

RURAL MUNICIPALITY OF ST. ANDREWS

BY-LAW NO. 4286

Being a By-Law of the Rural Municipality of St. Andrews to authorize the Expenditure and Borrowing of money for the completion of a new regional wastewater collection system to service the southern portion of the R.M. of St. Andrews (Phase 2) as a Local Improvement.

WHEREAS Section 311 of *The Municipal Act*, S.M. 1996, C.58, provides in part as follows:

If approved by by-law, a municipality may undertake, as a local improvement for the benefit of all or part of the municipality,

- (a) the acquisition, development, upgrading or replacement of one or more of the following:
 - (i) sewage collection and treatment facilities;
 - (ii) water supply, treatment and distribution facilities;
 - (iii) waste management facilities;
 - (iv) highways;
 - (v) drainage systems; or
- (b) any other project the cost of which includes a capital component.

AND WHEREAS subsection 320(1) of *The Municipal Act* provides as follows:

Subject to subsection (2) to (6) and subsection 321(4), a Council may by by-law

- (a) approve the local improvement or special service as set out in the plan or proposal; and
- (b) authorize the municipality to impose taxes as set out in the plan or proposal.

AND WHEREAS Section 172 of *The Municipal Act* provides in part as follows:

In this Division,

"Borrowing" means the borrowing of money, and includes

- (b) borrowing to pay for a local improvement under Division 4 (Local Improvements and Special Services) of Part 10,
- (e) issuing debentures

AND WHEREAS, the Council of the Rural Municipality of St. Andrews has prepared Local Improvement Plan No. 2017-01 providing for the spending, borrowing authority, and imposition of taxes for the completion of a new regional wastewater collection system to service the southern portion of the R.M. of St. Andrews (Phase 2). The wastewater will be conveyed via the Main Street Trunk Sewer in West St. Paul for treatment at the North End Water Pollution Control Centre in Winnipeg as a local improvement pursuant to Part 10 of *The Municipal Act*;

AND WHEREAS, in order to complete such undertaking, it will be necessary for the Rural Municipality of St. Andrews to borrow the sum of \$7,315,889. as hereinafter provided, which is the amount of the debt intended to be created by this by-law;

AND WHEREAS the consecutive annual amounts, including principal and interest, required to be raised each year for 20 years, as hereinafter provided, for paying the principal and interest under this by-law are the amounts set out in Schedule "A" hereto;

AND WHEREAS the requirements are prescribed in Sections 318, 319 and 320 of *The Municipal Act* have been complied with;

AND WHEREAS the amount of the existing borrowing debt of the Rural Municipality of St. Andrews is \$0 of which no portion of the principal or of the interest thereon is in arrears;

NOW THEREFORE the Council of the Rural Municipality of St. Andrews in Special session assembled, enacts as follows:

1. That pursuant to subsection 320(1) of *The Municipal Act*, Rural Municipality of St. Andrews adopt Local Improvement Plan No. 2017-01 attached hereto as Schedule "B".
2. That the Rural Municipality of St. Andrews may expend up to Fifteen Million, Six Hundred Thousand dollars (\$15,600,000.) for the purpose of completing of a new regional wastewater collection system to service the southern portion of the R.M. of St. Andrews (Phase 2). The wastewater will be conveyed via the Main Street Trunk Sewer in West St. Paul for treatment at the North End Water Pollution Control Centre in Winnipeg as a local improvement.
3. That for the aforesaid project, the said municipality may borrow up to Seven Million, Three Hundred Fifteen Thousand and Eight Hundred and Eighty-nine dollars (\$7,315,889.), such borrowing shall be issued by the Rural Municipality of St. Andrews in the Province of Manitoba, and shall be payable at the Sunova Credit Union in Selkirk, Canada at the holder's option, and shall be dated the 31st day of December, 2018.
4. That the said borrowing shall bear interest at a rate estimated for the time being at 5.5% per annum, and subject in any event to the authorization of The Municipal Board at the time of sale, and shall mature in accordance with the maturities set out in Schedule "A" hereto on the 31st day of December in each of the years 2019 to 2038, both inclusive.
5. That the issuance of borrowings shall be signed by the Mayor or by some other person authorized by by-law to sign same, and by the Chief Administrative Officer of the Rural Municipality of St. Andrews and there shall be affixed thereto the corporate seal of the said municipality.
6. That during the currency of the said borrowing; namely, in each of the years 2019 to 2038, both inclusive, there shall be raised annually by a per parcel rate on all the rateable property in the Rural Municipality of St. Andrews described in Schedule "C" hereto, an amount sufficient to provide the principal and interest requirements hereunder.
7. That pursuant to subsection 174(3) (d) of *The Municipal Act*, pending the issue of the borrowing, the Council of the Rural Municipality of St. Andrews may agree with a bank or person or borrow from the general funds of the municipality for temporary advances from time to time to meet expenditures incurred for the purpose aforesaid, and the total of such advances shall not exceed Fifteen Million, Six Hundred Thousand dollars (\$15,600,000).

8. That, at any time prior to or within (30) days following completion of the work, any ratepayer of the area affected by the local improvement as described in Schedule "C" hereto may commute and pay in one principal sum that part of his/her share of the debt herein authorized in respect of per parcel rate(s) provided herein to the said Chief Administrative Officer of the Rural Municipality of St. Andrews and thereafter no per parcel rate(s) shall be levied against his/her said lands in respect of the borrowing to be authorized herein.

Done and Passed by a by-law of the Rural Municipality of St. Andrews in the Province of Manitoba this 13th day of February, 2018.

Mayor

Chief Administrative Officer

Read a first time this 23rd day of May A.D. 2017

Read a second time this 13th day of February A.D. 2018

Read a third time this 13th day of February A.D. 2018

RURAL MUNICIPALITY OF ST. ANDREWS

SCHEDULE - A TO BYLAW NO.4286

Local Improvement Debenture Issue

Term (Yrs):	20	Amount:	7,315,889.00
Date:	December 31, 2018	Rate (%):	5.5000
Payable:	December 31, 2019-2038	Annual Payment:	612,188.69
		First Year's Payment:	612,188.69
		Last Year's Payment:	612,188.69

MATURITY SCHEDULE

Year	Interest	Principal	Balance
2019	402,373.90	209,814.79	7,106,074.21
2020	390,834.08	221,354.61	6,884,719.60
2021	378,659.58	233,529.11	6,651,190.49
2022	365,815.48	246,373.21	6,404,817.28
2023	352,264.95	259,923.74	6,144,893.54
2024	337,969.14	274,219.55	5,870,673.99
2025	322,887.07	289,301.62	5,581,372.37
2026	306,975.48	305,213.21	5,276,159.16
2027	290,188.75	321,999.94	4,954,159.22
2028	272,478.76	339,709.93	4,614,449.29
2029	253,794.71	358,393.98	4,256,055.31
2030	234,083.04	378,105.65	3,877,949.66
2031	213,287.23	398,901.46	3,479,048.20
2032	191,347.65	420,841.04	3,058,207.16
2033	168,201.39	443,987.30	2,614,219.86
2034	143,782.09	468,406.60	2,145,813.26
2035	118,019.73	494,168.96	1,651,644.30
2036	90,840.44	521,348.25	1,130,296.05
2037	62,166.28	550,022.41	580,273.64
2038	31,915.05	580,273.64	0.00
TOTALS	4,927,884.80	7,315,889.00	

SCHEDULE "B" TO BY-LAW NO. 4286
Installation of Sewer Services – Phase 2
Local Improvement Plan – (LID #2) – No. 2017-01
Pursuant to Section 315 of *The Municipal Act*

A. Description of the Proposed Local Improvement:

The local improvement plan proposed herein involves the provision of authority to construct and borrow funds for the completion of a new regional wastewater collection system to service the southern portion of the R.M. of St. Andrews (Phase 2). The wastewater will be conveyed via the Main Street Trunk Sewer in West St. Paul for treatment at the North End Water Pollution Control Centre in Winnipeg.

The project has been initiated by the Council of the R.M. of St. Andrews to provide a cost-effective means of treating wastewater while protecting the health of the community located within *the Manitoba Conservation Red River Corridor Designated Area* that was established in 2009 by Provincial Regulation. This Regulation prohibits the replacement or modification of existing septic fields and construction of new septic fields in the Corridor.

The Onsite Wastewater Management System Regulation of *The Environment Act* of Manitoba states in part as follows:

"Requirement to connect to new wastewater collection system

8.1(1) If a wastewater collection system is installed in an area not previously serviced by a wastewater collection system, an owner of land in that area must

- (a) connect his or her wastewater sources to the wastewater collection system; and
- (b) take any onsite wastewater management system or privy located on the land out of service and decommission it; before the earlier of
- (c) the passing of a period of five years from the day that the wastewater collection system was installed; or
- (d) the transfer or subdivision of the land."

Phase 2 of the project is cost of the construction of a regional wastewater forcemain from River Road to Donald Road in the R.M. of St. Andrews, a Lift Station and Odour Control System at Donald Road and low pressure lines throughout the Phase 2 service area. A map of the area included in Phase 1 and Phase 2 of the project is identified in Section I.

Part 1 of the project is the local servicing of all properties located in Phase 2 – north of Liss Road to the area south of Lower Fort Garry and east of CP Railway with a low-pressure sewer system. The properties will be required to connect within five (5) years once the wastewater system has been commissioned.

Part 2 of the project is the contribution to the Regional Sewer System that includes the forcemain, Sewer Lift Station and Odour Control at Donald Road.

All work on private property and the connection cost to the City of Winnipeg (approximately \$2,300) will be paid directly by the property owner at the time of connection.

B. Identification of the local improvement district (LID #2):

The local improvement district will include all properties in the municipality other than property described in Section 21 of *The Municipal Assessment Act*.

C. Identification of the potential taxpayers:

The potential taxpayers will be the property owners of all taxable, grant-in-lieu and otherwise exempt properties in the municipality that are located in the area described as Phase 2 in the Rural Municipality of St. Andrews and are described in Schedule "C".

D. Method and Rate for calculation of the proposed local improvement tax:

The method to be used for calculating the proposed local improvement tax will be based on an amount for each parcel of land on property that is real property, described in Schedule "C".

The rate will be:

Finance cost - \$618.37 per annum (based on one (1) lot) for the years 2019-2038.

Or a

Lump-sum cost (pre-payment amount) of \$7,390.00 per one (1) lot due and payable on a date set by Council. Pursuant to section 325 of *The Municipal Act*, all taxpayers will be offered the option to pre-pay their portion of the local improvement tax by a date set by Council.

E. Estimated Cost:

The total estimated cost of the local improvement is as follows:

Part 1

Low Pressure Sewer (LPS)	\$10,100,000
Less: Canada/Manitoba Infrastructure Grant	\$ 4,500,000
Cost to be allocated to Phase 2	<u>\$ 5,600,000</u>

Part 2

Regional Sewer System	\$ 5,500,000
Less: Manitoba Water Services Board Grant	\$ 3,500,000
Costs to be allocated to Phase 2	<u>\$ 2,000,000</u>

Phase 2:

Part 1 – Low Pressure Sewer (LPS)	\$ 5,600,000
Part 2 – Regional Sewer System	<u>\$ 2,000,000</u>
Sub Total	\$ 7,600,000
Less RM of St. Andrews Gas Tax Reserve funding	<u>\$ 284,111</u>
Total Phase 2 cost	<u>\$ 7,315,889</u>

F. Source of funding:

The Council of the Rural Municipality of St. Andrews has secured funding from Canada/Manitoba Infrastructure, the Manitoba Water Services Board and a contribution from the RM of St. Andrews Gas Tax Reserve.

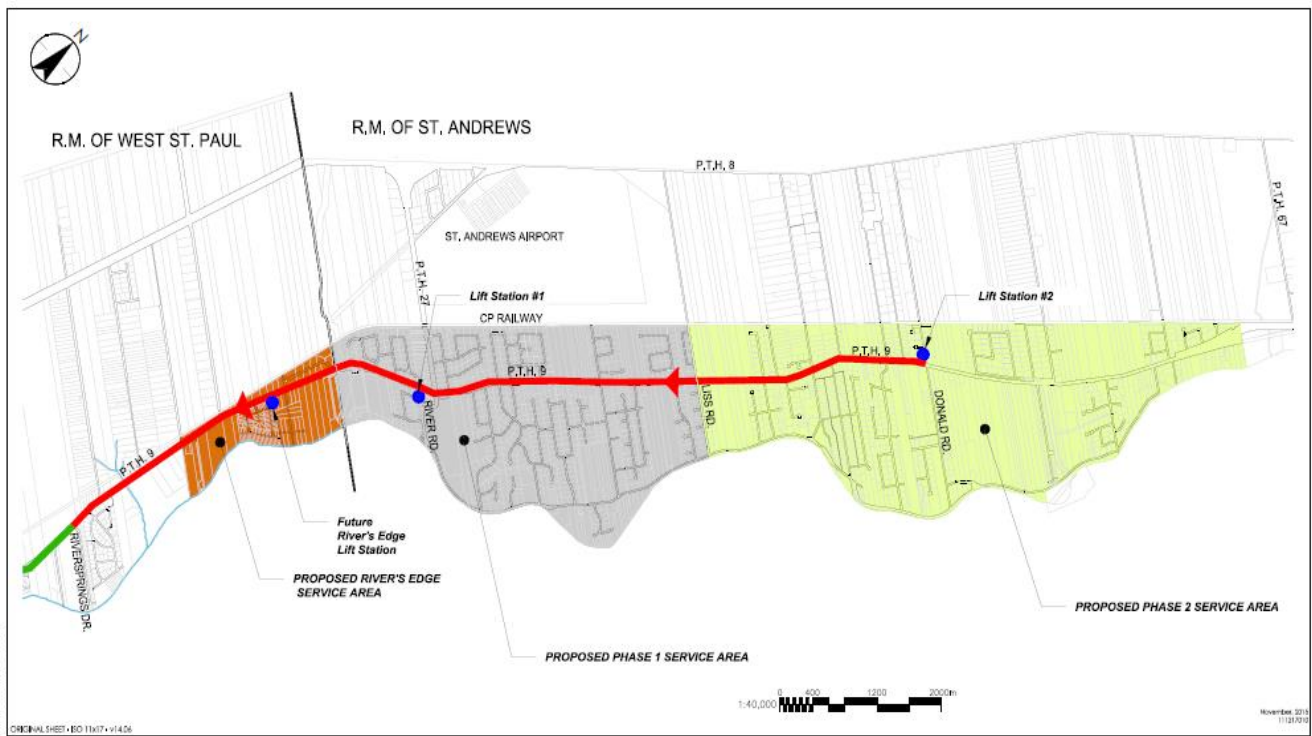
G. Estimated amount of money to be borrowed:

Amount: \$7,315,889
Maximum rate: 5.5% interest
Term: 20-year term
Annual payment: \$612,188.69

H. Annual funding:

The annual operation or maintenance of the local improvement will be funded through revenues received from the levy charged to customers of the sewer utility.

I. Map of area including Phase 1 and Phase 2:



Stantec
Stantec Consulting Ltd.
Suite 500, 311 Portage Avenue
Winnipeg MB Canada R3B 2B9
Tel. 204.489.5900 Fax. 204.453.9012
www.stantec.com

Legend
EXISTING TRUNK SEWER
PROPOSED FORCEMAIN

Notes

Client/Project
THE MANITOBA WATER SERVICES BOARD
SOUTH ST. ANDREWS REGIONAL
WASTEWATER SEWER PROJECT
Figure No.
Fig. 1.0
SERVICE AREA

Rural Municipality of St. Andrews

Andrew Weremy, Chief Administrative Officer

SCHEDULE "C" TO BY-LAW NO. 4286
Installation of Sewer Services – Phase 2
Local Improvement Plan – (LID #2) – No. 2017-01
Pursuant to Section 315 of *The Municipal Act*

Finance cost \$618.37 per annum (based on one (1) lot) for the years 2019 to 2038

Or a

Lump-sum cost (pre-payment amount) of \$7390.00 per one (1) parcel of land on property located in the area described as Phase 2 in the Rural Municipality of St. Andrews due and payable on a date set by Council.

On the following properties:

24800	27814	28222
24900	27816	28224
25300	27818	28226
25400	27820	28228
25500	27822	28250
25600	27824	28255
26000	27826	28260
26100	27828	28265
26200	27830	28270
26300	27900	28275
26400	28000	28280
26500	28086	28285
26800	28088	28290
26900	28090	28295
27000	28092	28299
27100	28094	28300
27298	28096	28500
27300	28098	28520
27302	28100	28530
27314	28105	28535
27340	28110	28540
27350	28115	28545
27400	28120	28550
27500	28125	28555
27800	28130	28610
27802	28135	28620
27804	28140	28625
27806	28145	28630
27808	28180	28635
27810	28218	28640
27812	28220	28645

28655	29742	36600
28660	29760	36700
28665	29765	36800
28670	29770	37000
29300	29775	37100
29310	29780	37200
29320	29785	37300
29400	29800	37400
29410	29850	37500
29420	29900	37600
29430	30000	37700
29500	30100	37800
29502	30180	37900
29504	30200	38000
29506	30300	38100
29508	30350	38200
29510	30900	38300
29512	30915	38400
29520	31000	38450
29525	31100	38500
29530	31110	38600
29540	31120	38700
29600	31300	38800
29700	33900	38900
29702	34000	39000
29704	34180	39100
29706	34190	39200
29708	34200	39300
29710	34210	39400
29712	34300	39500
29714	34304	39600
29716	34308	39700
29718	34310	39800
29720	34312	39900
29722	34314	40000
29724	34360	40100
29726	34400	40200
29728	34450	40300
29730	34500	40400
29732	34550	40500
29734	34600	40600
29736	34700	40700
29738	34800	40800
29740	36550	40900

41000	45700	48176
41100	45850	48178
41200	45900	48180
41300	46200	48182
41400	46300	48184
41500	46500	48186
41600	46600	48188
41700	46700	48190
41800	46800	48192
41900	46900	48194
42000	47000	48196
42100	47200	48203
42200	47400	48209
42300	47500	48300
42400	48000	48400
42500	48120	48480
42600	48122	48490
42700	48124	48500
42800	48126	48800
42900	48128	48820
43000	48130	48960
43100	48132	49000
43200	48134	49100
43300	48136	49200
43400	48138	49300
43500	48140	49315
43600	48142	49316
43700	48144	49317
43800	48146	49318
43900	48148	49345
44000	48150	49346
44100	48152	49347
44200	48153	49348
44300	48154	49349
44400	48156	49351
44500	48158	49352
44600	48160	49353
44700	48162	49354
44800	48164	49356
44900	48166	49357
44950	48168	49358
45000	48170	49359
45300	48172	49360
45600	48174	49361

49362	51422	53225
49363	51424	53230
49364	51426	200100
49365	51428	200125
49366	51430	200130
49367	51432	200135
49368	51434	200140
49369	51436	200160
49370	51438	200165
49371	51440	200200
49372	51442	200214
49372.1	51444	200215
49373	51446	200216
49374	51448	200217
49375	51450	200218
49376	51452	200219
49377	51454	200220
49378	51456	200221
49379	51458	200222
49380	51460	200223
49381	51462	200224
49382	51464	200225
49383	51466	200226
49384	51468	200227
49385	51600	200228
49386	51700	200229
49400	52151	200230
49500	52160	200231
50100	52170	200233
50200	52200	200270
50300	52296	200400
50500	52298	200500
50600	52300	200700
50700	52700	200800
51402	52800	201000
51404	52900	201200
51406	53000	201300
51408	53100	201400
51410	53150	202300
51412	53200	202400
51414	53205	202500
51416	53210	202600
51418	53215	202700
51420	53220	202800

202900	207190	210200
203000	207200	210250
203100	207300	210300
203200	207400	210425
203250	207500	210450
203700	207550	210600
203750	207560	210610
203800	207570	210650
203900	207580	210700
204000	207590	210800
204010	207600	210900
204100	207700	211300
204200	207800	211400
205000	207900	211500
205050	207905	211550
205052	207910	211900
205090	208000	212100
205100	208100	212200
205200	208150	212285
205300	208200	212290
205400	208300	212295
205500	208400	212300
205600	208500	212500
205610	208600	212600
205620	208605	212625
205630	208610	212700
205700	208700	212800
205900	208720	212910
206000	208750	212915
206100	208800	212920
206200	208900	212925
206560	209000	212930
206562	209005	212935
206564	209010	212940
206566	209015	212945
206568	209350	212950
206569	209400	212955
206570	209450	212960
206572	209600	212965
206574	209700	212970
206576	209800	212975
206578	209900	212980
206580	210100	212985
207180	210150	212990

212995	214650	219300
213000	214700	219400
213005	215000	219500
213010	215100	219600
213015	215200	219700
213020	215250	219800
213025	215300	219900
213030	215400	220000
213035	215600	220100
213040	215700	220200
213045	215800	220300
213050	215900	220400
213055	215950	220500
213060	216000	220700
213065	216100	220800
213070	216300	220900
213075	216400	221000
213080	216500	221100
213085	216600	221200
213090	216700	221300
213095	216800	221400
213100	216900	221500
213105	217000	221600
213110	217100	221700
213115	217150	221750
213120	217300	221800
213125	217400	221900
213130	217600	222000
213135	217700	222100
213140	217800	222300
213145	217900	222400
213150	218000	222500
213155	218100	222600
213160	218200	222700
213165	218300	222800
213170	218400	222900
213500	218500	222990
213600	218600	223000
213900	218700	223100
214100	218800	223200
214150	218900	223300
214300	219000	223390
214400	219100	223400
214600	219200	223500

223600	226850	229605
223603	226855	229606
223605	226860	229607
223610	226865	229608
223615	226870	229609
223620	226875	229610
223625	226880	229611
223630	226885	229612
223635	226890	229613
223640	227100	229614
223645	227200	229615
223650	227210	229616
223655	227300	229617
223660	227400	229618
223665	227500	229619
223850	227600	229620
224200	227700	229621
224250	227800	229622
224300	228000	229623
224350	228200	229624
224360	228300	229625
224410	228400	229626
224420	228500	229627
224430	228600	229628
224440	228800	229629
224450	228900	229630
224490	229000	229700
224495	229005	229750
224500	229010	230000
225400	229015	230100
225440	229020	230150
225450	229100	230300
225600	229200	230400
225800	229500	230500
226000	229595	230550
226200	229596	230600
226300	229597	230602
226400	229598	230604
226439	229599	230606
226500	229600	230608
226800	229601	230610
226835	229602	230612
226840	229603	230614
226845	229604	230616

230618	233200	235200
230620	233300	235300
230622	233350	235400
230624	233400	235500
230626	233500	235520
230800	233580	236300
230900	233590	236400
231000	233600	236500
231100	234000	236600
231200	234310	236610
231300	234315	236640
231400	234400	236650
231700	234490	236700
231800	234500	236800
231900	234600	236900
232000	234650	237200
232100	234701	257700
232200	234705	
232400	234800	
232450	234805	
232500	234810	
232600	234811	
232700	234812	
232800	234813	
232805	234814	
232810	234815	
232815	234816	
232820	234817	
232825	234818	
232830	234819	
232835	234821	
232840	234822	
232845	234823	
232850	234824	
232855	234825	
232860	234826	
232865	234827	
232870	234828	
232875	234829	
232880	234830	
232885	234831	
232890	234832	
233100	234833	
233150	234900	

