

Authority: Executive Committee Item EX33.22, as adopted by City of Toronto Council on July 16, 17, 18 and 19, 2013  
City Council voted in favour of this by-law on December 15, 2023  
Written approval of this by-law was given by Mayoral Decision 30-2023 dated December 15, 2023

## **CITY OF TORONTO**

### **BY-LAW 1229-2023**

**To authorize the imposition of special charges on 35 Marmaduke Street (the "benefitting property").**

Whereas at its meeting of July 16, 17, 18 and 19, 2013, City Council enacted By-law 1105-2013, being a by-law to authorize the undertaking of energy efficiency and water conservation works on private residential property as local improvements under the Residential Retrofit Program, in accordance with section 35.5 of Ontario Regulation 596/06 - Local Improvement Charges - Priority Lien Status, made under the City of Toronto Act, 2006 ("O. Reg. 596/06"); and

Whereas the owner(s) of the benefitting property and the City of Toronto (the "City") have entered into a Property Owner Agreement (the "POA") pursuant to section 35.2 of O. Reg. 596/06 for the City to undertake work as a local improvement (the "Work") on the benefitting property and to raise the cost of the Work (the "Cost") by imposing a special charge on the benefitting property; and

Whereas the City Clerk has certified the POA pursuant to section 35.4 of O. Reg. 596/06; and

Whereas the Work has been completed; and

Whereas a local improvement roll was prepared in accordance with section 35.10 of O. Reg. 596/06, setting out the Cost of the Work, the proposed special charges to be imposed on the benefitting property, when the special charges are to be paid, and the lifetime of the Work; and

Whereas the City has given notice of the proposed local improvement roll to the owner(s) of the benefitting property pursuant to subsection 35.11(1) of O. Reg. 596/06; and

Whereas the Deputy Treasurer has certified the proposed local improvement roll in accordance with subsection 35.11(2) of the O. Reg. 596/06; and

Whereas section 35.14 of O. Reg. 596/06 provides that after the Deputy Treasurer has certified the local improvement roll, the City shall by by-law provide that the amount specially charged on the lot set out in the roll shall be sufficient to raise the lot's share of the cost by a number of equal annual payments and that a special charge shall be imposed in each year on the lot equal to the amount of the payment payable in that year;

The Council of the City of Toronto enacts:

1. The provisions of section 35.14 of O. Reg. 596/06 apply to the benefitting property as a result of the completion of the Work pursuant to the POA.
2. The amounts specially charged on the lot as set out in the certified local improvement roll attached as Schedule A to this by-law (the "Special Charge") is sufficient to raise the lot's share of the Cost and shall be imposed on and collected by annually adding the annual amount payable as set out in Schedule A to this by-law (the "Annual Payment") to the tax roll of the lot.
3. The Annual Payments as set out in certified local improvement roll attached as Schedule A do not extend beyond the lifetime of the Work.
4. The amount of each payment made in respect of the Special Charge shall be entered in the local improvement roll by the Deputy Treasurer.
5. This by-law shall be deemed repealed on the date on which the Deputy Treasurer certifies that the Special Charge has been paid in accordance with the POA between the City and the owner of the benefitting property.

Enacted and passed on December 15, 2023.

Frances Nunziata,  
Speaker

John D. Elvidge,  
City Clerk

(Seal of the City)


**Schedule A**

**CITY OF TORONTO - Home Energy Loan Program**  
Local Improvement Charges Added to Taxes


|                     |             |               |                     |                    |   |
|---------------------|-------------|---------------|---------------------|--------------------|---|
| Roll Number         | Roll Type   | Tenant Number | Site Address        | Lot                | Property Owner(s)                         |
| 1904-02-2-340-01700 | Residential | 0             | 35 MARMADUKE STREET | PLAN 590 PT LOT 17 | ELAINE MARIE MACDONALD<br>STEPHANE GAGNON |

| Local Improvement Charge |                |                 |              |   |   |                      |                |   |
|--------------------------|----------------|-----------------|--------------|---|---|----------------------|----------------|---|
| Cost of Work             | Funding Amount | Interest Charge | Admin Charge | Special Charge<br><small>(total amount owing)</small> | When Special Charge to Be Paid            | Lifetime of the Work | Annual Payment | Detail Description  |
| \$26,052.22              | \$19,452.22    | \$0.00          | \$389.04     | \$19,841.26   | within 10 year(s) from first payment date | 25 year(s)           | \$1,984.18     | Home Energy Loan Program - Local Improvement Charges added to taxes |

Certified as sufficient, in accordance with O.Reg. 596/06.

  
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Andrew Flynn, Deputy Treasurer

Approved as to Form

  
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Casey Brendon, Director, Revenue Services