

**THE CORPORATION OF THE TOWNSHIP OF PUSLINCH**

**BY-LAW NO XX/14**

A by-law to provide for the imposition of late payment charges for non-payment of taxes

**WHEREAS** Section 345 (1) of the Municipal Act, 2001, S.O. 2001, c. 25, provides that a municipality may pass by-laws for the imposition of late payment charges for the non-payment of taxes or any installment by the due date;

**AND WHEREAS** Section 345 (2) of the Municipal Act, 2001, S.O. 2001, c. 25 provides that a percentage charge, not to exceed 1 ¼ per cent of the amount of taxes due and unpaid, may be imposed as a penalty for the non-payment of taxes on the first day of default or such later date as the by-law specifies;

**AND WHEREAS** Section 345 (3) of the Municipal Act, 2001, S.O. 2001, c. 25, provides that interest charges, not to exceed 1 ¼ per cent each month of the amount of taxes due and unpaid, may be imposed for the non-payment of taxes in the manner specified in the by-law but interest may not start to accrue before the first day of default.

NOW THEREFORE the Council of the Corporation of the Township of Puslinch HEREBY ENACTS AS FOLLOWS:

1. The Treasurer be and the same is hereby authorized and directed
  - (1) To add a penalty charge of 1 ¼ percent on the installment of taxes due and unpaid on the first day of default, being the first day after the tax installment due date, and
  - (2) To impose an interest charge at a rate of 1 ¼ percent per month calculated on the total amount of taxes due and unpaid on the first calendar day of the next month following default and on the first calendar day of each successive month that the taxes remain unpaid.
2. Any previous By-laws regarding late payment charges for the non-payment of taxes are hereby repealed.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 8<sup>th</sup> DAY OF JANUARY, 2014.**

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Dennis Lever, Mayor

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Karen Landry, CAO/Clerk

**THE CORPORATION OF THE TOWNSHIP OF PUSLINCH**

**BY-LAW NO XX/14**

A by-law to provide for an interim tax levy for 2014 and the collection thereof

**WHEREAS** pursuant to section 317 of the Municipal Act, S.O. 2001, c. 25, as amended, provides that the Council of a local municipality, before the adoption of estimates for the year may pass a by-law levying amounts on the assessment of property in the local municipality rateable for local municipality purposes;

**AND WHEREAS** The Council of the Corporation of the Township of Puslinch deems it appropriate to provide for such interim levy on the assessment of property in this municipality;

**AND WHEREAS** pursuant to section 342 of the Municipal Act, S.O. 2001, c. 25, as amended, Council is authorized to pass by-laws providing for the payment of taxes by installments and the date or dates in the year for which the taxes are imposed on which the taxes or installments are due;

**AND WHEREAS** pursuant to section 345 of the Municipal Act, S.O. 2001, c. 25, as amended, authorizes a local municipality to pass by-laws to impose late payment charges for the non-payment of taxes or any installment by the due date;

NOW THEREFORE the Council of the Corporation of the Township of Puslinch HEREBY ENACTS AS FOLLOWS:

1. For the Residential, Pipeline, Farmland and Managed Forest property classes there shall be imposed and collected an interim levy of 50% of the total taxes for municipal and school purposes levied on a property in the year 2013.
2. For the Multi-Residential, Commercial and Industrial property classes there shall be imposed and collected an interim levy of 50% of the total taxes for municipal and school purposes levied on a property in the year 2013.
3. For the purposes of calculating the amount of total taxes for the year 2013 under Sections 1 and 2 of this by-law, if any taxes for municipal and school purposes were levied on a property for only part of 2013 because assessment was added to the tax roll during 2013, an amount shall be added equal to the additional taxes that would have been levied on the property if taxes for municipal and school purposes had been levied for the entire year.
4. All taxes levied under this by-law shall be payable into the hands of the Treasurer in accordance with the provisions of this by-law.
5.
  - (1) The Treasurer shall add a percentage as a penalty for default of payment of the installments in accordance with By-law No. 2014-001, as amended;
  - (2) The Treasurer shall also add a percentage charge as interest for default of payment of the installments in accordance with By-law No. 2014-001, as amended.
6. The levies imposed under Sections 1 and 2 of this by-law shall be due and payable in two installments as follows:
  - (1) The 28<sup>th</sup> day of February, 2014; and
  - (2) The 30<sup>th</sup> day of April, 2014
7. The subsequent levy for the year 2014 made under the Municipal Act, 2001, as amended, shall be reduced by the amount raised by the interim levy imposed pursuant to this by-law.

8. The Treasurer is hereby authorized to accept part payment from time to time on account of any taxes due and to give a receipt for such a part payment, provided that acceptance of any such part payment does not affect the collection of any percentage charge imposed and collectable under the provision of Section 5 of this by-law, as amended, in respect of non-payment of any taxes or any class of taxes or of any installment thereof.
9. There may be added to the tax roll all or any arrears of charges, fees, costs or other expenses as may be permitted by Provincial legislation and such arrears of charges, fees, costs or other expenses shall be deemed to be taxes, collected as taxes, or collected in the same manner as municipal taxes, or dealt with in such fashion as may be specifically authorized by applicable statute.
10. Where current realty taxes being levied are paid pursuant to the Township's pre-authorized payment plan, such taxes shall be payable in accordance with the pre-authorized tax agreement entered into and shall, under the terms of that agreement, be exempt from any penalty incurred pursuant to Section 5 of this by-law, provided that payment is being made pursuant to the terms of the agreement.
11. Nothing in this by-law shall prevent the Treasurer from proceeding at any time with the collection of any tax, or any part thereof, in accordance with the provisions of the applicable statutes and by-laws governing the collection of taxes.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 8<sup>th</sup> DAY OF JANUARY, 2014.**

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Dennis Lever, Mayor

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Karen Landry, CAO/Clerk

**THE CORPORATION OF THE TOWNSHIP OF PUSLINCH**

**BY-LAW NUMBER XX/14**

A By-law to amend By-law 74/13 being a By-law to impose fees or charges with respect to services or activities provided, related costs payable, and for the use of its property

**WHEREAS** Council passed By-law 74/13 on December 4, 2013; and

**WHEREAS** Council passed By-law 42/05 on July 6, 2005 and passed By-law 33/12 on April 18, 2013 to replace Schedule "A" to By-law 42/05; and

**WHEREAS** By-law 74/13 amended the fees contained in By-law 42/05 as amended by By-law 33/12; and

**WHEREAS** Section 391(1) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, a municipality may pass a By-law imposing fees or charges for services or activities provided or done by or on behalf of it, for costs payable by it for services or activities provided or done by or on behalf of any other municipality, and for the use of its property under its control; and

**WHEREAS** Section 7(1) of the Building Code Act, 1992, S.O. 1992, c. 23, as amended provides that the Council of municipality may pass By-laws imposing fees and charges; and

**WHEREAS** By-law 74/13 requires a provision to amend Schedule "A" of By-law 42/05 with Schedule "F" of By-law 74/13;

**NOW THEREFORE** the Council of the Corporation of the Township of Puslinch enacts as follows:

1. That Schedule "E" to By-Law 74/13 be amended to delete the words "For High Hazard Fireworks" from the comments section under the item "Permit – Sale of Fireworks".
2. That Schedule "A" to By-law 42/05 be deleted and replaced with Schedule "F" to By-law 74/13;
3. That Schedule "F" to By-law 74/13 be amended to include the following:

**1.1 Interpretations**

- (a) Floor area of the proposed work is to be measured to the outer face of exterior walls
- (b) Unfinished basements for dwellings are not included in floor areas
- (c) Unfinished loft space or bonus room to be included in area calculations

1.2 Where the fees are based on the cost of valuation of the proposed work, such cost or valuation shall mean the total cost of all work regulated by the permit and without restricting the generality of the foregoing, shall include the cost of all material, labour, equipment, overhead and professional and related services.

1.3 Fees are to be rounded to the nearest dollar.

1.4 The Chief Building Official may place a valuation on the cost of work and the permit applicant shall pay the prescribed fee(s) before issuing the permit."

4. All other provisions of By-law 42/05 shall remain in full force and effect.
5. By-law 33/12 is hereby repealed.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 8th DAY OF January, 2014.**

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Dennis Lever, Mayor

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Karen M. Landry, CAO/Clerk

**THE CORPORATION OF THE TOWNSHIP OF PUSLINCH**

**BY-LAW NUMBER XX/14**

**A BY-LAW TO AMEND BY-LAW NUMBER 19/85, AS AMENDED BEING THE ZONING BY-LAW OF THE OF THE TOWNSHIP OF PUSLINCH**

(To remove the Holding Symbol for part of the Mini Lake property in Aberfoyle pursuant to section 34 and section 36 of *The Planning Act*, R.S.O., 1990, as amended).

**WHEREAS** the County of Wellington Official Plan contains policies relating to the use of Holding Zone provisions pursuant to section 36 of *The Planning Act*, R.S.O., 1990 as amended;

**AND WHEREAS** the lands affected by this By-law are presently subject to Holding Zone Provisions, namely ('h-1') Pursuant to the Township of Puslinch Zoning By-law Number 19/85 as amended;

**AND WHEREAS** the subject holding provisions preclude the use of the affected land for year-round residential occupancy until such a time as the Holding Zone symbol has been removed;

**AND WHEREAS** the requirements for the removal of the Holding Zone from part of the subject property have been addressed to council's satisfaction.

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF PUSLINCH ENACTS AS FOLLOWS:**

- 1) THAT By-law 19/85 is amended by removing the Holding Zone Symbol ('h-1') from a specific part of the lands described as Part of Lot 21, Concession 8, Known as the Mini Lakes Property, more specifically defined as the sites listed on Schedule "A" Which forms part of this By-law.
- 2) That all other applicable provisions of Zoning By-law 19/85, as amended, shall continue to apply to the lands affected by this By-law.
- 3) That this By-law shall come into effect on the date of final enactment by Council pursuant to the requirements of The Planning Act, R.S.O., 1990 as amended.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 8<sup>th</sup> DAY OF JANUARY, 2014**

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Dennis Lever, Mayor

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Karen Landry, C.A.O/Clerk

Schedule "A"  
EXPLANATORY NOTE  
By-Law No. xx/14

The Holding zone Symbol (h-1) shall be removed from site 213.

This is schedule "A" to By-law No. XXX/14  
Passed this 8th day of January, 2014

**THE CORPORATION OF THE TOWNSHIP OF PUSLINCH**

**EXPLANATORY NOTE**

**BY-LAW NUMBER XX/14**

The purpose of this by-law is to remove the current holdings Symbol ('h-1') which applies to part of the subject property which is described as part of Lot 21, Concession 8 known as Mini Lakes Country Club owned by the Mini Lakes Residents Association.

The current zoning of the subject lands is **Mini Lakes (ML 'h-1') Holding Zone**. The holding zone was established by the Ontario Municipal Board on March 28, 2000 to ensure the orderly conversion of the Mini lakes Property from a seasonal recreational/residential trailer park to a permanent residential adult lifestyle community.

Pursuant to Zoning by-law No. 19/85 as amended, the holding provisions may be removed from the subject land, or part of the subject land, when Council is satisfied that a development agreement between the land owner and the Township has been established and the new sewage and treatment and water supply services have been completed. These matters have now been addressed, and the owners are seeking to remove the Holding symbol from 1 dwelling site within the park.

Once the 'h-1' symbol has been removed from a dwelling site, it may be used for year round residential occupancy subject to the townships building standards and applicable regulations on the Mini lakes (ML) Zone.

The Attached Appendix 1 is the interm- as built plan of Mini Lakes property, which highlights the dwelling site (as listed on schedule "A") where the holding symbol is to be removed in accordance with this By-law.



Appendix 1



**THE CORPORATION OF THE TOWNSHIP OF PUSLINCH**

**BY-LAW NUMBER XXX/14**

Being a by-law to confirm the proceedings of the Council of the Corporation of the Township of Puslinch at its meeting held on January 8, 2014.

**WHEREAS** by Section 5 of the *Municipal Act, 2001, S.O. 2001, c.25* the powers of a municipal corporation are to be exercised by its Council;

**AND WHEREAS** by Section 5, Subsection (3) of the *Municipal Act*, a municipal power including a municipality's capacity, rights, powers and privileges under section 8, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

**AND WHEREAS** it is deemed expedient that the proceedings of the Council of the Corporation of the Township of Puslinch at its meeting held January 8, 2014 be confirmed and adopted by By-law;

**NOW THEREFORE** the Council of the Corporation of the Township of Puslinch hereby enacts as follows:

- 1) The action of the Council of the Corporation of the Township of Puslinch, in respect of each recommendation contained in the reports of the Committees and each motion and resolution passed and other action taken by the Council at said meeting are hereby adopted and confirmed.
- 2) The Head of Council and proper official of the Corporation are hereby authorized and directed to do all things necessary to give effect to the said action of the Council.
- 3) The Head of Council and the Clerk are hereby authorized and directed to execute all documents required by statute to be executed by them, as may be necessary in that behalf and the Clerk authorized and directed to affix the seal of the said Corporation to all such documents.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 8th DAY OF January, 2014.**

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Dennis Lever, Mayor

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Karen Landry, C.A.O./Clerk