



Bill No. 060

BY- LAW NUMBER 2013-

A By-law of The Corporation of the City of Barrie to provide for the abandonment of the Little Lake Municipal Drain within the limits of the City of Barrie.

WHEREAS Section 84 of the *Drainage Act, 1990*, R. S.O. 1990, c.D.17 ("the *Drainage Act*"), states that a Council may by by-law abandon the Drainage Works, and thereafter the Municipality has no further obligation with respect to the Drainage Works;

AND WHEREAS by motion 13-G-039 the Council of The Corporation of The City of Barrie determined that notice of the intention to abandon the Little Lake Municipal Drain in its entirety was to be issued;

AND WHEREAS notice of Barrie City Council's intention to abandon the Little Lake Municipal Drain was provided to the owners of land assessed for the benefit in respect of the drainage works;

AND WHEREAS no notice from any of the aforementioned owners was received requiring a report of an Engineer as to the proposed abandonment;

NOW THEREFORE, the Council of The Corporation of The City of Barrie enacts as follows:

1. **THAT** the Little Lake Municipal Drain including the east branch and extending from Little Lake south, through Lot 5 , Concession 1 and Lot 2 Plan 302, formerly in the Township of Vespra, now part of the City of Barrie, southerly to the limits of the Ministry of Transportation Highway No. 400 right of way, be abandoned.
2. **THAT** the reconstruction and realignment to the City of Barrie's storm drainage system shall take place in conjunction with the development of the Little Lake Seniors Community Incorporated, pursuant to the City of Barrie's Site Plan Approval requirements.
3. **THAT** the capital costs associated with the reconstruction and realignment of the drainage system shall be the responsibility of Little Lake Seniors Community Incorporated.
4. **THAT** all owners of land assessed for the benefit in respect of the Little Lake Municipal Drain no longer be responsible for any share or future maintenance costs for any work on these re-constructed and realigned drainage system.
5. **THAT** this By-law shall come into force and have effect at such time as Little Lake Seniors Community Incorporated executes a Development Agreement with the City of Barrie, pursuant to which the foregoing Drainage Works are approved.

READ a first and second time this 13th day of May, 2013.

READ a third time and finally passed this 13th day of May, 2013.

THE CORPORATION OF THE CITY OF BARRIE

MAYOR – J. R. LEHMAN

CITY CLERK – DAWN A. MCALPINE