

**ORDER MADE UNDER THE  
MUNICIPAL ACT, 2001, S.O. 2001, c.25**

**CITY OF STRATFORD, TOWNSHIP OF PERTH SOUTH**

**COUNTY OF PERTH**

**Definitions**

1. In this Order,
  - “annexed area” means the area comprised of the lands described in section 2 of this Order;
  - “City” means The Corporation of the City of Stratford;
  - “County” means The Corporation of the County of Perth; and
  - “Township” means The Corporation of the Township of Perth South.

**Annexation**

2. (1) On August 1, 2020, the areas described in Schedules “A” and “B” are annexed to the City.
  - (2) All real property of the Township including any highway, street fixture, waterline, sewer main of the annexed area described in the Schedules or easement and restrictive covenant running with the land described in the Schedules vests in the City on August 1, 2020.
  - (3) Despite subsection (2), all assets and liabilities of the Township or the County that are located in the annexed area described in the Schedules remain the assets and liabilities of the Township or the County, as the case may be.
  - (4) Despite subsection (2), any litigation commenced prior to August 1, 2020, with respect to the annexed area described in the Schedules remains the obligation of the Township or the County, as the case may be.

**Assessment**

3. For the purpose of the assessment roll to be prepared for the City for taxation in the part of the year that the annexation under section 2 takes effect, the annexed area shall be deemed to be part of the City and the annexed area shall be assessed on the same basis that that the assessment roll for the City is prepared.

## **Taxes, etc**

4. (1) All real property taxes, special rates or charges levied under any general or special Act in the annexed area which are due and unpaid on July 31, 2020 shall be deemed on August 1, 2020 to be taxes, rates or charges due and payable to the City and may be collected by the City.
- (2) The clerk of the Township shall prepare and furnish to the clerk of the City a special collector's roll showing all arrears of real property taxes, charges or special rates assessed against the land in the annexed area up to and including July 31, 2020, and the persons assessed for them.
- (3) On the first day of the month following the month in which the real property taxes or special rates are collected under subsection (1), the City shall pay to the Township an amount equal to the amount collected by the City.
- (4) If the Township has commenced tax sales procedures under the *Municipal Act, 2001* for any part of the annexed area in the Schedules and the procedures are not completed by August 1, 2020 the City may continue the procedures.

## **Municipal By-laws**

5. (1) On August 1, 2020, the by-laws of the City extend to the annexed area and shall remain in force in the annexed area until they expire or are repealed or amended to provide otherwise.
- (2) Notwithstanding subsection (1), the by-laws of the Township cease to apply to the annexed area except for,
  - (a) by-laws passed under section 17, 34 or 41 of the *Planning Act* or a predecessor of those sections;
  - (b) by-laws passed under the *Highway Traffic Act* or the *Municipal Act, 2001* or a predecessor of those Acts to regulate the use of highways by vehicles and pedestrians and to regulate the encroachment or projection of buildings upon or over highways;
  - (c) by-laws passed under sections 45, 58 or 61 of the *Drainage Act* or a predecessor of those sections;
  - (d) by-laws passed under section 10 of the *Weed Control Act* or a predecessor of that section; and
  - (e) by-laws conferring rights, privileges, franchises, immunities or exemptions that could not have been lawfully repealed by the Township.

- (3) The official plan of the County as it applies to the annexed area, and as approved under the *Planning Act* or a predecessor of that Act, becomes an official plan of the City and shall remain in force until revoked or amended to provide otherwise.
- (4) If the Township has commenced procedures to enact a by-law under any Act or the County has commenced procedures to adopt an official plan or an amendment thereto under the *Planning Act* and that by-law, official plan or amendment applies to the annexed area and is not in force on August 1, 2020, the City may continue the procedures to enact the by-law or adopt the official plan or amendment to the extent that it applies to the annexed area.

### **Dispute Resolution**

6. (1) If a dispute arises with respect to any issue arising out of the interpretation of this Order, any of the municipalities may refer the matter in dispute for resolution through mediation. The mediator shall be agreed upon by all parties.
- (2) If the dispute is not resolved through mediation or the parties cannot agree upon the selection of a mediator, then the matter may be referred to arbitration, to be conducted in accordance with the provisions of the *Arbitration Act, 1991*, except as provided herein.
- (3) Where a dispute is referred to arbitration under subsection (2) the decision of the arbitrator shall be final.
- (4) The costs associated with a mediation under subsection (1) or arbitration proceedings under subsection (2) shall be shared equally between the parties.

### **SCHEDULE "A"**

#### **Firstly:**

Part of Lot 1, Concession 5, in the Geographic Township of Downie designated as Part 1, Reference Plan 44R -5730, now in the Township of Perth South, County of Perth being all of PIN 53265-0008 (LT);

#### **Secondly:**

Part of Lots 2, 3, and 4, Concession 5 in the Geographic Township of Downie, designated as Part 2, Reference Plan 44R -5730, now in the Township of Perth South, County of Perth being all of PIN 53265-0007 (LT);

**Thirdly:**

Part of the Original Road Allowance Between Concession 4 and 5 in the Geographic Township of Downie, known as Line 29 (Gibb Road), designated as Part 3, Reference Plan 44R -5730, now in the Township of Perth South, County of Perth being part of PIN 53264-0002 (LT).

**SCHEDULE "B"**

**Firstly:**

Part of Lot A, Gore, Concession 4 of the Township of Downie, designated as Part 1, Reference Plan 44R - 5731, now in the Township of Perth South, County of Perth being all of PIN 53272-0109 (LT);

**Secondly:**

Part of Original Road Allowance between Lots A, and Lot 5, Gore, Concession 4 of the Township of Downie, known as Perth Road 113, designated as Part 2, Reference Plan 44R - 5731, now in the Township of Perth South, County of Perth being part of PIN 53272-0108 (LT);

**Thirdly:**

Part Lot A, Gore, Concession 4 of the Township of Downie, designated as Part 3 Reference Plan 44R - 5731, now in the Township of Perth South, County of Perth being part of PIN 53272-0076 (LT);

**Fourthly:**

Part of Lot A, Gore, Concession 4, of the Township of Downie, designated as Part 4, Reference Plan 44R - 5731, now in the Township of Perth South, County of Perth being part of PIN 53272-0158 (LT);

**Fifthly:**

Part of Original Road Allowance between Concession 4 and Concession 5, Gore, of the Township of Downie, known as Line 29 (Gibb Road), designated as Part 5, Reference Plan 44R -5731, now in the Township of Perth South, County of Perth being part of PIN 53272-0002 (LT).



Minister of Municipal Affairs and Housing

Dated at Toronto on July 20, 2020