 | 0.00 | 0 | 10,002.47 |
| TOTAL ASSESSMENT FREY-ROE DRAIN 2006 | | 42,500 | 44,510.00 | 11,502.51 | 6,350 | 26,657.49 |

SCHEDULE B

Bylaw No. 14/2009

Schedule for Actual Cost Bylaw Drain 10 Cressman Branches, Wellesley Township

| Con | Lot | Roll No. (004-005) | Owner | Estimated Assessment | Actual Assessment | 1/3 Grant | Allowances | NET |
|-----------------------------|---------|-----------------------|-----------------------|-------------------------|----------------------|--------------|------------|-----------|
| 11 | E pt 9 | -012 | Region of Waterloo | 6,566 | 6,631.37 | | | 6,631.37 |
| 11 | W pt 10 | -238-01 | James Dietrich | 1,649 | 1,665.42 | 555.14 | | 1,110.28 |
| 11 | E pt 9 | -240 | Todd and Joy Cressman | 7,578 | 7,653.44 | 2,551.15 | 900 | 4,202.29 |
| Total Assessments on Lands: | | | | 15,793 | 15,950.23 | 3,106.29 | 900 | 5,312.57 |
| Manser Road | | | Region of Waterloo | 6,607 | 6,672.77 | | | 6,672.77 |
| TOTAL ASSESSMENTS | | | | 22,400 | 22,623.00 | 3,106.29 | 900 | 11,985.34 |

Notes:

All of the above lands are classified as agricultural except for the parcel owned by the Region of Waterloo

Schedule for Actual Cost Bylaw Wellesley Drain 7 2008, Wellesley Township

| Con | Lot | Roll No. | Owner | Estimated Total | Actual Total | 1/3 Grant | Allowances | ACTUAL NET |
|---|----------|------------|----------------------------|--------------------|-----------------|--------------|------------|---------------|
| 14W | S½ 12 | 4-5-001-00 | I. & R. Metzger | 209 | 233.37 | 77.79 | 0 | 155.58 |
| 13W | N½ 10 | 4-5-054-00 | M. & M. Martin | 82 | 91.56 | 30.52 | 0 | 61.04 |
| 13W | W½ 11 | 4-5-057-00 | E. & S. Martin | 500 | 558.30 | 186.10 | 0 | 372.20 |
| 13W | Pt E½ 11 | 4-5-058-00 | R. & I. Martin | 650 | 725.79 | 241.93 | 0 | 483.86 |
| 13W | SW¼ 12 | 4-5-060-00 | D. & S. Bauman | 691 | 771.57 | 257.19 | 0 | 514.38 |
| 13W | SE¼ 12 | 4-5-061-00 | C. & E. Martin | 691 | 771.57 | 257.19 | 0 | 514.38 |
| 13W | N½ 12 | 4-5-062-00 | W. & D. Martin | 1,335 | 1,490.65 | 496.88 | 0 | 993.77 |
| 12W | N½ 12 | 4-5-064-00 | Simeon B. Martin Mfg. Ltd. | 236 | 263.52 | 87.84 | 0 | 175.68 |
| 15E | Pt W½ 6 | 3-4-155-00 | O. & E. Bauman | 140 | 156.32 | 52.11 | 0 | 104.21 |
| 15E | Pt 7 | 3-4-156-00 | S. & S. Martin | 1,017 | 1,135.58 | 378.53 | 0 | 757.05 |
| 15E | Pt 7 | 3-4-157-00 | C. & E. Martin | 192 | 214.39 | 71.46 | 0 | 142.93 |
| * 15E | Pt 7 | 3-4-157-10 | D. & S. McKay | 34 | 37.96 | 0.00 | 0 | 37.96 |
| 15E | Pt 7 | 3-4-158-00 | A. & M. Brubacher | 678 | 757.05 | 252.35 | 0 | 504.70 |
| * 15E | Pt 7 | 3-4-159-00 | R. & B. King | 48 | 53.60 | 0.00 | 0 | 53.60 |
| 14E | PtW½ 13 | 3-4-161-00 | E. Bowman | 26,875 | 30,008.48 | 10,002.83 | 2,700 | 17,305.65 |
| | | | | 33,378 | 37,269.71 | 12,392.72 | 2,700 | 22,176.99 |
| Lavery Road | | | Township of Wellesley | 3,240 | 3,617.77 | 0.00 | | 3,617.77 |
| Buehler Line | | | Township of Wellesley | 82 | 91.56 | 0.00 | | 91.56 |
| Total Assessments on Roads: | | | | 3,322 | 3,709.33 | 0.00 | 0 | 3,709.33 |
| TOTAL ON WELLESLEY DRAIN NO. 7 2008: | | | | 36,700 | 40,979.04 | 12,392.72 | 2,700 | 25,886.32 |

Notes:

All of the above lands are classified as agricultural and have the Farm Tax Rate (FTR), except those noted with an asterisk (*)

SCHEDULE B
Bylaw No. 14/2009

Schedule for Actual Cost Bylaw
Byron Drain B Improvement 2007, Wellesley Township

| Con | Lot | Roll No. | Owner | Estimated Total | Actual Total | 1/3 Grant | Allowances | ACTUAL NET |
|--|---------|------------|-----------------|-----------------|--------------|-----------|------------|------------|
| Wellesley Township (30-24-040) | | | | | | | | |
| 14 | E½ 3 | 005-026 | J. Shantz | 1,580 | 1,550.67 | 516.89 | 0 | 1,033.78 |
| 14 | W½ 3 | 005-027 | E. & M. Frey | 15,550 | 15,261.33 | 5,087.11 | 14,030 | -3,855.78 |
| 14 | E½ 2 | 005-028 | J. & S. Weber | 16,430 | 16,124.99 | 5,375.00 | 12,680 | -1,930.01 |
| 14 | W½ 2 | 005-028-10 | M. Shantz | 7,689 | 7,546.26 | 2,515.42 | 12,680 | -7,649.16 |
| <i>Total Assessments on Lands in Wellesley Township:</i> | | | | 41,249 | 40,483.25 | 13,494.42 | 39,390 | -12,401.17 |
| Chalmers-Forrest Road Township of Wellesley | | | | 68 | 66.74 | 0.00 | 0 | 66.74 |
| Total Assessment on Wellesley Township | | | | 41,317 | 40,549.99 | 13,494.42 | 39,390 | -12,334.43 |
| Mapleton Township (23-32-000-) | | | | | | | | |
| 1 | 4 | 001-053 | A. & V. Metzger | 339 | 332.71 | 110.90 | 0 | 221.81 |
| 1 | Pt E½ 3 | 001-054 | C. & R. Wideman | 4,666 | 4,579.39 | 1,526.46 | 0 | 3,052.93 |
| * 1 | Pt E½ 3 | 001-054-05 | A. & M. Metzger | 271 | 265.97 | 0.00 | 0 | 265.97 |
| 1 | W½ 3 | 001-055 | F. & S. Weber | 3,108 | 3,050.30 | 1,016.77 | 0 | 2,033.53 |
| <i>Total Assessments on Lands in Mapleton:</i> | | | | 8,384 | 8,228.37 | 2,654.13 | 0 | 5,574.24 |
| Sideroad 3 Township of Mapleton | | | | 406 | 398.46 | 0.00 | 0 | 398.46 |
| Wellington Rd 86 County of Wellington | | | | 6,993 | 6,863.18 | 0.00 | 0 | 6,863.18 |
| <i>Total Assessments on Roads in Mapleton Township:</i> | | | | 7,399 | 7,261.64 | 0.00 | 0 | 7,261.64 |
| Total Assessment on Mapleton Township | | | | 15,783 | 15,490.01 | 2,654.13 | 0 | 12,835.88 |
| TOTAL ON BYRON DRAIN B IMPROVEMENT 2007: | | | | 57,100 | 56,040.00 | 16,148.55 | 39,390 | 501.45 |

Notes:

All of the above lands are classified as agricultural and have the Farm Tax Rate (FTR), except those noted with an asterisk (*)
A negative (-) net amount would be paid to the owner.

Schedule for Actual Cost Bylaw
Erb Drain Branch B 2008, Wellesley Township

| Con | Lot | Roll No. | Owner | Estimated Amount | Actual Amount | 1/3 Grant | Allowances | NET |
|---|----------|----------------|-----------------------------|------------------|---------------|-----------|------------|-----------|
| * | 2E Pt 14 | 010-001-294 | E. Erb | 239 | 238.89 | 79.63 | | 159.26 |
| * | 2E Pt 14 | 020-008-018 | E. Erb | 4,855 | 4,852.73 | 1,617.58 | 1,800 | 1,435.15 |
| * | 2W Pt 12 | 020-008-049 | R. Mainland | 342 | 341.84 | 113.94 | | 227.90 |
| | 2W Pt 12 | 020-008-049-01 | AA Commercial Holdings Inc. | 1,302 | 1,301.39 | | | 1,301.39 |
| | 2W Pt 12 | 020-008-049-25 | M. Lichy | 14,663 | 14,656.13 | | | 14,656.13 |
| | 2W Pt 12 | 020-008-049-50 | M. Lichy | 1,337 | 1,336.37 | | | 1,336.37 |
| | 2W Pt 12 | 020-008-049-75 | M. Lichy | 1,234 | 1,233.42 | | | 1,233.42 |
| | 2W Pt 12 | 020-008-050 | M. Lichy | 1,302 | 1,301.39 | | | 1,301.39 |
| Total Assessments on Lands: | | | | 25,274 | 25,262.16 | 1,811.15 | 1,800 | 21,651.01 |
| Hutchison Road Region of Waterloo | | | | 4,626 | 4,623.84 | | | 4,623.84 |
| TOTAL ASSESSMENTS ERB DRAIN BRANCH B 2008: | | | | 29,900 | 29,886.00 | 1,811.15 | 1,800 | 26,274.85 |

Notes:

Lands noted with an asterisk (*) are classified as agricultural and according to current OMAFRA policy qualify for the 1/3 grant