

BY-LAW NO. 90-2021

A BY-LAW OF THE CORPORATION OF THE TOWN OF CARLETON PLACE TO AUTHORIZE THE EXECUTION OF THE AMENDED AND RESTATED COST SHARING AGREEMENT CORE SERVICES (WATER AND SEWER) – TOWN OF CARLETON PLACE – HIGHWAY 7 / MCNEELY BETWEEN TOWN OF CARLETON PLACE, PEGASUS DEVELOPMENT CORPORATION AND PEGASUS CONSTRUCTION INC, UNIFORM URBAN DEVELOPMENTS, AND 1470424 ONTARIO INC AND THE AMENDED AND RESTATED COST SHARING AGREEMENT (ROAD INFRASTRUCTURE TOWN OF CARLETON PLACE – SOUTH OF HIGHWAY 7) BETWEEN THE TOWN OF CARLETON PLACE, PEGASUS CONSTRUCTION INC., UNIFORM URBAN DEVELOPMENTS LTD, 1470424 ONTARIO INC, 2289337 ONTARIO INC, AND THE ESTATE OF KAYOKO MUTUURA AND AKIRA MUTUURA.

WHEREAS Section 5.3 of the Municipal Act, 2001 (S.O. 2001, c.25) authorizes that municipal powers, including municipality's capacity, rights, powers and privileges under Section 9, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

AND WHEREAS Section 9 of the Municipal Act, 2001 (S.O. 2001, c.25), provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS the Town of Carleton Place entered into the following agreements:

- 1) A Cost Sharing Agreement – Core Services (Water and Sewer) – Town of Carleton Place – Highway 7 / McNeely dated July 8, 2016 between the Town of Carleton Place, Pegasus Development Corporation and Pegasus Construction Inc , RSSR Properties Inc, and 1470424 Ontario Inc; and
- 2) A Cost Sharing Agreement – Road Infrastructure – Town of Carleton Place – South of Highway 7 dated August 8, 2016 between the Town of Carleton Place, Pegasus Construction Inc., RSSR Properties Inc, 1470424 Ontario Inc, 2289337 Ontario Inc, and the Estate of Kayoko Mutuura and Akira Mutuura

AND WHEREAS the Council of the Town of Carleton Place deems it expedient to enter into the Amended and Restated Cost Sharing Agreement Core Services (Water and Sewer) – Town of Carleton Place – Highway 7 / McNeely, the Amended and Restated Cost Sharing Agreement – Road Infrastructure – Town of Carleton Place – South of Highway 7 and any other agreements, amendments or documents required to enact the conditions of the Amended and Restated Cost Sharing Agreement Core Services (Water and Sewer) – Town of Carleton Place – Highway 7/ McNeely and the Amended and Restated Cost Sharing Agreement – Road Infrastructure Town of Carleton Place – South of Highway 7 with Pegasus Construction Inc., Uniform Urban Developments Ltd, 1470424 Ontario Inc, 2289337 Ontario Inc, And The Estate Of Kayoko Mutuura And Akira Mutuura. (as applicable). which outline certain obligations relating to the construction, funding and of payments pursuant to the Amended and

Restated Cost Sharing Agreements in relation to certain infrastructure works south of Highway 7.

NOW THEREFORE the Council of the Corporation of the Town of Carleton Place enacts as follows:

1. SHORT TITLE

This By-Law is short titled "Amended and Restated Cost Sharing Agreements".

2. AGREEMENT

- a. THAT the Mayor and Clerk shall be and are hereby authorized on behalf of the Corporation of the Town of Carleton Place to enter into the Amended and Restated Cost Sharing Agreement Core Services (Water and Sewer) – Town of Carleton Place – Highway 7 / McNeely, the Amended and Restated Cost Sharing Agreement – Road Infrastructure – Town of Carleton Place – South of Highway 7 and any other agreements, amendments or documents required to enact the conditions of the Amended and Restated Cost Sharing Agreement Core Services (Water and Sewer) – Town of Carleton Place – Highway 7/ McNeely and the Amended and Restated Cost Sharing Agreement – Road Infrastructure Town of Carleton Place – South of Highway 7 with Pegasus Construction Inc., Uniform Urban Developments Ltd, 1470424 Ontario Inc, 2289337 Ontario Inc, and The Estate Of Kayoko Mutuura And Akira Mutuura. (as applicable), which outline certain obligations relating to the construction, funding and of payments pursuant to the Amended and Restated Cost Sharing Agreements in relation to certain infrastructure works south of Highway 7.
- b. THAT the Clerk shall be and is hereby authorized to affix the corporate seal of the Corporation of the Town of Carleton Place to the said agreements.

READ A FIRST TIME, SECOND TIME AND A THIRD TIME AND FINALLY PASSED THIS 22ND DAY OF JUNE, 2021.

Doug Black, Mayor

Stacey Blair, Clerk