Regular Council Meeting
AGENDA

Tuesday, July 23, 2019, 7:00 pm
Tecumseh Town Hall - Council Chambers
917 Lesperance Road
Tecumseh, Ontario N8N 1W9

			Pages
1.	**Order**		
2.	**Moment of Silence**		
3.	**National Anthem**		
4.	**Roll Call**		
5.	**Disclosure of Pecuniary Interest**		
6.	**Minutes**		
	a.	July 9, 2019 Regular Council Meeting	4 - 10
	b.	July 9, 2019 Public Council Meeting - Pud's Marina	11 - 13
	c.	July 9, 2019 Public Council Meeting - Development Charges	14 - 16
7.	**Supplementary Agenda Adoption**		
8.	**Delegations**		
	a.	Council Compensation Review Committee and Marianne Love, M. L. Consulting Re: Council Compensation Review	17 - 37
	b.	Director Parks and Recreation, Paul Anthony, and Manager Recreation Programs and Events, Kerri Rice Re: 2019 Tecumseh Corn Fest	38 - 54
9.	**Communications - For Information**		
	a.	Town of Lakeshore dated June 18, 2019 Re: Notice of the Passing of a Zoning By-Law Amendment	55 - 55
	b.	Town of Lakeshore dated June 25, 2019 Re: Notice of Complete Application and Public Meeting	56 - 57
	c.	Town of Kingsville dated July 5, 2019 Re: Support for New Regional Hospital in Windsor-Essex	58 - 59
	d.	The College of Physicians and Surgeons of Ontario dated July 8, 2019 Re: Nominate an Outstanding Ontario Physician in Your Community	60 - 62
	e.	Local Planning Appeal Tribunal dated July 17, 2019 Re: Del Duca Industrial Park Ltd.	63 - 76

10. Communications - Action Required

a. CN Rail dated June 28, 2019 — 77 - 78

Recommendation:

That The Corporation of the Town of Tecumseh support National Rail Safety week to be held from September 23 to 29, 2019.

11. Committee Minutes

a. Cultural and Arts Advisory Committee - June 17, 2019 — 79 - 80

b. Heritage Committee - June 17, 2019 — 81 - 83

c. Joint Health and Safety Advisory Committee - June 26, 2019 and July 2, 2019 — 84 - 88

d. Senior Advisory Committee - June 27, 2019 — 89 - 91

e. Youth Advisory Committee - June 17, 2019 — 92 - 93

12. Reports

a. Corporate Services & Clerk

1. CS-2019-14 Council Compensation Review — 94 - 103
2. CS-2019-22 Appointment of an Integrity Commissioner — 104 - 111
3. CS-2019-23 Committee of Adjustment Appointment — 112 - 115

b. Financial Services

1. FS-2019-08 Taxes Receivable - June 2019 — 116 - 121

c. Planning & Building Services

1. PBS-2019-22, D19 VALTEC, Valente Condo Development, Final Recommendation to Council — 122 - 130
2. PBS-2019-23 D11 PETTEC, Harbour Club Condos (Petretta Construction), Execution of Site Plan Control Agreement — 131 - 164
3. PBS-2019-24 Bill 108, Summary of Proposed O. Regulations — 165 - 181

d. Public Works & Environmental Services

1. PWES-2019-02 Disaster Mitigation and Adaptation Fund — 182 - 248
2. PWES-2019-03 Rail Safety Improvement Program - Funding — 249 - 286
3. PWES-2019-18 - Subsequent Connection to a Municipal Drain — 287 - 313
4. PWES-2019-31 Sylvestre Drive Sanitary Sewer Extension, Municipal Class EA — 314 - 491
5. PWES-2019-41 Tar and Chip Tender Award 2019 — 492 - 496

13. By-Laws

a. By-Law 2019-54 — 497 - 498

Being a by-law to provide for the repair and improvements to the Wellwood Drain.

b. By-Law 2019-55 — 499 - 502

Being a by-law to appoint Robert J. Swayze as the Integrity Commissioner for The Corporation of the Town of Tecumseh pursuant to Sections 9, 10, 11 and 223.3 of the *Municipal Act, 2001 S.O. 2001, c.25*, as amended.

c. By-Law 2019-56 — 503 - 517

Being a By-law to authorize a subsequent connection to the Colchester Drain under Section 65 of the Drainage Act, R.S.O. 1997 c. D.17

d. By-Law 2019-57 — 518 - 528

Amendment No. 40 to the Official Plan for The Town of Tecumseh for those lands in the former Town of Tecumseh.

e. By-Law 2019-58 — 529 - 531

Being a by-law to amend By-law 1746, the Town's Comprehensive Zoning By-law for those lands in the former Town of Tecumseh. (Planning File: D19 VALTEC - 11870 Tecumseh Road)

f. By-Law 2019-42 (Third and Final Reading) — 532 - 584

Being a bylaw to provide for the repair and improvements to the Lachance Drain.

14. Unfinished Business

a. July 23, 2019 — 585 - 585

15. New Business

16. Motions

a. In-Camera Meeting

b. Confirmation By-Law 2019-59 — 586 - 586

Being a by-law to confirm the proceedings of the July 23, 2019 regular meeting of the Council of The Corporation of the Town of Tecumseh.

17. Notices of Motion

18. Next Meeting

Tuesday, August 13, 2019

6:30 pm - Court of Revision re: Wellwood Drain

7:00 pm - Regular Council Meeting

19. Adjournment

Minutes of a Regular Meeting of
The Council of the Town of Tecumseh

Tecumseh Council meets in regular public session on Tuesday, July 9, 2019, in the Council Chambers, 917 Lesperance Road, Tecumseh, Ontario at 7:00 pm.

1. Order

The Mayor calls the meeting to order at 7:00 pm.

2. Moment of Silence

The Members of Council and Administration observe a moment of silence.

3. National Anthem

The Members of Council and Administration observe the National Anthem of O Canada.

4. Roll Call

Present:

Mayor	Gary McNamara
Deputy Mayor	Joe Bachetti
Councillor	Bill Altenhof
Councillor	Andrew Dowie
Councillor	Brian Houston
Councillor	Tania Jobin
Councillor	Rick Tonial

Also Present:

Chief Administrative Officer	Margaret Misek-Evans
Director Parks & Recreation Services	Paul Anthony
Director Public Works & Environmental Services	Phil Bartnik
Director Planning & Building Services	Brian Hillman
Director Financial Services & Chief Financial Officer	Tom Kitsos
Director Corporate Services & Clerk	Laura Moy
Director Fire Services & Fire Chief	Doug Pitre
Deputy Clerk & Manager Legislative Services	Jennifer Alexander
Manager Planning Services	Chad Jeffery
Deputy Fire Chief	Chad Mactier
Manager Strategic Initiatives	Lesley Racicot
Financial Analyst	Zora Visekruna

5. Disclosure of Pecuniary Interest

There is no pecuniary interest declared by a Member of Council.

6. Minutes

Motion: RCM - 195/19

Moved by Councillor Tania Jobin
Seconded by Deputy Mayor Joe Bachetti

That the minutes of the June 25, 2019 Regular Meeting of Council, the minutes of the June 24, 2019 and June 25, 2019 Special Meetings of Council, and the minutes of the June 25, 2019 Public Meeting of Council, as were duplicated and delivered to the members, are adopted.

Carried

7. Supplementary Agenda Adoption

There are no supplementary agenda items.

8. Delegations

a. Bob Boughner, Chair, Windsor-Essex Care for Kids

Re: Noise By-Law Exemption Request

In the absence of Mr. Boughner, Ms. Ashley Weirs presented to Tecumseh Town Council, the request of Windsor-Essex Care for Kids, for an exemption until 12:00 pm on August 16, 2019 for their event at Beach Grove.

Motion: RCM - 196/19

Moved by Councillor Brian Houston
Seconded by Deputy Mayor Joe Bachetti

That Report No. CS-2019-17 Request for Noise By-law Exemption - Windsor-Essex Care for Kids Foundation be brought forward on the agenda for discussion.

Carried

Deputy Mayor Bachetti proposed that the time period noted in Report CS-2019-17 to permit musical entertainment for the event be amended to 12:00 pm from 11:30 pm.

Motion: RCM - 197/19

Moved by Deputy Mayor Joe Bachetti
Seconded by Councillor Rick Tonial

That the Windsor-Essex Care for Kids Foundation (W.E. Care for Kids) be granted an exemption from the Town's Noise By-law No. 2002-07, as amended, on Friday, August 16, 2019, to permit musical entertainment from 7:30 pm until 12:00 pm for their Black Tie Tailgate Fundraising event at Beach Grove Golf and Country Club, located at 14134 Riverside Drive;

And that the area residents and OPP be informed of this exemption from the Noise By-law;

And further that concerns and/or complaints respecting the emission of sound, resulting from the entertainment, are to be monitored.

Carried

b. Doug Pitre, Director Fire Services & Fire Chief

Re: Retirement

The Mayor and Members of Council express their heartfelt appreciation to Doug Pitre, Fire Chief, for his dedicated service to the Town, community and residents for the past 38 years.

9. Communications - For Information

a. Town of LaSalle dated June 19, 2019

Re: Support of a New Regional Hospital for Windsor-Essex County

b. Ministry of Municipal Affairs and Housing dated June 21, 2019

Re: Funding from National Disaster Mitigation Program

c. Ministry of the Solicitor General dated June 25, 2019

Re: Compliancy with the Emergency Management and Civil Protection Act (EMCPA)

d. Township of Warwick dated June 26, 2019

Re: Enforcement for Safety on Family Farms

e. Storm Drainage Master Plan dated July 5, 2019

Re: Notice of Study of Completion

Motion: RCM - 198/19

Moved by Councillor Rick Tonial
Seconded by Councillor Brian Houston

That Communications - For Information A through E as listed on the Tuesday, July 9, 2019 Regular Council Agenda are received.

Carried

Motion: RCM - 199/19

Moved by Councillor Tania Jobin
Seconded by Councillor Joe Bachetti

That The Corporation of the Town of Tecumseh supports the resolution by the Council of the Township of Warwick of June 26, 2019, requesting that the Council of the Corporation of the Town of Tecumseh requests the Hon. Doug Downey to work with his fellow MPPs and agricultural leaders to find a better way forward to ensure stronger enforcement of existing laws - or new legislation - to ensure the safety of Ontario's farm families, employees and animals;

And that this motion be circulated to Hon. Doug Downey, Attorney General of Ontario, Hon. Doug Ford, Premier of Ontario, Hon. Sylvia Jones, Solicitor General and Hon. Ernie Hardeman, Minister of Agriculture, Food and Rural Affairs, local area municipalities, AMO, and ROMA.

Carried

10. Communications - Action Required

There are no Communications - Action Required items presented to Council.

11. Committee Minutes

a. Court of Revision - June 25, 2019 Lachance Drain

Motion: RCM - 200/19

Moved by Deputy Mayor Joe Bachetti
Seconded by Councillor Brian Houston

That the June 25, 2019 minutes of the Court of Revision, as were duplicated and delivered to the Members of Council, are accepted.

Carried

b. Town of Tecumseh Business Improvement Area - April 17, 2019, May 8, 2019 and June 12, 2019

Motion: RCM - 201/19

Moved by Councillor Andrew Dowie
Seconded by Councillor Brian Houston

That the April 17, 2019, May 8, 2019 and June 12, 2019 minutes of the Town of Tecumseh Business Improvement Area, as were duplicated and delivered to the Members of Council, are accepted.

Carried

12. Reports

a. Chief Administrative Officer

1. CAO-2019-04 Strategic Priorities 2019-2022

Motion: RCM - 202/19

Moved by Deputy Mayor Joe Bachetti
Seconded by Councillor Bill Altenhof

That Report CAO-2019-05 Strategic Priorities 2019-2022 for this term of Council be received**;**

And that the "Town of Tecumseh Strategic Priorities, 2019 – 2022" attached to Report CAO-2019-05 be adopted;

And further that the CAO be directed to incorporate these strategic priorities into objectives and action plans as part of the municipal work plans;

And furthermore that Administration provide various reports, develop policies and assign resources to achieve the Strategic Priorities outlined in this report;

That further moreover that progress on these priorities be provided annually over the term of the plan, in the first quarter of each year.

Carried

b. Corporate Services & Clerk

1. CS-2019-17 Request for Noise By-Law Exemption - Windsor-Essex Care for Kids Foundation

Report No. CS-2019-17 Request for Noise By-law Exemption - Windsor Essex Care for Kids Foundation was moved forward on the agenda to Delegations for discussion and consideration.

c. Financial Services

1. FS-2019-07 2020 Business Plan and Budget Timetable

Motion: RCM - 203/19

Moved by Councillor Brian Houston
Seconded by Councillor Rick Tonial

That the proposed 2020 Business Plan and Budget Timetable, as follows, be approved:

- Council consultation September 10, 2019,
- Public engagement September 12-30, 2019,
- Table proposed business plan and budget November 12, 2019,
- Council deliberations November 19, 2019,
- Council consideration and adoption December 10, 2019.

Carried

d. Fire & Emergency Services

1. FIRE-2019-05 Town of Tecumseh Flood Response Plan

Motion: RCM - 204/19

Moved by Deputy Mayor Joe Bachetti
Seconded by Councillor Tania Jobin

That the Fire Chief's report FIRE-2019-05 regarding the Town of Tecumseh Flood Response Plan be received as information;

And that the Town of Tecumseh Flood Response Plan attached to report FIRE-2019-05 be adopted.

Carried

e. Planning & Building Services

1. PBS-2019-21 By-law placing lands under site plan control as per Consent application B-10-18

Motion: RCM - 205/19

Moved by Councillor Brian Houston
Seconded by Councillor Andrew Dowie

That a by-law placing a 0.98 hectare (2.4 acre) property located at 3230 Moynahan Street, legally described as Parts 1 and 2 on 12R 3585, along with a 1.13 hectare (2.8 acre) parcel of land proposed to be added to 3230 Moynahan Street, under site plan control in accordance with Section 6.4.5 of the Sandwich South Official Plan and in accordance with Condition No. 6 of Consent Application B-10/18, be adopted.

Carried

13. By-Laws

Motion: RCM - 20619

Moved by Councillor Andrew Dowie
Seconded by Councillor Bill Altenhof

That By-Law 2019-52 being a by-law to designate as a site plan control area part of the area covered by the Official Plan for lands in the former Township of Sandwich South;

Be given first and second reading.

Carried

Motion: RCM - 207/19

Moved by Councillor Andrew Dowie
Seconded by Councillor Brian Houston

That By-Law 2019-52 being a by-law to designate as a site plan control area part of the area covered by the Official Plan for lands in the former Township of Sandwich South;

Be given third and final reading.

Carried

14. Unfinished Business

The Members receive the Unfinished Business listing for Tuesday, July 9, 2019.

15. New Business

Lake Levels

In response to an inquiry, the Director Public Works & Environmental Services explains mitigation measures undertaken to protect the Town's infrastructure in relation to the rising lake levels.

He also advises that there has been an increase in the uptake of the backwater subsidy program.

16. Motions

a. Licence Plate Covers

Motion: RCM - 208/19

Moved by Councillor Brian Houston
Seconded by Councillor Rick Tonial

That the Tecumseh Business Improvement Area Board of Management (BIA) be authorized to procure licence plate covers, with the Town’s trademark, and to make them available for purchase by the public, subject to entering into a Trademark Assignment Agreement, in accordance with Use of the Official Mark or Trademark Policy No. 51.

Carried

b. Confirmatory By-law

Motion: RCM - 209/19

Moved by Councillor Bill Altenhof
Seconded by Councillor Rick Tonial

That By-Law 2019-53 being a by-law to confirm the proceedings of the Tuesday, July 9, 2019, regular meeting of the Council of The Corporation of the Town of Tecumseh be given first, second, third and final reading.

Carried

17. Notices of Motion

18. Next Meeting

Tuesday, July 23, 2019

6:30 pm - Public Council Meeting - Wellwood Drain

7:00 pm - Regular Council Meeting

19. Adjournment

Motion: RCM - 210/19

Moved by Councillor Rick Tonial
Seconded by Councillor Bill Altenhof

That there being no further business, the Tuesday, July 9, 2019 meeting of the Regular Council now adjourn at 7:51pm.

Carried

_____

Gary McNamara, Mayor

_____

Laura Moy, Clerk

Minutes of a Public Meeting of
The Council of the Town of Tecumseh

Tecumseh Council meets in public session on Tuesday, July 9, 2019, in the Council Chambers, 917 Lesperance Road, Tecumseh, Ontario at 5:30 pm.

1. Call to Order

The Mayor calls the meeting to order at 5:30 pm.

2. Roll Call

Present:

Mayor	Gary McNamara
Deputy Mayor	Joe Bachetti
Councillor	Bill Altenhof
Councillor	Andrew Dowie
Councillor	Brian Houston
Councillor	Tania Jobin
Councillor	Rick Tonial

Also Present:

Chief Administrative Officer	Margaret Misek-Evans
Director Parks & Recreation Services	Paul Anthony
Director Planning & Building Services	Brian Hillman
Director Financial Services & Chief Financial Officer	Tom Kitsos
Director Corporate Services & Clerk	Laura Moy
Director Fire Services & Fire Chief	Doug Pitre
Deputy Clerk & Manager Legislative Services	Jennifer Alexander
Manager Engineering Services	John Henderson
Manager Planning Services	Chad Jeffery
Deputy Fire Chief	Chad Mactier

3. Disclosure of Pecuniary Interest

There is no pecuniary interest declared by a Member of Council.

4. Introduction and Purpose of Meeting

The purpose of the meeting is to hear public comment on the application that the County of Essex (the Approval Authority) has received for approval of a Plan of Condominium on a 1.3 hectare (3.2 acre) property located on the north side of Tecumseh Road (14328 and 14346 Tecumseh Road), approximately 45 metres east of its intersection with Brighton Road.

The subject property is currently vacant and was once the location of the former Pud's Marina, which closed in 2017. The purpose of the application is to request Plan of Condominium Approval to permit the condominium ownership of the units within a five-storey, 64-unit condominium dwelling that is proposed to be constructed on the subject property. The Condominium approval will also include associated parking spaces, boat slips, storage areas and common areas.

The subject property is designated in a site specific "Medium Density Residential" designation in the St. Clair Beach Official Plan and zoned "Residential Type Three Zone (R3-13)" in the St. Clair Beach Zoning By-law 2065. The designation and zoning permit the construction of the proposed five-storey, 64-unit condominium dwelling.

In addition to the approval of the Plan of Condominium application by the County of Essex, it should be noted that Council approval of a site plan control agreement pertaining to the subject property will be required prior to the proposed development proceeding.

5. Delegations

Mr. David Petretta, applicant/owner was present at the meeting to answer any questions regarding the application.

6. Communications

1. Notice of Public Meeting for Plan of Condominium dated June 18, 2019

Re: 14328 and 14346 Tecumseh Road

Motion: PCM - 37/19

Moved by: Councillor Andrew Dowie
Seconded by: Councillor Tania Jobin

That Communications - For Information 6.1 as listed on the Tuesday, July 9, 2019 Public Council Meeting Agenda is received.

Carried

7. Reports

1. PBS-2019-20 D12 PETTEC, Petretta Condo, 14400 Tecumseh Road, Draft Plan of Condo Approval

Manager of Planning Services provides an overview of the application. He explains that there was extensive public consultation undertaken with regard to the application. As a result, the proposed Draft Plan of Condominium now includes:

- A total of 64 residential units (reduced from 65 units);
- 73 underground parking spaces reserved for individual unit owners;
- 20 boat slips for the exclusive use of individual unit owners;
- 70 storage areas associated with the individual dwelling units; and
- Common areas associated with the condominium development such as landscaped areas, walkways, 76 aboveground parking spaces, two underground barrier-free parking spaces, fitness centre, multi-purpose room, lounge and lobby area. The proposed development does not include any commercial uses on the first floor as originally planned.

Manager of Planning Services advises that the removal of the Holding symbol (H) on the subject property is contingent upon the execution and registration of a site plan control agreement. Based on Administration's review of the proposed Plan of Condominium, Administration is recommending that Town Council support the Draft Plan of Condominium Approval of County File No. 37-CD-19001, subject to the County of Essex providing the following conditions:

- That the Owner enter into a site plan control agreement with the Town of Tecumseh wherein the Owner agrees to satisfy all the requirements, design, engineering, financial and otherwise, of the Town concerning but not limited to the payment of development charges, driveway access, surface parking, sidewalks, landscaping details, fencing details, lighting details, installation of

services, sanitary sewerage collection system, water distribution system, utilities and stormwater management facilities for the development of the lands, including those works required off-site;

- That the Owner engage the services of a qualified engineer to complete a Stormwater Management Study to address stormwater quantity and quality to the satisfaction of the Town and that the site plan control agreement between the Owner and the Town, where required, contain a provision requiring the construction of the works by the Owner as identified in the Stormwater Management Study; and
- That prior to final approval by the Approval Authority, the Approval Authority is to be advised by the Town that this proposed Plan of Condominium conforms to the Zoning By-law in effect.

Motion: PCM - 38/19

Moved by: Deputy Mayor Bachetti
Seconded by: Councillor Brian Houston

That the granting of Draft Plan of Condominium Approval by the County of Essex (the Approval Authority) for the application filed by 2593430 Ontario Limited (County of Essex File No. 37-D-19001) for a five-storey, 64-unit condominium dwelling on a 1.3 hectare (3.2 acre) property located on the north side of Tecumseh Road (14328-14346 Tecumseh Road), approximately 45 metres east of its intersection with Brighton Road, be supported, subject to the inclusion of appropriate conditions as noted in PBS-2019-20;

And that the County of Essex be advised of Council's support for County of Essex File No. 37-D-19001, along with the associated requested conditions of draft Plan of Condominium approval.

Carried

8. Adjournment

Motion: PCM - 39/19

Moved by: Councillor Brian Houston
Seconded by: Councillor Bill Altenhof

That there being no further business, the Tuesday, July 9, 2019 meeting of the Public Council Meeting now adjourn at 6:00 pm.

Carried

_____

Gary McNamara, Mayor

_____

Laura Moy, Clerk

Minutes of a Public Meeting of
The Council of the Town of Tecumseh

Tecumseh Council meets in public session on Tuesday, July 9, 2019, in the Council Chambers, 917 Lesperance Road, Tecumseh, Ontario at 6:00 pm.

1. Call to Order

The Mayor calls the meeting to order at 6:05 pm.

2. Roll Call

Present:

Mayor	Gary McNamara
Deputy Mayor	Joe Bachetti
Councillor	Bill Altenhof
Councillor	Andrew Dowie
Councillor	Brian Houston
Councillor	Tania Jobin
Councillor	Rick Tonial

Also Present:

Chief Administrative Officer	Margaret Misek-Evans
Director Parks & Recreation Services	Paul Anthony
Director Public Works & Environmental Services	Phil Bartnik
Director Planning & Building Services	Brian Hillman
Director Financial Services & Chief Financial Officer	Tom Kitsos
Director Corporate Services & Clerk	Laura Moy
Director Fire Services & Fire Chief	Doug Pitre
Deputy Clerk & Manager Legislative Services	Jennifer Alexander
Manager Planning Services	Chad Jeffery
Deputy Fire Chief	Chad Mactier
Financial Analyst	Zora Visekruna

3. Disclosure of Pecuniary Interest

There is no pecuniary interest declared by a Member of Council.

4. Introduction and Purpose of Meeting

A public meeting is being held under Section 12 of the *Development Charges Act, 1997*, as amended. This meeting will provide the public an opportunity to ask questions, provide comments, and make representations on the 2019 Development Charges Background Study, which calculates updated development charges for the Town.

5. Delegations

1. Daryl Abbs, Senior Consultant, Watson and Associates Economists Ltd.

Re: Development Charges Study

The Director Planning & Building Services advises that the legislation requires, under the *Development Charges Act*, *1997,* as amended, that a municipality's Development Charges By-Law will lapse after five years. He notes that the Town is obligated to review the Town's growth needs and capital needs that relate to growth and result from growth and determine through a process very much defined by the Act and regulations what the Town can charge through its Development Charges by-law and sets a ceiling as it relates to different types of growth. The Town, as it has done in the past, has retained the services of Watson and Associates

Economists Ltd. Members of Council, through the PowerPoint presentation by Watson and Associates Economists Ltd., will be presented an overview of the study. The Director Planning & Building Services introduces Mr. Daryl Abbs, Senior Consultant with Watson and Associates Economists Ltd.

Mr. Abbs presents a PowerPoint presentation which explains the purpose of the study as follows:

- To recover the capital costs associated with residential and non-residential growth within a municipality
- The capital costs are in addition to what costs would normally be constructed as part of a subdivision (i.e. internal roads, sewers, watermains, roads, sidewalks, streetlights, etc.)
- Municipalities are empowered to impose these charges via the Development Charges Act (D.C.A.)

Mr. Abbs notes that it is anticipated that Council will consider the Development Charges By-law at its August 13, 2019 meeting.

2. Jeff Sylvestre

Mr. Sylvestre addresses Council and notes that he was very pleased to see that Bill 108 would be providing the opportunity to have six annual payments for development charges for industrial development. Currently, this is a hindrance for developers in that people can develop in the City of Windsor, pay higher taxes but no development charges. With Bill 108, the expense can be deferred and they can expense it annually and not have to capitalize it when they finance their projects.

Mr. Sylvestre questions how the benefit to existing development is calculated. He notes that on page 62 of the study in the table entitled "Infrastructure Costs Included in the Development Charges Calculation" the line which refers to St. Gregory's to Riverside Drive (Bike Lanes), the Gross Capital Cost Estimate is $331,300 but the benefit to existing development is only $33,000. He questions why that is levied against future development when it is already completely developed.

The Director Planning & Building Services states that there was a process and broad rationale to assigning an estimation of benefit against existing and benefit against the new population that is coming in and given the significant growth projected, an equally significant amount was attributed to the Development Charge. He advises that there may be some refinement yet to be done in this area.

Mr. Sylvestre also questions under Page E-6 - Parkland where it states: "Rough grading (pre-grading) to allow for positive drainage of the Park, with minimum slopes of 2%. If necessary, this may include some minor drainage tile work and grading as per the overall subdivision grading design complete with any required swales or catch basins. Runoff from the development property shall not drain into the park unless approved by the Director Public Works and Environment Services." He notes that Lakewood Park allows the stormwater to go through the park and the stormwater is an amenity of the park. He is hoping that the development he is planning off Manning Road will be allowed to do the same.

The Director Planning & Building Services advises that the Town is trying to show the stormwater facility that the Town is desirous of having look like an amenity but not constituted as parkland. He states that some parks have located abutting stormwater management facilities that appear as if they are one large park, yet in fact they are separate and distinct

facilities. He noted that the park proposed in the Manning Road Secondary Plan Area (MRSPA) could include the ability to accept overland stormwater flows in excess of the 100 year storm and that the language on Page E-6 is intended to allow such a designation provided it is approved by the Director of Public Works & Environmental Services. Mr. Sylvestre states that the proposed design for the MRSPA pond contains a walking path area at the top end of the pond with landscaping. He is hoping that if it is outside of the stormwater management facility that it would be credited as parkland. The Director Planning & Building Services states that he did not think this is what this section was speaking to. It pertains to parkland and a feature introduced to it. Historically the stormwater management facility in the footprint is not viewed as parkland. He notes that the issue Mr. Sylvestre is referring to would be negotiated at the time the development comes forward.

The Director Planning & Building Services thanked Watson & Associates Economists Ltd., all the Directors at the Town and staff for the considerable amount of time they dedicated to this project. He also thanks Zora Visekruna for all her hard work in producing the spreadsheets required and assisting with the coordination on this project.

6. Communications

1. Notice of Public Meeting dated June14, 2019

Re: Development Charges

2. Ministry of Municipal Affairs and Housing dated June 7, 2019

Re: Development Charges Act

Motion: PCM - 41/19

Moved By Councillor Tania Jobin
Seconded By Councillor Brian Houston

That Communications - For Information 6.1 and 2 as listed on the Tuesday, July 9, 2019 Public Council Meeting Agenda are received.

Carried

Mayor McNamara encourages residents to provide comments on the Development Charges study prior to the August 13, 2019 Council meeting.

7. Reports

There are no reports for consideration.

8. Adjournment

Motion: PCM - 42/19

Moved By Deputy Mayor Joe Bachetti
Seconded By Councillor Bill Altenhof

That there being no further business, the Tuesday, July 9, 2019 meeting of the Public Council Meeting now adjourn at 6:40 pm.

Carried

_____
Gary McNamara, Mayor

_____
Laura Moy, Clerk

Town of Tecumseh
2019 Compensation Review for Elected Officials

Draft Summary Report

Council Compensation Review Committee

July 2, 2019

Background and Objective

- Compensation for Elected Officials at the Town of Tecumseh was reviewed in 2005 whereby Council approved an increase in base pay that included committee, special and public meeting per diems; base pay for the Deputy Mayor was increased in 2007 relative to the Mayor and Councillor positions.

- A Council Compensation Review Committee was established by Council to review Council Compensation in 2019. A Consultant was retained to undertake a comparative analysis of compensation for Elected Officials using an identified set of municipal comparators, facilitate the Review Committee and make appropriate recommendations to Council.

- The primary objective is to conduct an overall review of the total compensation package for the Mayor, Deputy Mayor and Members of Council and make recommendations on the elements of total compensation for implementation in 2019.

- The review considers the compensation provided by comparator municipalities, the adequacy of current benefit entitlement, provision of technology and staff resources, and tax treatment; and considers current work-load, level of responsibility and commitment required of the Mayor and Members of Council.

- The Council Compensation Review Committee met on February 21, April 30, June 13 and June 28 to discuss the comparator group, review the preliminary analysis and observations, and review and finalize the report

- The recommendations in this report are from the Council Compensation Review Committee

2

Current Compensation and Pay Practice

- 2018 Base Pay for Tecumseh Elected Officials is as follows:
  - Mayor: $39,047/Deputy Mayor: $31,650/Councillor: $24,254
- Incumbents in all positions had a 1/3 tax free exemption up to December 31, 2018
- Effective January 1, 2019 Elected Official positions will no longer have the 1/3 tax free income benefit (i.e., removal of the 1/3 tax free treatment for Mayor/Councillor base pay was included in the 2017 Federal Budget). The Town has yet to determine whether to provide additional compensation to offset the loss of this benefit
- No additional meeting per diems are provided
- Per diems of $200/day are paid for attendance at conferences and workshops
- $80/day meal allowance is provided
- Health Care premiums are paid ($388.67/month), equivalent coverage as Management Staff); no Health Care coverage is provided on 'retirement'/termination
- $50,000 Life Insurance coverage is provided ($15.99/month)
- 9% of earnings are paid in lieu of participation in the OMERS pension plan or an RRSP
- Kilometrage expense equivalent to the CRA rate
- Lap top/tablet and cell phones are provided
- Internet service is reimbursed at $50/month and cell phone service is paid by the Town with personal long distance charges to be reimbursed
- Base pay is adjusted on an annual basis effective January 1st each year at the same percentage rate as approved for the Management/Non-union Group; there is no regular schedule for review of compensation

Executive Summary

- Generally, the 2018 base pay remuneration for Elected Officials at Tecumseh is the same or higher relative to the defined pay market having regard to the comparator group identified.
- Other elements of compensation are generally competitive.
- The comparator group is representative based on select criteria and the 65th percentile target is a reasonable pay target for base pay.
- The majority of municipal comparators have adjusted base pay salary to offset the 1/3 tax free treatment, supported by prevailing practice in the province.
- This information is provided to the Council for consideration as it relates to setting base pay remuneration for Elected Official positions during this term of Council.

Market Competitiveness—Methodology and Source Data

- A custom survey was prepared using 9 comparator municipal organizations.
- The comparator group is shown in Appendix A.
- The market comparator group that was selected for the last Management/Non-union compensation study was used to determine competitive remuneration for Tecumseh's Elected Officials, consisting of all local area municipalities in the County and 3 municipalities external to the County.
- The comparator group was selected having regard to relevant scope/criteria:
  - Historic comparators
  - Geographic location (i.e., County and surrounding area)
  - Similar service alignment/"like" services
  - Size (i.e., population/operating budget)
- Tecumseh is relatively placed within the comparator group having regard to size indicators (i.e., operating expenditures, population, size of Council)
- The AMCTO publication, Municipal Council Compensation in Ontario (March 2018) was referenced to identify best practice and common trends relative to this Review; referred to as the "AMCTO Report"

Market Observations

- Remuneration for the positions of Mayor, Deputy Mayor and Councillor positions was reviewed and compared to the defined pay market using 2018 base pay rates (as not all comparators have determined 2019 pay rates).
- Base pay comparative statistics are shown in Appendix B using a variety of percentile targets. The "% Difference" shown beside each percentile value is the amount that the current base pay amount for Tecumseh Elected Official positions is above the market target percentile value.
- Amherstburg sets the pay target for Elected Official positions at the 65th percentile; Lakeshore targets the 60th percentile; other comparators did not provide their pay market target.
- Market comparison for Tecumseh Elected Official positions based on the 65th percentile is as follows:
  - The Mayor is at the 65th percentile; annual base pay ranges from $30,834 (Kingsville) to $65,488 (Stratford)
  - The Deputy Mayor is 22% above the 65th percentile; annual base pay ranges from $13,550 (Stratford) to $31,640 (LaSalle)
  - Councillors are 13% above the 65th percentile; annual base pay ranges from $11,870 (Stratford) to $28,497 (LaSalle)

Market Observations, cont'd

- Two of the nine comparators provide Committee per diems in addition to base pay. These amounts have not been included in the base pay comparative analysis impacting the overall results when comparing Tecumseh Elected Official compensation to comparator organizations.
- Base pay for the Deputy Mayor position was increased in 2007 relative to the Councillor position and resulted in equalizing the annual difference in base pay between the three Elected Official positions.
- Base pay differences between Elected Official positions are shown in Appendix B-1
  - St. Thomas was excluded from the analysis as there is no Deputy Mayor and Stratford was excluded as an outlier for this comparison.
- There is 19% difference in 2018 base pay between the Tecumseh Mayor and the Deputy Mayor and a 23% difference between base pay for the Deputy Mayor and Councillor positions.
- All comparators show a larger percentage differential between the Mayor and Deputy Mayor base pay (33% on average) as compared to the percentage differential between the Deputy Mayor and Councillor base pay (17% on average).

Market Observations, cont'd

- The amount of base pay that a municipality offers Elected Officials is closely related to its size and geographic placement in the province.
- The AMCTO Report shows that:
  - the base pay for the Tecumseh Councillor position is comparable to base pay for Council Members in Southwestern Ontario for municipalities with populations between 25,000 and 49,999: Council Member: $24,791 (2017 rates); and higher when considering municipalities in Southwestern Ontario with populations between 10,000 and 24,999: $15,945 (2017 rates)
  - the base pay for the Tecumseh Mayor position is low when compared to the base pay salary for Mayor within the same geographic region and population between 25,000 and 49,000 scope: Mayor/Head of Council: $48,724 (2017 rates); and higher when considering municipalities with populations between 10,000 and 24,999: $29,245 (2017 rates)
  - The AMCTO Report did not provide base pay data for the Deputy Mayor position.

Market Observations, cont'd

- All comparator organizations provided the 1/3 tax free exemption through to December 31, 2018.
  - 6 comparator organizations report that the base salaries of Elected Officials have been increased to offset the loss on net income with the removal of the 1/3 tax free exemption effective January 1, 2019; and 3 local area municipalities report that the issue is currently under review.
- 8 comparator organizations report that Council remuneration was adjusted annually by the amount of increase provided to the Non-Union Salary Grid, COLA or the year over year change in the CPI; and 1 comparator advises that the adjustment is currently under review.
- 5 comparator organizations conducted a compensation review during the last term of Council; 3 comparator organizations used a community based Advisory Committee to assist in the Review; 2 comparator organizations used a Consultant.

Market Observations, cont'd

- Committee Per Diems
  - 8 comparators provide a per diem for attendance at conferences, seminars and workshops; ranging from $150 to $200 per day; 1 comparator provides a $100 per diem
  - 2 comparators provide meeting per diems for special meetings of Council; $100 flat and $200 maximum per meeting
  - 6 comparators provide meeting per diems for Committees ranging from $60 to $150 per meeting
- Travel and Meal Expenses
  - 6 comparators provide reimbursement thresholds for meals; and others reimburse based on receipts and policy; 5 of the 6 use a total daily reimbursement threshold ranging from $65 to $82
  - 7 comparators reported kilometrage reimbursement for travel; 5 of the 7 comparators reimburse using CRA rates; none report payment of an annual car allowance

Market Observations, cont'd

- Technology
  - 8 of the 9 comparators provide a lap top
  - 6 comparators provide a cell phone to Elected Officials and 2 comparators provide a cell phone to Mayor only
  - 3 comparators pay a monthly internet allowance or full reimbursement for service
  - 1 comparator provides a $1,500 annual telecommunications allowance
- Pension and Benefits
  - 2 comparators contribute to OMERS for Elected Officials; 3 comparators provide payment in lieu of OMERS (2 comparators report 9%); 1 comparator is currently reviewing entitlement
  - 5 comparators provide group benefit plan coverage—Drug, Health, Dental (same coverage as Management) and 1 comparator requires the Elected Official to pay premiums; 1 comparator provides a $2,000 annual Health Care Spending Account; 1 comparator is currently reviewing entitlement
  - The AMCTO Report states that 63% of municipalities in Southwestern Ontario with a population of 25,000 to 49,999 provide group health benefits to Elected Officials; 45% of municipalities in Southwestern Ontario with a population of 10,000 and 24,999 provide group health benefits to Elected Officials.

Market Observations, cont'd

- 3 comparators provide Life Insurance
- 1 comparator reported provision of health care benefits on retirement up to age 65 for Council members in office starting with the 2010 to 2014 term of Council
- Reporting of Expenses
  - The format and level of detail of reporting in the Statement of Council Remuneration varies among the municipalities, with some municipalities showing a greater level of detail
- Frequency of Meetings:
  - All comparators excluding St. Thomas report that Council meets twice a month
  - All comparators hold Special, Public and Other meetings; the number varies between the municipalities and fluctuates within the municipality based on the mandates and issues arising
  - An Elected Official's workload also fluctuates based on local issues centric to their community
  - All comparators report that Elected Officials attend and participate in professional development, workshops and conferences

Market Observations, cont'd

- Market trends and prevailing practice:
  - Base pay rates for Elected Officials are typically adjusted annually based on the annual adjustment provided to the Employee Salary/Wage Grid.
  - As a best practice, compensation is reviewed once during the term of Council; often in the last year of the 4 year term and typically by surveying neighbouring municipalities.
    - Municipalities use a range of factors to help them set compensation levels for Elected Officials. The most common practice is to survey the compensation paid by neighbouring municipalities to ensure that Elected Official compensation is competitive considering the fiscal capacity of the municipality. *(AMCTO Report, March 2018)*
  - Most municipalities have provided increases to base pay to offset the change in tax treatment (supported by the Survey results)

Conclusions

- The 2018 base pay remuneration for Elected Officials at Tecumseh is the same or higher relative to the comparator group identified.
  - Base pay for the Deputy Mayor and Councillor positions is higher than the 65th percentile of the comparator group (22% and 13% respectively).
  - The difference in base pay between the Tecumseh Mayor and Deputy Mayor positions is 19%; the average difference in base pay between the Mayor and Deputy Mayor among the comparator group is 33% (i.e., the Tecumseh Deputy Mayor base pay is sitting closer to the Mayor base pay relative to Deputy Mayors/Mayors in the comparator municipalities).
- The 65th percentile target (P65) is a reasonable pay target for base pay having regard to local area practice and the comparator group.
- Other elements of compensation are generally competitive, including health and life benefit coverage, technology, travel and professional development.
- The comparator group is representative based on select criteria and is aligned with the comparator group for the Management/Non-union Employee Group; however, it is noted that St. Thomas does not have a Deputy Mayor position and base pay amounts for Stratford positions do not align with those in the comparator group (i.e., Mayor/high; Deputy Mayor/low)

Conclusions, cont'd

- The majority of municipal comparators have adjusted base pay salary to offset the 1/3 tax free benefit, supported by prevailing practice in the province.
- It is common practice to increase the annual base pay for elected official positions annually by the amount used to adjust the Management/Non-union salary grid. This allows for a year over year increase to align with cost of living increases; also supported by the survey results.
- It is best practice to review compensation once during the term of Council using a survey of comparator municipalities.

Options for Consideration

- The Committee discussed a variety options based on the information provided and formulated 3 options for consideration relative to the 65th percentile target:
  1. Adjust the base pay for the Deputy Mayor and Councillor to align with the 65th percentile for those positions (i.e., a one time adjustment to reduce base pay)
  2. Increase the base pay for the Mayor and Councillor positions to the Deputy Mayor percentile placement (i.e., base pay for all Elected Official positions will be 22% above the 65th percentile)
  3. Normalize base pay for all positions over time to the 65th percentile by varied economic adjustments in 2019 and future years for the Deputy Mayor and Councillor (i.e.,100% of the economic adjustment for the Mayor, 50% for Councillor and 25% for Deputy Mayor)

Recommendations

Removal of 1/3 Tax Free Exemption

- It is recommended that base pay for the Elected Official positions be adjusted to offset the removal of the 1/3 tax free treatment, effective January 1, 2019, and that the adjustment be removed in the event that the CRA provision is repealed.
  - Budgetary impact of the removal of the 1/3 tax free treatment in 2019 will be subject of a separate report.

P65 Market Target:

- It is recommended that Council continue the practice of adjusting base pay for the Elected Official positions annually by using the % adjustment provided for the Management/Non-union Salary Grid; however, Council may wish to consider a varied economic adjustment for the Mayor, Deputy Mayor and/or Councillor position in 2019 and future years to normalize the base pay for the three positions and become more aligned with comparator practice and the 65th percentile (i.e.,100% of the economic adjustment for the Mayor, 50% for Councillor and 25% for Deputy Mayor)

Review Period:

- It is recommended that an external review be conducted once every four years using a Community Advisory Committee, a Consultant and comparator data; the next review being during the next term of Council (2022-2026)

Recommendations, cont'd

Comparators:

- It is recommended that Council consider revising the comparator group when the comparators for the Management/Non-union compensation change.

Reporting:

- It is recommended that Council consider providing more itemization of the remuneration and benefits in the Annual Statement of Council Remuneration.

Appendix A

Market Comparators

Data collected from 2017 FIR (https://efis.fma.csc.gov.on.ca/fir/) and 2016 Statistics Canada

Municipality	Size of Council	2017 Expenditures	Population
St. Thomas, City of	9*	136,294,749	38,909
Lakeshore, Town of	8	45,165,241	36,611
Innisfil, Town of	9	56,824,164	36,566
Stratford, City of	11	114,035,577	31,465
LaSalle, Town of	7	53,728,243	30,180
Leamington, Town of	7	53,048,335	27,595
Amherstburg, Town of	7	39,682,122	21,936
Kingsville, Town of	7	29,173,227	21,552
Essex, Town of	8	32,114,701	20,427
Tecumseh, Town of	7	34,023,147	23,229

*no Deputy Mayor

Appendix B

2018 Council Market Survey Results—Base Pay

Tecumseh Council Market Analysis (Base Pay)

			2018 MARKET SUMMARY - ANNUAL JOB RATE (_%) = above market +_% = below market								
Job Title		**2018 Job Rate** Annual	**No. of Obs.**	**Market Median** Annual	**% Diff.**	**Market P55** Annual	**% Diff.**	**Market P60** Annual	**% Diff.**	**Market P65** Annual	**% Diff.**
Mayor	$	39,047.00	9	$37,301	*(4.5%)*	$37,591	*(3.7%)*	$38,027	*(2.6%)*	$38,882	*(0.4%)*
Deputy Mayor	$	31,650.00	8	$22,930	*(27.6%)*	$23,590	*(25.5%)*	$24,257	*(23.4%)*	$24,690	*(22.0%)*
Councillor	$	24,254.00	9	$19,397	*(20.0%)*	$19,883	*(18.0%)*	$20,612	*(15.0%)*	$21,050	*(13.2%)*
					(17.3%)		**(15.7%)**		**(13.7%)**		**(11.9%)**

Appendix B-1

2018 Comparator Base Pay Differentials

Town of Tecumseh				Amherstburg			Essex			Innisfil			Kingsville			Lakeshore			LaSalle			Leamington		
Council Salary Analysis		$ Diff	% Diff		$ Diff	% Diff		$ Diff	% Diff		$ Diff	% Diff		$ Diff	% Diff		$ Diff	% Diff		$ Diff	% Diff		$ Diff	% Diff
Mayor	$ 39,047			$ 36,531			$ 36,107			$ 39,737			$ 30,834			$ 37,067			$ 38,027			$ 37,301		
		$ 7,397	**19%**		**$ 14,544**	**40%**		**$14,191**	**39%**		**$ 13,119**	**33%**		**$ 9,949**	**32%**		**$ 12,233**	**33%**		**$ 6,387**	**17%**		**$ 13,428**	**36%**
Deputy Mayor	$ 31,650			$ 21,987			$ 21,916			$ 26,618			$ 20,885			$ 24,834			$ 31,640			$ 23,873		
		$ 7,396	**23%**		**$ 3,914**	**18%**		**$ 3,641**	**17%**		**$ 5,130**	**19%**		**$ 3,916**	**19%**		**$ 4,222**	**17%**		**$ 3,143**	**10%**		**$ 4,476**	**19%**
Councillor	$ 24,254			$ 18,073			$ 18,275			$ 21,488			$ 16,969			$ 20,612			$ 28,497			$ 19,397		
* excluding Stratford and St. Thomas																								

Average Base Pay and % Differences	$ Diff	% Diff
Mayor/Deputy	$ 11,979	33%
Deputy/Councillor	$ 4,063	17%

2019

Paul Anthony
Director Parks and Recreation

Kerri Rice
Manager Recreation Programs & Events

Bonduelle

OPTIMIST CLUB
ST. CLAIR BEACH
Established in 1978

wfcu
CREDIT UNION

ESSEX POWER
CORPORATION

Tecumseh Corn Festival

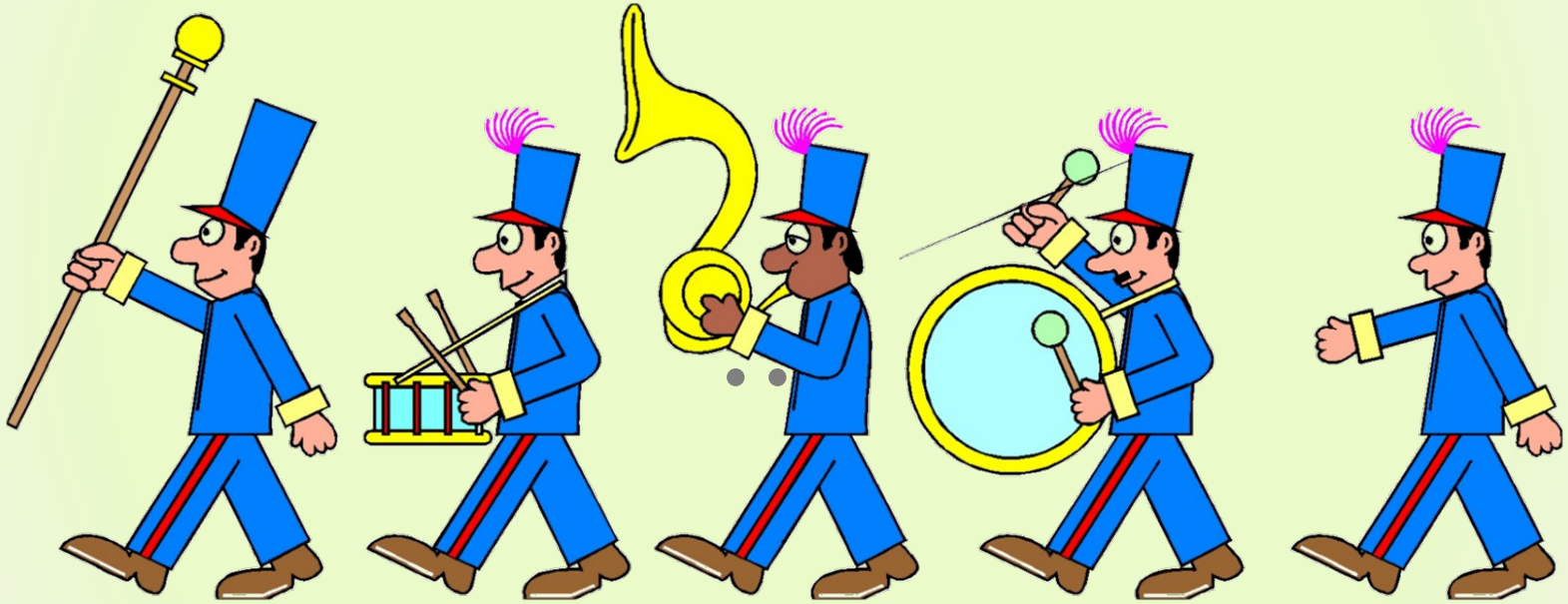
What's Happening

Senior's Day

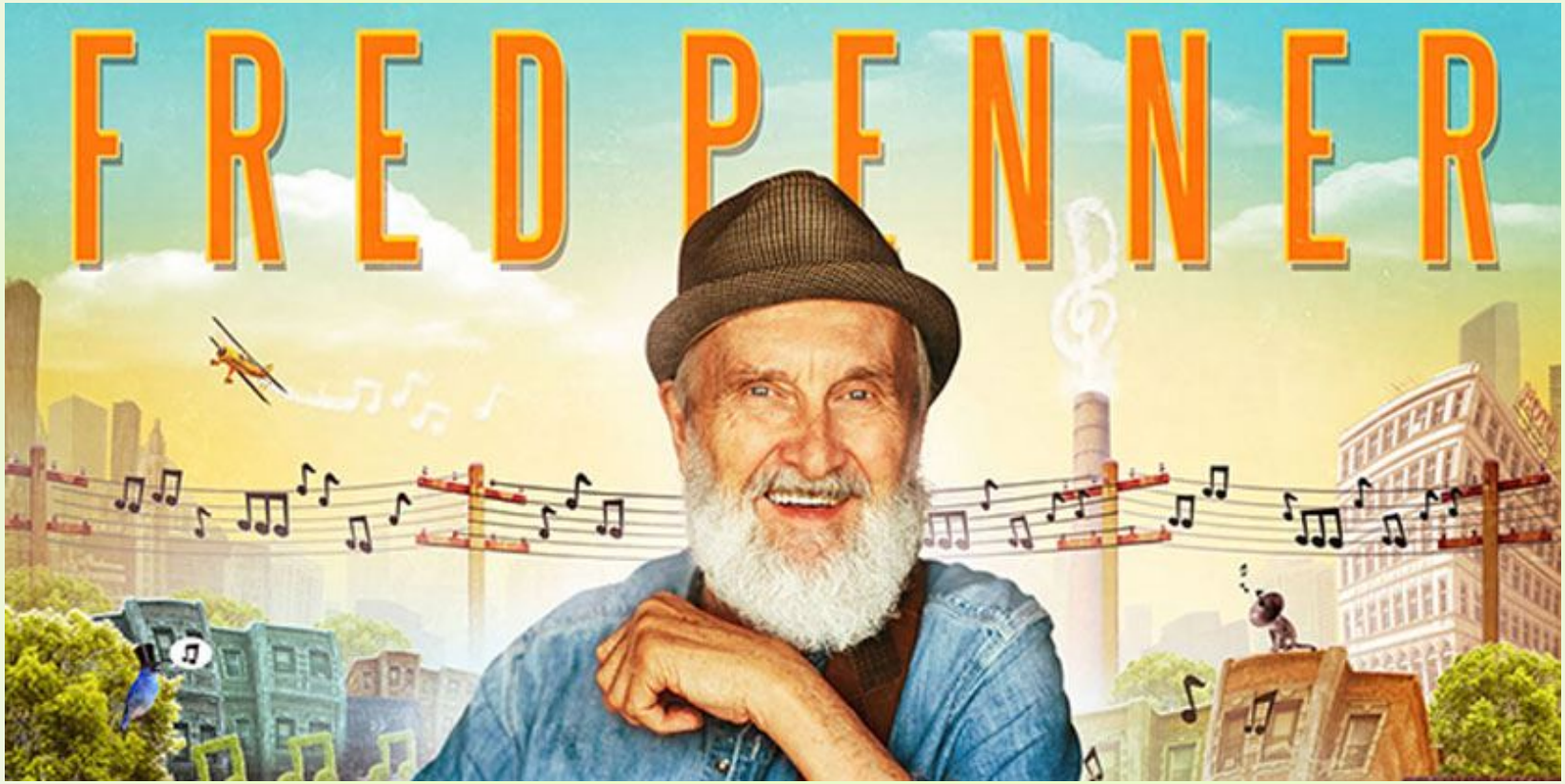
Free Admission and Free Corn on the Cob
Bingo
Elvis Tribute Artist
Motor City Manouche
Midlife Jazz

Friday Night

Family Day



Tecumseh Corn Festival

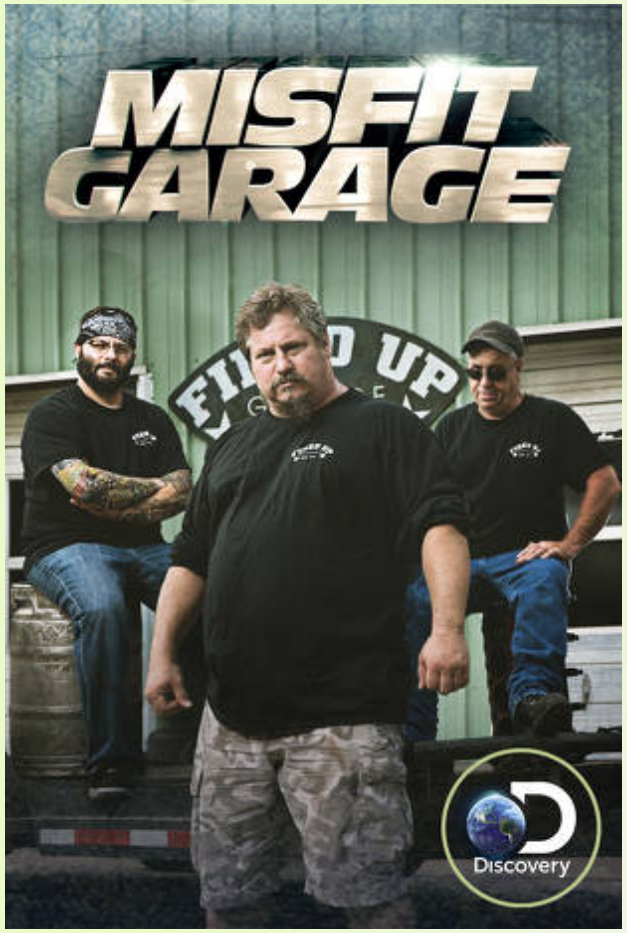


Saturday Night

Tecumseh Corn Festival

Classic Cars & Golden Oldies Day

MUSCLE CARS & Classics

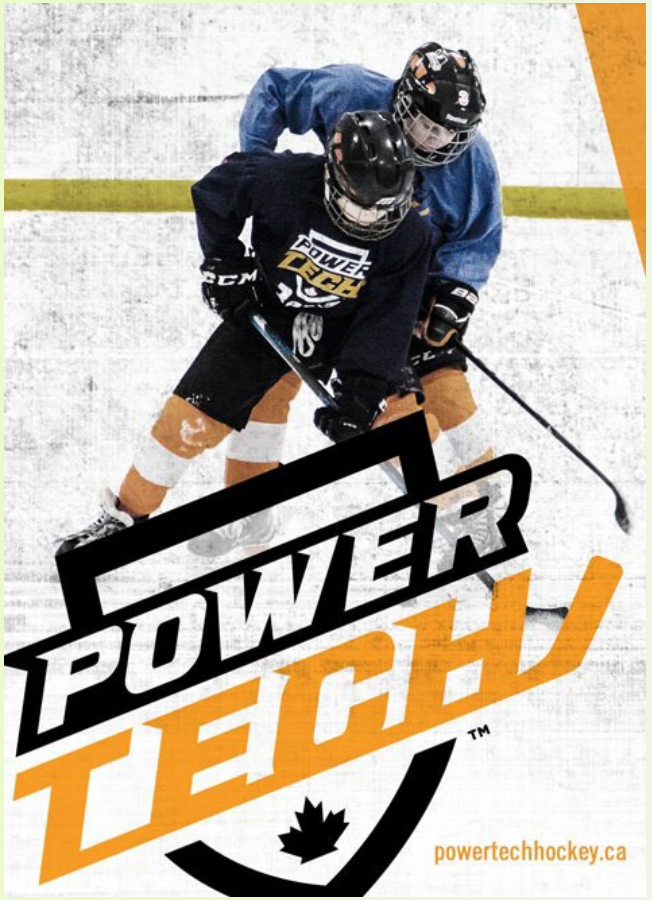


Miss Tecumseh Pageant

Tecumseh Leisure Pool

Tournaments

Tecumseh PICKLEBALL



Admission and Parking

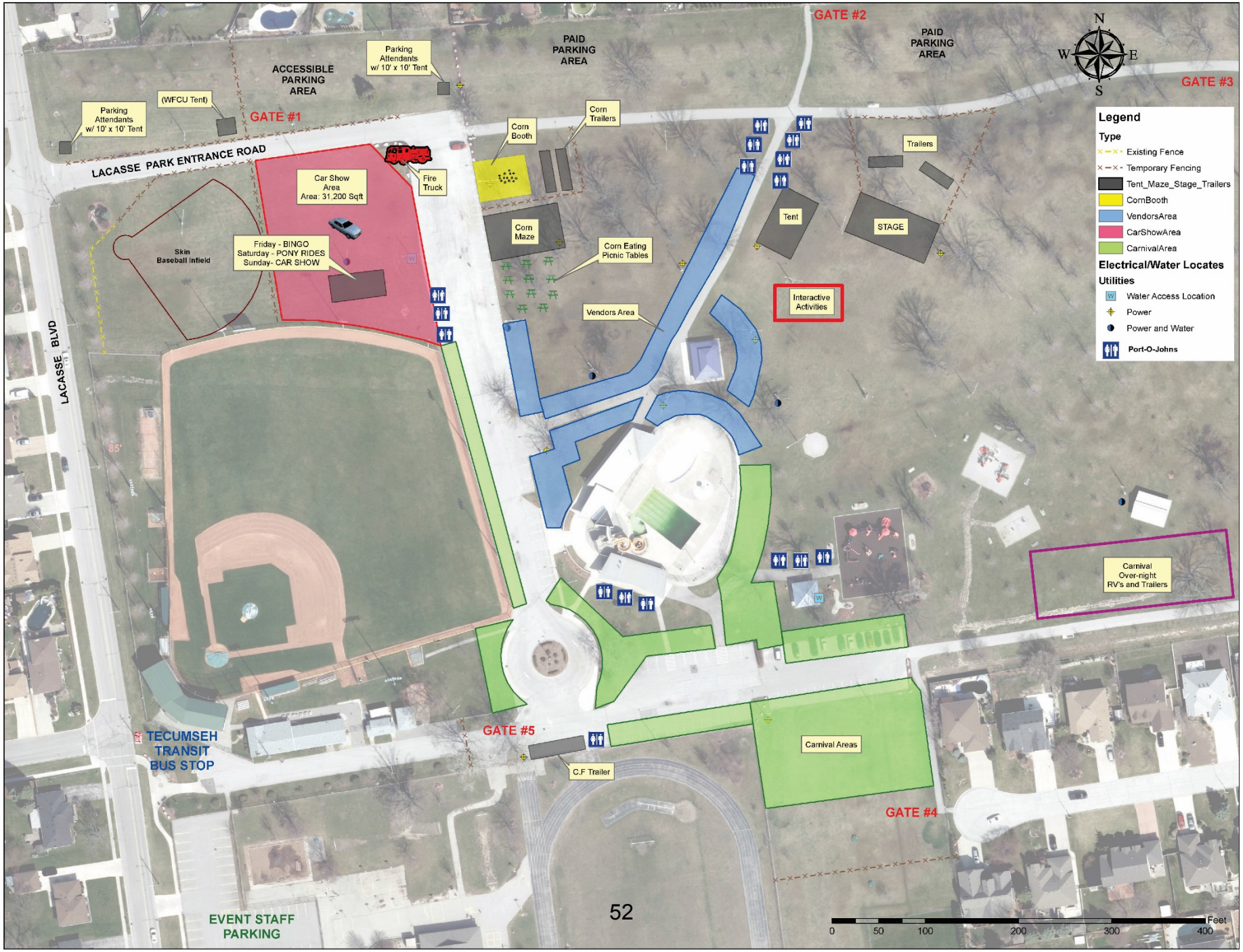
$5.00 Daily general park admission
Free admission for Senior's on Friday
Children 12 & Under FREE all weekend

$5.00 onsite parking

Free Bike Valet Service

bike windsor essex

Midway Carnival


GATE #2
PAID PARKING AREA
PAID PARKING AREA
GATE #3
N
W
E
S
ACCESSIBLE PARKING AREA
Parking Attendants w/ 10' x 10' Tent
Parking Attendants w/ 10' x 10' Tent
(WFCU Tent)
GATE #1
LACASSE PARK ENTRANCE ROAD
Corn Booth
Corn Trailers
Fire Truck
Car Show Area Area: 31,200 Sqft
Corn Maze
Trailers
Tent
STAGE
Skin Baseball Infield
Friday - BINGO
Saturday - PONY RIDES
Sunday- CAR SHOW
Corn Eating Picnic Tables
Interactive Activities
Vendors Area
LACASSE BLVD
85'
Carnival Over-night RV's and Trailers
TECUMSEH TRANSIT BUS STOP
GATE #5
C.F Trailer
Carnival Areas
GATE #4
EVENT STAFF PARKING
Legend
Type
Existing Fence
Temporary Fencing
Tent_Maze_Stage_Trailers
CornBooth
VendorsArea
CarShowArea
CarnivalArea
Electrical/Water Locates
Utilities
Water Access Location
Power
Power and Water
Port-O-Johns
0
50
100
200
300
400
Feet

Tecumseh Corn Festival

SPECIAL THANKS

Tony Corona – Site Logistics
Leslie Furlan – Interactive Activities
Phil Kane – Entertainment
David Lozinsky – Site Logistics
Jillian Parent - Pageant

The Place To Be
August 23 – 25
Lacasse Park

RECEIVED
JUL 03 2019
Town of Tecumseh

Lakeshore

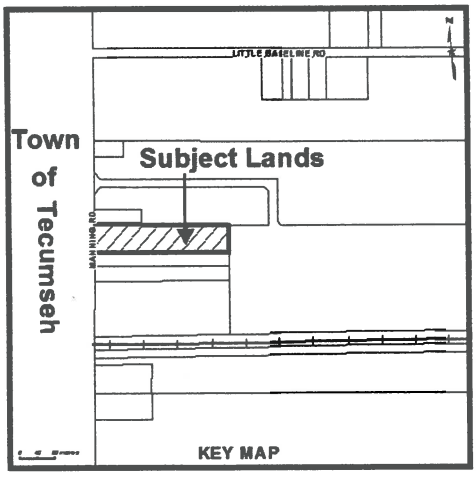
FORM 1
THE PLANNING ACT, R.S.O. 1990
NOTICE OF THE PASSING OF A ZONING BY-LAW AMENDMENT BY THE CORPORATION OF THE TOWN OF LAKESHORE

TAKE NOTICE that the Council of the Corporation of the Town of Lakeshore has passed By-law 69-2019 on the 18th day of June, 2019, under Section 34 of the Planning Act, R.S.O. 1990.

IF A PERSON OR PUBLIC BODY does not make oral submissions at a public meeting or make written submissions to the Council of The Corporation of the Town of Lakeshore before the proposed Zoning By-law Amendment is adopted, the person or public body is not entitled to appeal the decision of the Council of The Corporation of the Town of Lakeshore to the Local Planning Appeal Tribunal. **IF A PERSON OR PUBLIC BODY** does not make oral submissions at a public meeting or make written submissions to the Council of The Corporation of the Town of Lakeshore before the Zoning By-law Amendment is adopted, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party. An appeal to the Local Planning Appeal Tribunal in respect of the By-law may be completed by filing with the Clerk of the Town of Lakeshore not later than the **10th of July, 2019**, a notice of appeal setting out the objection to the By-law and the reasons in support of the objection accompanied by the required fee of $300.00 made payable to the Minister of Finance.

An explanation of the purpose of the by-law, describing the lands to which the by-law applies, and a key map showing the location of the lands to which the by-law applies, are detailed below. The complete By-law and any associated information is available for inspection in my office during regular office hours.

DATED at the Town of Lakeshore this 21st day of June, 2019.



Information or questions may be directed to:

Maureen Emery Lesperance, CPT
Senior Planning Technician
Town of Lakeshore
419 Notre Dame Street
Belle River ON N0R 1A0

PHONE: 519-728-1975 x 286
FAX: 519-728-4577
EMAIL: mlesperance@lakeshore.ca

EXPLANATORY NOTE

By-law 69-2019 affects the parcel of land described as the "Subject Lands" in the Key Map, above. The parcel is located at 2110 Manning Road (County Road 19) (Part of Lot 8, Concession WPC), in the former Community of Maidstone, now within the Town of Lakeshore. In effect, By-law 69-2019 rezones the subject land to a site specific UR-6, Urban Reserve Exception 6 (Temporary Use) Zone, to permit the use of a "transport terminal" for a maximum term of (3) three years, which shall not be permitted following the expiration of the Temporary Use Bylaw 69-2019 on June 18th, 2022.

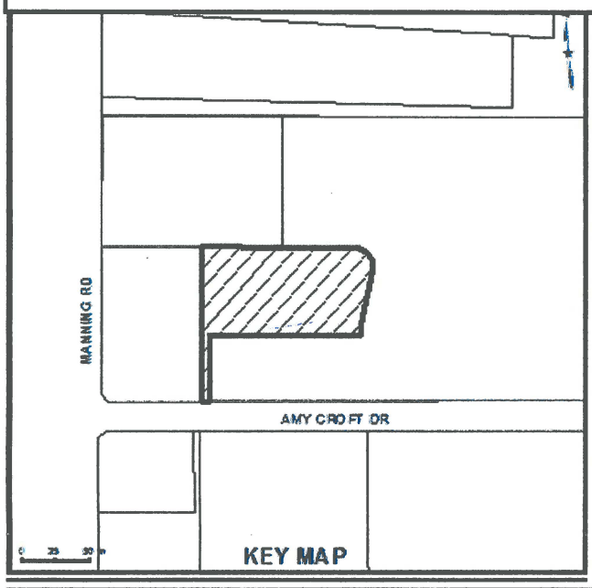
RECEIVED
JUL 03 2019
Town of Tecumseh

MUNICIPALITY OF THE TOWN OF LAKESHORE
NOTICE OF COMPLETE APPLICATION AND PUBLIC MEETING
An application to amend the Lakeshore Zoning By-law 2-2012

PURPOSE OF PROPOSED AMENDMENT
File No: **ZBA-9-2019**
Location: **0 Amy Croft Drive (Pt Lts 2 & 3, Conc. West Pike Creek, Pts 1 & 3, Pl 12R27653)**

The municipality is considering an application to amend the Town of Lakeshore Zoning By-law under the provisions of Section 34 of the Planning Act, R.S.O. 1990. The applicant, Petcon Hospitality Group Inc. has applied for a zoning by-law amendment for various site related reliefs for the permitted use of a "hotel" within the current "MU, Mixed Use" zone. The reliefs requested from the Town of Lakeshore Zoning By-law 2-2012 are as follows:

- maximum gross floor area of 5,896.2 m² **(maximum gross floor permitted 3,000 m²);**
- maximum height of 21.34 metres (70 feet) to the parapet **(maximum height permitted 10.5 metres);**
- minimum of two (2) loading spaces **((4) loading spaces required);**
- parking space width of 2.9 metres **(minimum width 3 metres).**



PUBLIC MEETING

TAKE NOTICE that the Council of the Corporation of the Town of Lakeshore will hold a public meeting to provide interested parties the opportunity to make comments, identify issues and provide additional information relative to the proposed Amendment.

The public meeting will be held on:

Tuesday, July 16th, 2019 at 6:00 p.m.
Town of Lakeshore Council Chambers
419 Notre Dame Street, Belle River

COMMENTS OR QUESTIONS?

ANY PERSON may attend the Public Meeting to make written or verbal representation in support of or in opposition to the proposed Zoning By-law Amendment. Written submission regarding the proposed Zoning By-law Amendment can be made to **Maureen Emery Lesperance, CPT, Senior Planning Technician**, Town of Lakeshore, Development Services Office, 419 Notre Dame Street, Belle River, Ontario, N0R 1A0, facsimile 519-728-4577, telephone 519-728-2700, ext. 286 or email (please include your mailing address) mlesperance@lakeshore.ca. **IF YOU WISH TO BE NOTIFIED** of Council's decision regarding the proposed Zoning By-law Amendment, you must make a written request to **Maureen Emery Lesperance, CPT, Senior Planning Technician**, at the address shown above and such request must include the name and address to which such notice should be sent.

ADDITIONAL INFORMATION relating to this matter is available for review at the Municipal Office during regular office hours. (8:30 a.m. to 4:30 p.m.) *We cannot guarantee the exact time the application will be considered by Council as the time varies depending on the number of items on the agenda and the complexity of each application brought forward.*

SUBMISSIONS

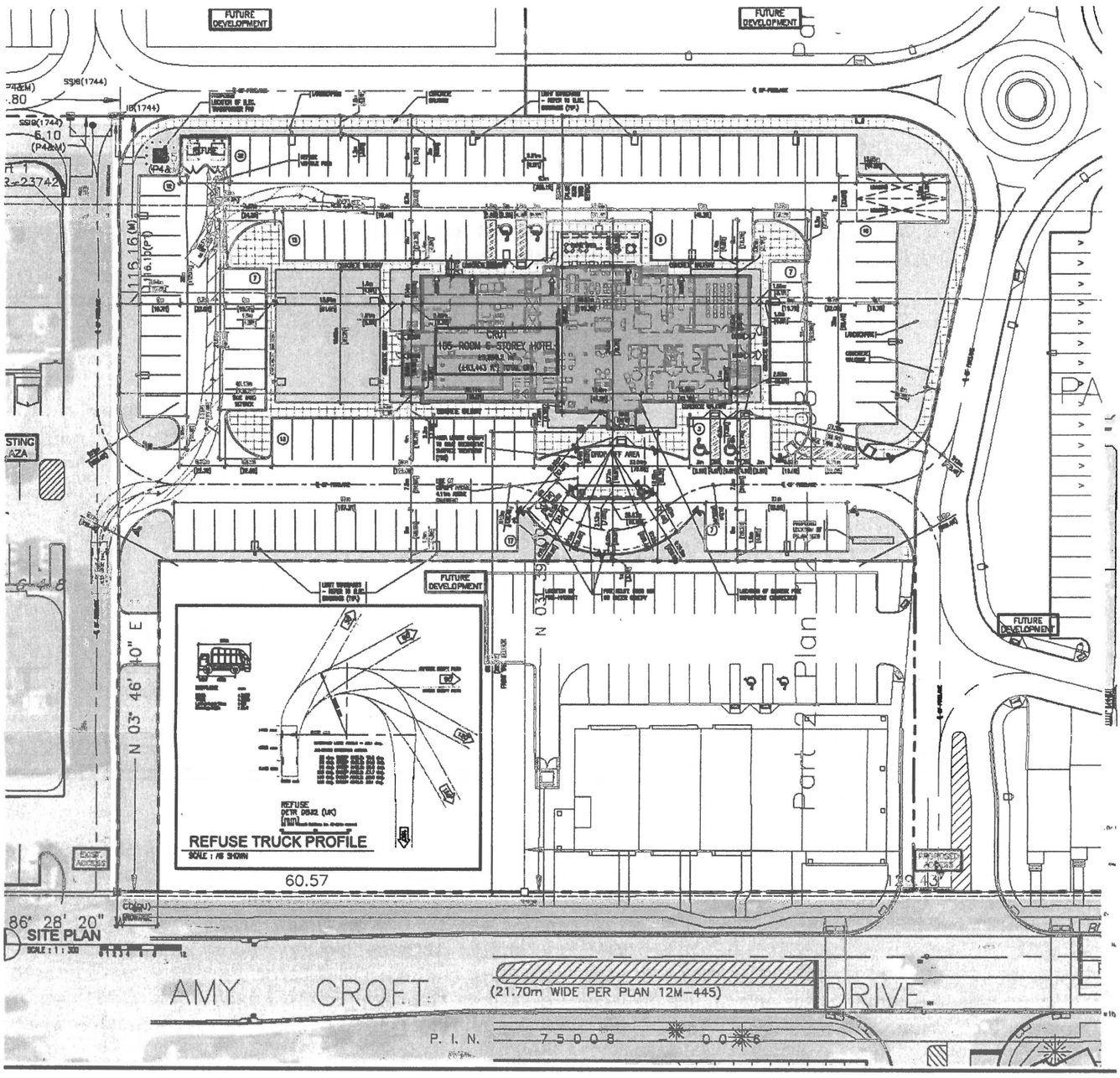
ALL PERSONS RECEIVING NOTICE of this meeting will receive a Notice of Passing of a By-law including appeal procedures. Any other person who wishes to receive a Notice of Passing in respect of the proposed zoning by-law amendment must make a written request to the **Municipal Clerk, Town of Lakeshore, 419 Notre Dame Street, Belle River ON, N0R 1A0.**

IF A PERSON OR PUBLIC BODY would otherwise have an ability to appeal the decision of the Town of Lakeshore to the Local Planning Appeal Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the Municipal Clerk of the Town of Lakeshore before the proposed Zoning By-law Amendment is passed, the person or public body is not entitled to appeal the decision.

IF A PERSON OR PUBLIC BODY does not make oral submissions at a public meeting or make written submissions to the Municipal Clerk of the Town of Lakeshore before the proposed Zoning By-law Amendment is passed, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.

DATED AT THE TOWN OF LAKESHORE THIS 25th DAY OF JUNE, 2019.

Proposed Site Plan (Hotel)



2021 Division Road North
Kingsville, Ontario N9Y 2Y9
Phone: (519) 733-2305
www.kingsville.ca
kingsvilleworks@kingsville.ca

SENT VIA EMAIL (clerks@citywindsor.ca)

ORIGINAL MAILED

July 5, 2019

City of Windsor
350 City Hall Square West
P. O. Box 1607; Suite 202
Windsor, Ontario N9A 6S1

Attention: Mayor Drew Dilkens

Dear Mayor Dilkens:

RE: Support of a new regional hospital for Windsor-Essex County

At its Regular Meeting held Monday, June 24, 2019 Council of The Corporation of the Town of Kingsville passed the following Resolution:

> **Resolution No. 357-2019**
> **Moved By** Deputy Mayor Gord Queen
> **Seconded By** Councillor Larry Patterson
>
> WHEREAS the needs of Windsor and Essex County Population and Medical Needs have increased over the past 50 years, and the actual growth of the City of Windsor recognized the need for growth in 2003 with the annexation of Tecumseh lands for future development;
>
> AND WHEREAS the new Mega Hospital Site selection process considered not only past needs but the future needs of the City and County Residents for years to come;
>
> AND WHEREAS when the OMB appeal process was ended the Province indicated a desire to put more faith and consideration in the decisions of local elected councils;
>
> AND WHEREAS the population growth within Essex County reflects the anticipation that near equal populations will exist between the two groups, called the City of Windsor and the County of Essex;

AND WHEREAS the two respective populations are expected to each contribute approximately 100 million dollars towards the Mega Hospital Construction, based on the Current proposed Site;

AND WHEREAS the residents of the County of Essex will not only benefit by reduced travel time, but the City of Windsor residents will remain with critical services in the core area of the old City Limits;

AND WHEREAS the anticipated site development plan, as indicated by a former City of Windsor Council member, indicated need for 60 acres;

AND WHEREAS the New Hospital, similar to London Victoria Hospital, will not only serve the residents but also enhance the Medical School opportunities for learning.

THEREFORE BE IT RESOLVED that the Town of Kingsville supports moving forward with the new Mega Hospital in the Proposed Location, to serve the entire combined region;

AND that this Resolution be sent to the City of Windsor, County of Essex, The Premier, The Minister of Health, The Minister of Municipal Affairs and Housing, The Local MPPs, and MPP Pettapiece.

CARRIED

If you should require any further information, please contact the undersigned.

Yours very truly,

Sandra Kitchen

Sandra Kitchen
Deputy Clerk/Council Services
Corporate Services Department

cc:	The Hon. Doug Ford, Premier of Ontario	premier@ontario.ca
	The Hon. Christine Elliott, Minister of Health	christine.elliott@pc.ola.org
	The Hon. Steve Clark, Minister of Municipal Affairs & Housing	steve.clark@pc.ola.org
	Tracey Ramsey, MP - Essex	tracey.ramsey@parl.gc.ca
	Taras Natyshak, MPP	tnatyshak-qp@ndp.on.ca
	Lisa Gretzky, MPP	lgretzky-qp@ndp.on.ca
	Percy Hatfield, MPP	phatfield-qp@ndp.on.ca
	Rick Nicholls, MPP	rick.nicholls@pc.ola.org
	Randy Pettapiece, MPP – Perth-Wellington	randy.pettapiece@pc.ola.org
	County of Essex, Warden Gary McNamara	
	Town of Amherstburg	
	Town of Essex	
	Town of Lakeshore	
	Town of LaSalle	
	Town of Tecumseh	
	Municipality of Leamington	

RECEIVED
JUL 10 2019
Town of Tecumseh

THE COLLEGE OF PHYSICIANS AND SURGEONS OF ONTARIO

July 8, 2019

TO MAYOR, CITY CLERK AND COUNCILLORS:

Nominate an Outstanding Ontario Physician in Your Community

The College of Physicians and Surgeons of Ontario Council Award

Did You Know?

Over the last four years, the Council Award has been presented to four physicians nominated by their local city council?

The College of Physicians and Surgeons (CPSO) is now accepting nominations for the **2020 Council Award.** The Council Award honours outstanding Ontario physicians who have demonstrated excellence and embody a vision of the "ideal physician".

The criteria for selecting a physician for the Council Award are outlined in the enclosed nomination form. The criteria are based upon eight "physician roles" that reflect society's expectations of what is needed to practise modern medicine.

Through the award, the College honours Ontario physicians whose performance in each of these roles is outstanding, recognizing that individual physicians will demonstrate more extensive expertise in some roles than in others.

If you know of a physician who meets the selection criteria, please nominate him or her for the Council Award.

The deadline for receipt of nominations is September 30, 2019 at 5:00 p.m.

For further information, please contact the Council Awards Program at 416-967-2600 or 1-800-268-7096 extension 257 or cpsoaward@cpso.on.ca.

HONOURING OUTSTANDING PHYSICIANS

CPSO COUNCIL AWARD

2020

The Council Award honours outstanding Ontario physicians who have demonstrated excellence and come closest to meeting society's vision of an "ideal physician".

Four awards are presented each year, in the following categories: Academic Specialty, Community Specialty, Academic Family Practice and Community Family Practice.

CRITERIA

The criteria for selecting a physician for the Council Award is based on the eight physician roles identified as the essential qualities needed to practice modern medicine:

- **medical expert/clinical decision maker**
- **communicator**
- **collaborator**
- **gatekeeper/resource manager**
- **health advocate**
- **learner**
- **scientist/scholar**
- **person & professional**

The Council Award recognizes physicians whose performance in these roles is outstanding, recognizing that they may demonstrate more extensive expertise in some roles than in others. Details on the elements of each quality are outlined on the CPSO's award webpage.

ELIGIBILITY FOR NOMINATION

Anyone may nominate a physician for the Council Award. To be eligible for nomination, a physician must be licensed in Ontario and be in good standing with the College. Previous nominees who were unsuccessful are eligible. Former recipients of the Council Award or the Excellence in Quality Management of Medical Care Award are not eligible for nomination. Council Members and staff of the College and members of their immediate families are also not eligible.

NOMINATION INSTRUCTIONS

1. Complete the **nomination form**.
2. Provide **a detailed nominator's statement** describing how the nominee has demonstrated overall excellence and contributed to the profession. *You are encouraged to include items pertinent supporting materials such as testimonials, reports, media articles, CVs, etc.*
3. Find a **seconder** for the nomination who will provide a written testimonial about the nominee's accomplishments.
4. The completed Council Award nomination package (including nominator's statement, supporting material and seconder's statement) can be emailed to cpsoaward@cpso.on.ca or mailed to the following address:

   The Council Award,
   c/o Communications Department
   College of Physicians and Surgeons of Ontario
   80 College Street, Toronto, Ontario, M5G 2E2

For more information, please contact:
Call: 416-967-2600 or 1-800-268-7096, ext. 257
E-mail: cpsoaward@cpso.on.ca

Additional nomination forms are available at:
www.cpso.on.ca/council-award

CHECKLIST:

- ○ **NOMINATION FORM**
- ○ **NOMINATOR'S STATEMENT**
- ○ **SECONDER'S STATEMENT**
- ○ SUPPORTING DOCUMENTS (OPTIONAL)
- ○ NOMINEE'S CV (OPTIONAL)

The deadline for the nominations is Monday, September 30, 2019 at 5:00 p.m.

NOMINATION FORM

Please provide Nominator and Seconder Statements and any additional information in support of your nomination

HONOURING OUTSTANDING PHYSICIANS
CPSO COUNCIL AWARD
2020

NOMINEE

FIRST NAME: _____ LAST NAME: _____

NOMINEE'S ADDRESS: _____

_____

EMAIL ADDRESS: _____ TELEPHONE: _____

DATE AND PLACE OF BIRTH: _____

DEGREES EARNED (DEGREE, SCHOOL, YEAR): _____

_____

SPECIALTY, IF ANY: _____

TYPE OF PRACTICE: _____

FACULTY APPOINTMENTS, IF ANY: _____

PREVIOUS HONOURS AND AWARDS: _____

NOMINATOR

FIRST NAME: _____ LAST NAME: _____

ADDRESS: _____

_____

E-MAIL ADDRESS: _____ TELEPHONE NUMBER: _____

PLEASE INDICATE YOUR RELATIONSHIPTO THE NOMINEE: _____

SECONDER (must be provided)

FIRST NAME: _____ LAST NAME: _____

ADDRESS: _____

_____

E-MAIL ADDRESS: _____ TELEPHONE NUMBER: _____

Local Planning Appeal Tribunal
Tribunal d'appel de l'aménagement local

ISSUE DATE: July 17, 2019 **CASE NO(S).:** PL160967

The Ontario Municipal Board (the "OMB") is continued under the name Local Planning Appeal Tribunal (the "Tribunal"), and any reference to the Ontario Municipal Board or Board in any publication of the Tribunal is deemed to be a reference to the Tribunal.

PROCEEDING COMMENCED UNDER subsection 34(19) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant:	Emile Nabbout
Subject:	By-law No. 2016-67
Municipality:	Town of Tecumseh
OMB Case No.:	PL160967
OMB File No.:	PL160967
OMB Case Name:	Nabbout v. Tecumseh (Town)

PROCEEDING COMMENCED UNDER subsection 17(36) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant:	Perry Burford
Subject:	Proposed Official Plan Amendment No. 14
Municipality:	Town of Tecumseh
OMB Case No.:	PL160967
OMB File No.:	PL161195

Heard: July 15, 2019 by telephone conference call

APPEARANCES:

Parties	**Counsel*/Representative**
Perry Burford, Emile Nabbout, and Judy Wellwood-Robson	Self-represented
Del Duca Industrial Park Ltd. ("Del	Vincent Del Duca

Duca")

Town of Tecumseh (the "Town") Edwin Hooker*

MEMORANDUM OF ORAL DECISION DELIVERED BY S. JACOBS ON JULY 15, 2019 AND ORDER OF THE TRIBUNAL

BACKGROUND

[1] This matter has returned to the Local Planning Appeal Tribunal (the "Tribunal") as a result of a decision issued by its predecessor, the Ontario Municipal Board (the "Board") on January 17, 2018 (the "2018 Decision"). In that decision, the Board allowed an appeal by Perry Burford and Emile Nabbout of the Town's adoption of Official Plan Amendment No. 14 (the "OPA") and passing of zoning by-law amendment No. 2016-67 (the "ZBA"). The OPA and ZBA allowed the development of an industrial business park at the northeast corner of the 8th Concession Road and North Talbot Road in Oldcastle Hamlet (the "subject property"). For ease of reference in the 2018 Decision, the Tribunal referred to the two appellants, Perry Burford, Emile Nabbout, and Judy Wellwood-Robson, a party in support of the appeals, as "FOOD", to reflect their membership in an unincorporated residents' group known as Friends of Old Oldcastle Development. That reference continues to be used in this decision.

[2] Based on the evidence and submissions during the November 2017 hearing of the appeals, this panel of the Board determined that the OPA and ZBA were inconsistent with the *Provincial Policy Statement, 2014* (the "PPS"). In arriving at that finding, the Board offered its observation that an alternative form of development, such as a type of mixed commercial-residential development, as suggested by FOOD to serve as a better transition between industrial and residential uses, could be consistent with the PPS.

[3] The Board therefore withheld its Order for a period of one year to allow the parties to explore an alternative proposal, should they so choose. The Board also indicated that the parties could request additional time to explore an alternative development if they found they were having productive discussions. For detailed

analysis and findings regarding the subject property and the earlier proposed development, the Tribunal refers to its 2018 Decision, which should be read as an accompaniment to this decision.

[4] In late 2018, the parties advised the Tribunal's Case Coordinator that they were involved in ongoing discussions regarding an alternative development proposal, and that they required additional time to explore this. The Tribunal ultimately granted the parties two six-month extensions, the latter expiring on July 17, 2019. When the parties requested the second extension, they advised the Tribunal's Case Coordinator that Town Council would be considering the proposed alternative development on June 25, 2019. Town Council issued unanimous approval of the proposed alternative development, and the Tribunal scheduled this telephone conference call ("TCC") with the parties to consider the proposed revised OPA and ZBA.

[5] In support of the revised OPA and ZBA, the Town submitted the affidavit of Brian Hillman, who was previously qualified during the November 2017 hearing to provide opinion evidence in land use planning. Mr. Hillman's affidavit, marked as Exhibit 16, includes three planning reports pertaining to the proposed alternative development, a draft order, and the revised OPA and ZBA.

The Proposed Alternative Development

[6] Based on Mr. Hillman's affidavit, the Tribunal understands that the parties used the Board's comments in the 2018 Decision as a basis for discussing and arriving at an alternative development proposal to provide an appropriate and viable transition between industrial uses to the west of the subject property and residential uses to the south and east. The parties ultimately achieved consensus on an alternative land use plan that includes:

- 20.5 hectares ("ha") of land for residential uses offering a range of housing types, including single unit dwellings, semi-detached and multi-unit dwellings and multi-storied retirement buildings;

- A 0.75 ha commercial parcel situated at the northeast corner of the 8th Concession Road / North Talbot Road intersection;

- Areas identified for a potential stormwater management pond and stormwater drainage corridor;

- A 30-metre ("m") wide strip of land along the western boundary of the subject property adjacent to the 8th Concession Road and extending fully from the commercial block to the northern limit of the subject property, to be conveyed to the Town in order to provide adequate separation from the industrial uses on the west side of 8th Concession Road and the proposed residential use of the balance of the subject property; and

- A multi-use pathway along the north side of the North Talbot Road that would ultimately provide connectivity to existing homes and Weston Park to the east and other proposed multi-use pathways in the vicinity.

[7] The Tribunal understands that this proposed alternative development was the result of multiple meetings among the parties. In addition, the Town held a public open house on April 29, 2019 to provide any interested persons an opportunity to review the proposed plan in an informal venue. The Town subsequently held a public meeting on May 28, 2019 to provide a final recommendation on the OPA and ZBA. From its review of Mr. Hillman's planning reports, the Tribunal understands that there was a strong expression of public support for the proposed alternative land use plan and associated revised OPA and ZBA. Town Council subsequently passed a resolution supporting the revised OPA and ZBA, which are now before the Tribunal and appended here as Attachments A and B, respectively.

[8] The parties appeared before the Tribunal collectively in support of the revised OPA and ZBA during this TCC. It was clear to the Tribunal that these parties have worked in earnest to arrive at a proposal that adhered to the findings in the 2018 Decision. The Tribunal commended the parties for their efforts to work toward an

alternative proposal within a reasonable amount of time.

[9] Based on Mr. Hillman's affidavit evidence, the submissions of the parties, and the Tribunal's review of its analysis and findings in the 2018 Decision, the Tribunal is satisfied that the revised OPA is consistent with the PPS and conforms with the County of Essex Official Plan (the "County OP"). The Tribunal is similarly satisfied that the revised ZBA is consistent with the PPS, and conforms with both the County OP and the Town Official Plan, which includes the Sandwich South Official Plan. Accordingly, the Tribunal will release its final order to approve both instruments.

ORDER

[10] The Tribunal orders that the appeals are allowed in part and that:

a) Town of Tecumseh Official Plan Amendment No. 14 is modified in accordance with Attachment A, and as modified is approved; and

b) Town of Tecumseh Zoning By-law Amendment No. 2016-67, having the effect of amending the Sandwich South Zoning By-law No. 85-18, is amended in accordance with Attachment B.

"S. Jacobs"

S. JACOBS
MEMBER

If there is an attachment referred to in this document,
please visit www.elto.gov.on.ca to view the attachment in PDF format.

Attachment A

REVISED PART B - OFFICIAL PLAN AMENDMENT NO. 14 TO THE TECUMSEH OFFICIAL PLAN, FOR THOSE LANDS WITHIN THE FORMER TOWNSHIP OF SANDWICH SOUTH (SANDWICH SOUTH OFFICIAL PLAN)

Details of the Amendment

The Sandwich South Official Plan, as amended, is hereby further amended as follows:

1. Schedule “A-2”, Township of Sandwich South Official Plan, Oldcastle Hamlet & Baseline Road Hamlet Urban Area Land Use Plan, is hereby amended by changing the land use designation for those lands as depicted on Schedule “A” attached hereto from “Hamlet Development” to “Low Density Residential” and “General Commercial”.

2. Section 3.2, Low Density Residential, Land Use Plan, as amended, is hereby further amended by the addition of a new subsection 3.2.2 x) to immediately follow subsection 3.2.2 ix) and to read as follows:

“3.2.2 x) Notwithstanding any other policy of the Plan to the contrary and having regard to OMB Decision dated January 17, 2018 (Case No.: PL160967), the 21.6 hectare property situated at the northeast corner of the 8th Concession/North Talbot Road intersection (Del Duca lands) designated “Low Density Residential” on Schedule “A-2” of this Plan shall be subject to the following additional policies:

a) a mixture of single-unit detached dwellings and semidetached dwellings at a maximum of 18 units per gross hectare and townhouse dwellings to a maximum of 30 units per gross hectares shall be permitted;

b) a retirement home with a maximum density of 60 units per gross hectare and a maximum height of four stories shall also be permitted;

c) a 30-metre (98-foot) wide buffer strip along the western boundary of the property adjacent to the 8th Concession Road and extending from the commercial block to the northern limit of the subject property shall be required. The buffer strip shall comprise:

   i) a berm with tree plantings;

   ii) a multi-use pathway; and

   iii) a drainage feature/swale for the conveyance of stormwater subject to the completion of a stormwater management study for the entire subject property to the satisfaction of the Town and the Essex Region Conservation Authority.

   Lands associated with the multi-use pathway included as part of the buffer strip shall be included in the calculation of any required parkland dedication or cash-in-lieu, in accordance with the Planning Act;

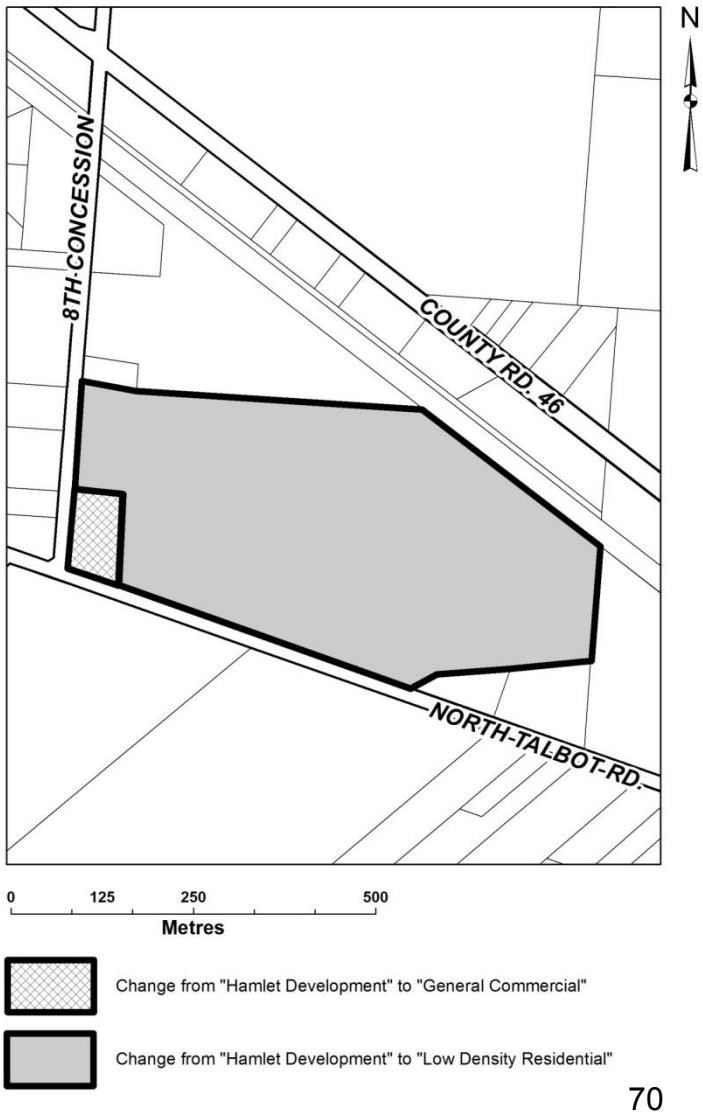
d) a stormwater drainage corridor along the northern extent of the property and along the northeastern portion of the property where it abuts the former railway lands may be a feature considered as part of the stormwater management study. This stormwater drainage corridor, if deemed appropriate by the stormwater management study as approved by the Town and the Essex Region Conservation Authority, shall also provide for a multi-use pathway that will provide a linkage between the residential areas, commercial areas and adjacent parkland; and

e) it is anticipated that a stormwater management facility addressing quality and quantity control for the subject property will be located at the easterly extent of the property. The final location and design of the stormwater management facility will be subject to the completion of a stormwater management study to the satisfaction of the Town and the Essex Region Conservation Authority and will be designed so as provide a visual amenity and passive recreational opportunities and be an integral component of the development."

Implementation of the Amendment

This official plan amendment will be implemented through a corresponding zoning bylaw amendment, being completed concurrently, which will place the lands in a sitespecific “Holding - Residential Zone 2 (H)R2-4”, “Holding - General Commercial Zone (H)C1-9” and “Holding - Parks and Open Space Zone (H)P-5” in order to permit the proposed uses upon removal of the Holding (H) symbol, along with the future execution of a development agreement and site plan control agreement. The Holding (H) symbol will be removed in accordance with the Planning Act and associated policies in the Official Plan.

SCHEDULE "A"
OFFICIAL PLAN AMENDMENT NO. 14
CON 8, W PT LOT 11
PLAN 12R-4966, PARTS 1 & 3
TOWN OF TECUMSEH



Attachment B

CORPORATION OF THE TOWN OF TECUMSEH
REVISED ZONING BY-LAW AMENDMENT 2016-67

DELETE SECTION 1 OF BY-LAW 2016-67 AND REPLACE WITH NEW SECTIONS 1 TO 4 NOTED BELOW.

DELETE PRIOR SCHEDULE "A" OF BY-LAW 2016-67 AND REPLACE WITH NEW SCHEUDLE "A" NOTED BELOW.

1. That Schedule "A", Map 7, to By-law 85-18, as amended, is hereby further amended by changing the zoning classification for those lands depicted on Schedule "A" attached hereto and forming part of this by-law from "Agricultural Zone (A)" to "Holding - Residential Zone 2 (H)R2-4", "Holding - General Commercial Zone (H)C1-9" and "Holding - Parks and Open Space Zone (H)P-5".

2. That By-law 85-18, Section 6A, Residential Zone 2 (R2) Zone Regulations, as amended, is hereby further amended by the addition of a new subsection 6A.3.4 to immediately follow subsection 6A.3.3 and to read as follows:

"6A.3.4 Defined Area R2-4 as shown on Schedule "A", Map 7, of this By-Law.

a) Permitted Uses

i) uses permitted in subsection 6A.1.1;

ii) semi-detached dwellings;

iii) townhouse dwellings;

iv) senior citizens housing;

vi) accessory uses.

b) Permitted Building and Other Structures

i) buildings and structures for the uses permitted in subsection 6A.3.4 a) i) with each dwelling unit on a separate lot;

ii) buildings and structures for the uses permitted in subsection 6A.3.4 a) ii) to iv);

iii) accessory buildings and structures for the uses permitted in subsection 6A.3.4 a).

c) Minimum Lot Area

i)	single unit dwellings	465 sq. metres (5,005.2 sq. ft)
ii)	semi-detached dwellings	370 sq. metres (3,982.6 sq. ft) per dwelling unit
iii)	townhouse dwellings	232 sq. metres (2,497.2 sq. ft) per dwelling unit
iv)	senior citizens housing	0.8 hectares (2.0 acres)

d) Minimum Lot Frontage

i)	single unit dwellings	15.24 metres (50.00')
ii)	semi-detached dwellings	9.1 metres (30.0') per dwelling unit
iii)	townhouse dwellings	6.0 metres (19.68') per dwelling unit
iv)	senior citizens housing	60.96 metres (200.0')

e) Maximum Lot Coverage

i)	single unit dwellings	40 percent

	ii)	semi-detached dwellings	45 percent
	iii)	townhouse dwellings and senior citizens housing	50 percent
f)	Minimum Landscaped Open Space		30 percent
g)	Maximum Building Height		
	i)	senior citizens housing	4 storeys
	ii)	all other uses	10.6 metres (34.7')
h)	Minimum Front Yard Depth		7.6 metres (24.9')
i)	Minimum Interior Side Yard Width		
	i)	single unit dwellings	1.2 metres (3.93'), plus 0.6 metres (1.96') for each additional storey above the first storey
	ii)	semi-detached dwellings	1.2 metres (3.93'), plus 0.6 metres (1.96') for each additional storey above the first storey and no requirement where there is a common dividing wall
	iii)	townhouse dwellings	1.5 metres (4.92'), plus 0.6 metres (1.96') for each additional storey above the first storey and no requirement where there is a common dividing wall
	iv)	senior citizens housing	4.5 metres (19.68')

j) Minimum Exterior Side Yard Width

i)	senior citizens housing	6.0 metres	(19.68')
ii)	all other uses	4.5 metres	(14.76')

k) Minimum Rear Yard Depth 7.6 metres (24.9')"

3. That By-law 85-18, Section 8, General Commercial Zone (C1) Zone Regulations, as amended, is hereby further amended by the addition of a new subsection 8.3.7 to immediately follow subsection 8.3.6 and to read as follows:

"8.3.7 Defined Area C1-7 as shown on Schedule "A", Map 7, of this By-Law.

a) Permitted Uses

i) clinic;

ii) convenience store;

iii) day nursery and adult day care centres;

iv) financial institution;

v) health studio;

vi) offices, general or professional;

vii) personal service shop;

viii) professional studio;

ix) restaurant, including a restaurant with a drive-through;

x) retail stores;

xi) tavern;

xii) accessory uses.

b) Permitted Building and Other Structures

i) buildings and structures for the uses permitted in subsection 8.3.7 a);

iii) accessory buildings and structures for the uses permitted in subsection 8.3.7 a).

c) Zone Provisions

All lot and building requirements for the permitted buildings and structures in subsection 8.3.7 a) shall be in accordance with subsections 8.1.3 to 8.1.15, inclusive of this By-law."

4. That By-law 85-18, Section 17, Parks and Open Space Zone (P) Zone Regulations, as amended, is hereby further amended by the addition of a new subsection 17.3.5 to immediately follow subsection 17.3.4 and to read as follows:

"17.3.5 Defined Area P-5 as shown on Schedule "A", Map 7, of this By-Law.

a) Permitted Uses

i) a landscaped buffer strip that may comprise of a berm with tree plantings, a multi-use pathway and associated stormwater management features;

ii) accessory uses.

b) Permitted Building and Other Structures

i) buildings and structures for the uses permitted in subsection 17.3.5 a);

iii) accessory buildings and structures for the uses permitted in subsection 17.3.5 a).

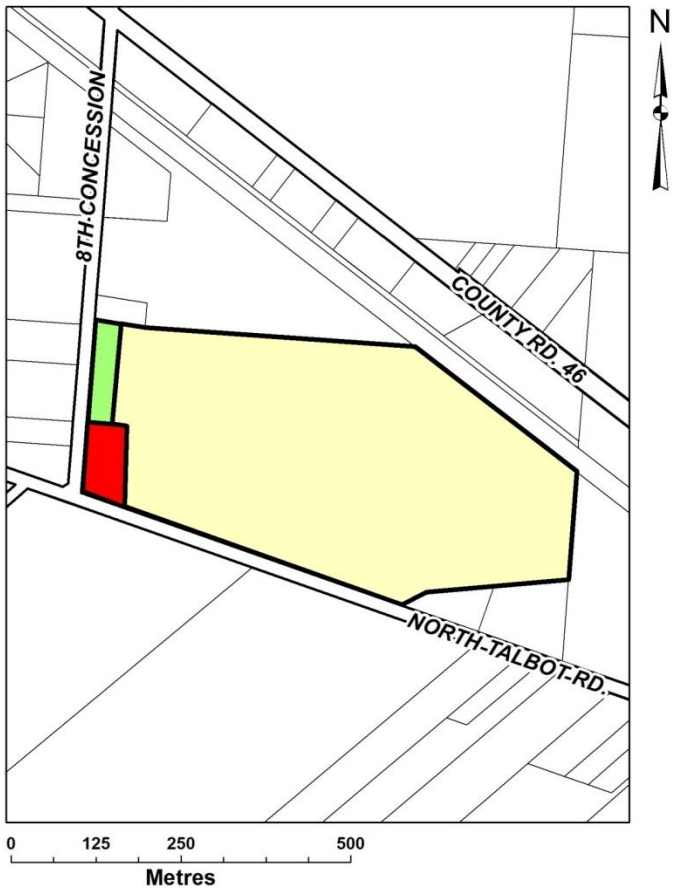
c) Zone Provisions

All lot and building requirements for the permitted buildings and structures in subsection 17.3.5 a) shall be in accordance with subsections 17.1.3 to 17.1.11, inclusive of this By-law, except for the following:

i) Minimum Lot Area 0.4 hectares (0.98 acres)."

Approved this ____ day of _____, 2019.

SCHEDULE "A"
CON 8, W PT LOT 11
PLAN 12R-4966, PARTS 1 & 3
TOWN OF TECUMSEH



Change from "Agricultural Zone (A)" to "Holding-General Commercial Zone (H)C1-7"

Change from "Agricultural Zone (A)" to "Holding-Residential Zone 2 (H)R2-4"

Change from "Agricultural Zone (A)" to "Holding-Parks and Open Space Zone (H)P-5"

This is the revised Schedule "A" to By-law No. 2016-67.
Approved the _____ day of _____, 2019.

www.cn.ca

Corporate Services

Stephen Covey
Chief of Police
and Chief Security Officer

935 de La Gauchetière Street West
15th Floor
Montreal, Quebec H3B 2M9
Canada

Services corporatifs

Chef de la Police
et de la sécurité

935 rue de La Gauchetière Ouest
15e étage
Montréal (Québec) H3B 2M9
Canada

June 28, 2019

RECEIVED
JUL 09 2019
Town of Tecumseh

Office of the Clerk
Town of Tecumseh
917 Lesperance Road
Tecumseh ON N8N 1W9

Dear Sir / Madam:

2019 is a very special year for CN as it marks our 100th anniversary. From the start, on June 6, 1919, safety has always been a core value at CN.

We are on a journey to become the safest railroad in North America. In addition to reinforcing a strong safety culture among our 25,000 employees, we collaborate with communities and local authorities to help prevent accidents and injuries at rail crossings, and ensure everyone's safety on and around railroad infrastructure.

This year, **Rail Safety Week** will be held in Canada from **September 23-29.** Hand in hand with *Operation Lifesaver,* CN Police Service officers and other CN employees will be in communities conducting hundreds of safety initiatives throughout the week. As proud partners, our commitment is to keep communities safe by raising rail safety awareness year-round.

Safety is a shared responsibility

Last year, your council joined the safety efforts of many other Canadian municipalities by adopting a resolution in support of Rail Safety Week. For this initiative, I thank you.

Rail safety is everyone's responsibility and, by looking out for each other and working together, we can help keep our communities safe and prevent fatalities and injuries on or near railway property.

Your council can continue to be a powerful ally in this effort to save lives by once again adopting the enclosed draft resolution. Please send a copy of your resolution by mail or e-mail to *sandra.orsini@cn.ca* and let us know how you will be promoting rail safety in your community this year.

For additional information about Rail Safety Week 2019, please consult *www.cn.ca/railsafety* or *www.operationlifesaver.ca.*

Yours sincerely,

Stephen Covey

Encl.

(Draft Resolution)

RESOLUTION IN SUPPORT OF RAIL SAFETY WEEK

Whereas ***Rail Safety Week*** is to be held across Canada from September 23 to 29, 2019;

Whereas it is in the public's interest to raise citizens' awareness of the dangers of ignoring safety warnings at level crossings and trespassing on rail property to reduce avoidable deaths, injuries and damage caused by incidents involving trains and citizens;

Whereas Operation Lifesaver is a public/private partnership whose aim is to work with the public, rail industry, governments, police services, media and others to raise rail safety awareness;

Whereas CN has requested City Council adopt this resolution in support of its ongoing efforts to raise awareness, save lives and prevent injuries in communities, including our municipality;

It is proposed by Councillor _____

seconded by Councillor _____

It is hereby **RESOLVED** to support national ***Rail Safety Week*** to be held from September 23 to 29, 2019.

Minutes of the Cultural and Arts Advisory Committee
for the Corporation of The Town of Tecumseh

A meeting of the Cultural & Arts Advisory Committee for the Town of Tecumseh was scheduled to be held on June 17, 2019, in the Sandwich South Meeting Room at Town Hall, 917 Lesperance Road, Tecumseh at 7:00 pm.

1. Call to Order

The Chairperson calls the meeting to order at 7:18 pm.

2. Roll Call

Present:

Councillor	Bill Altenhof
Member	Marian Drouillard
Chair	Rhonda Dupuis
Vice-Chair	Charles Gray
Member	Rita Ossington

Also Present:

Manager of Committee & Community Services	Christina Hebert

Absent:

Member	Dwayne Ellis
Member	Christopher McNamara
Member	Kyrsten Solcz

3. Disclosure of Pecuniary Interest

None reported.

4. Delegations

None.

5. Communications

a. Cultural and Arts Advisory Committee Minutes - May 27, 2019

Motion: CAAC - 11/19

Moved By Member Rita Ossington
Seconded By Vice-Chair Charles Gray

That the minutes of the May 27, 2019 meeting of the Cultural and Arts Advisory Committee as were duplicated and delivered to the Committee members, are accepted.

Carried

b. City of Windsor News Release dated May 29, 2019 Re: Calling All Young Artists

Motion: CAAC - 12/19

Moved By Member Marian Drouillard
Seconded By Vice-Chair Charles Gray

That Communications - For Information Item B as listed on the June 17, 2019 Cultural and Arts Advisory Committee Agenda be received.

Carried

6. Reports

None.

7. Unfinished Business

a. Culture Days

The Committee concurs with planning an ‘open studio’ tour for this year’s Culture Days, taking place September 27 - 29.

It is recommended that the open studio tour be scheduled for the Saturday to encourage greater attendance, from 10:00 am – 3:00 pm approximately.

Showcasing the BIA Banners within the tour is suggested, as well as inquiring if Art Galia Inc. would be interested in participating.

Member Marian Drouillard reminds Members of the upcoming Culture Days webinar on June 26. As the Members’ schedules conflict with the webinar, Member Marian Drouillard will share content information following the webinar.

8. New Business

a. Municipal Culture Grant Funds

Discussion ensues regarding the creation of a municipal grant program, geared toward cultural initiatives and similar in nature to the City of Windsor, Town of Essex and other area municipalities funding programs.

The program would support local funding initiatives to assist development of the creative community.

The Vice Chair offers to research area municipalities programs for the Committee’s review.

9. Next Meeting

The next meeting of the Cultural & Arts Advisory Committee will be held on July 15, 2019.

10. Adjournment

Motion: CAAC - 13/19

Moved By	Vice-Chair Charles Gray
Seconded By	Member Rita Ossington

That there being no further business, the June 17, 2019 meeting of the Cultural and Arts Advisory Committee now adjourn at 7:46 pm.

Carried

_____

Rhonda Dupuis, Chair

_____

Charles Gray, Vice-Chair

Minutes of the Heritage Committee
for the Corporation of The Town of Tecumseh

A meeting of the Heritage Committee for the Town of Tecumseh was scheduled to be held on June 17, 2019, in the Sandwich South Meeting Room at Town Hall, 917 Lesperance Road, Tecumseh at 6:00 pm.

1. Call to Order

The Chairperson calls the meeting to order at 6:04 pm.

2. Roll Call

Present:

Councillor	Bill Altenhof
Chair	Chris Carpenter (6:15 pm)
Vice-Chair	Marian Drouillard
Member	Rhonda Dupuis
Member	Charles Gray
Member	Rita Ossington

Also Present:

Manager of Committee & Community Services	Christina Hebert

Absent:

Member	Dwayne Ellis
Member	John Levesque

3. Disclosure of Pecuniary Interest

None reported.

4. Delegations

None.

5. Communications

a. Heritage Committee Minutes - May 27, 2019

Motion: HC - 15/19

Moved By Member Rita Ossington
Seconded By Member Charles Gray

That the minutes of the May 27, 2019 meeting of the Heritage Committee as were duplicated and delivered to the Committee members, are accepted.

Carried

6. Reports

None.

7. Unfinished Business

a. Heritage Property Listing

1. Ontario Regulation 9/06 - Criteria for Determining Cultural Heritage Value or Interest

Bill 108, More Homes, More Choice Act, 2019, which received Royal Assent on June 6, 2019 is reviewed by the Members.

Member Rita Ossington shares information regarding the Walker Road Log Cabin. The Log Cabin is located at 6455 Walker Road at the former Dr. McCormick's home. It was built by Moses Dufour in 1879 and the Dufour Family walked to church and school in McGregor. It is suggested the Log Cabin be considered for the Listing.

Further to the Committee's previous discussion, the Members review the selection of properties suggested to move forward to the Listing.

The following Members undertake to research and summarize key attributes to the selected properties, together with photographs:

- 2725 Highway #3 – Vice Chair Marian Drouillard
- St. Mark's by the Lake Anglican Church – Member Charles Gray
- Lakewood Golf Course – Member Rita Ossington

b. Tecumseh Heritage Articles

The Members review the draft article prepared by the Vice Chair for the next installment in the series. The Vice Chair will forward the draft article for Administration's review prior to publication.

8. New Business

a. Municipal Heritage Committee Workshop

The Manager Committee & Community Services advises retired Ministry Heritage Outreach Consultant, Bert Duclos, is offering heritage services including Heritage Committee Orientation sessions.

The Orientation session would follow the same format as the session held in October 2015: a four hour workshop comprised of presentations relating to Municipal Heritage Committees, What is Cultural Heritage Value and Inventory, Evaluation and Designation. The workshop will also include relevant amendments to the *Ontario Heritage Act* as proposed by Bill 108.

The proposed workshop date is Wednesday, July 24 from 5:00 pm – 9:00 pm. The Orientation session, hosted by Tecumseh, would be cost shared with area municipalities who are also interested in attending. The workshop fee is approximately $300.00 plus $10.00 per person for handout material, as well as travel mileage.

Discussion ensues regarding providing light refreshments and dinner for the attendees.

Motion: HC - 16/19

Moved By	Member Rhonda Dupuis
Seconded By	Member Charles Gray

That the Heritage Committee host the Heritage Committee Orientation on July 24, 2019 and provide light refreshments and dinner, at a cost no greater than $500.00, for the workshop attendees.

Carried

9. Next Meeting

The next meeting of the Heritage Committee will be held on July 15, 2019.

10. Adjournment

Motion: HC - 17/19

Moved By Member Rita Ossington
Seconded By Member Rhonda Dupuis

That there being no further business, the June 17, 2019 meeting of the Heritage Committee now adjourn at 7:14 pm.

Carried

_____

Chris Carpenter, Chair

_____

Marian Drouillard, Vice-Chair

Minutes of a Meeting of
The Joint Health and Safety Advisory Committee for The Corporation of the Town of Tecumseh

A meeting of the Joint Health and Safety Advisory Committee (JHSAC) for the Town of Tecumseh was held on Tuesday, June 26, 2019 in the Sandwich South Room at Town Hall, 917 Lesperance Rd., Tecumseh at 2:00 pm.

Present:

Manager Water & Wastewater	Denis Berthiaume
Manager Parks & Horticulture	Casey Colthurst
Human Resources Officer	Melissa Doetzel
Manager Facilities	Ray Hammond
Water Employee	Shaun LaPorte
Drainage Superintendent/Engineering Technologist	Sam Paglia

Absent:

Landscape Technician/Groundskeeper	Denis Laforet
Facility Attendant	Scott Willoughby

Also Present:

Administrative Assistant to the Director Corporate Services & Clerk	Sue White

1. Call to Order

2. Roll Call

There was not a quorum present.

3. Disclosure of Pecuniary Interest

4. Reports

a. Indoor Air Quality Assessment - Tecumseh Town Hall - June 17, 2019

5. Unfinished Business

6. New Business

7. Next Meeting

It was agreed that the Committee would reconvene again on Tuesday, July 2, 2019 at 9:00 am. In addition, the regular meeting will take place on Tuesday, August 6, 2019 at 2:00 pm.

8. Adjournment

The meeting adjourned at 2:15 pm.

_____

Sam Paglia, Co-Chair

_____

Melissa Doetzel, Human Resources Officer

Minutes of a Meeting of
The Joint Health and Safety Advisory Committee for The Corporation of the Town of Tecumseh

A meeting of the Joint Health and Safety Advisory Committee (JHSAC) for the Town of Tecumseh was held on Tuesday, July 2, 2019 in the Tecumseh Room at Town Hall, 917 Lesperance Rd., Tecumseh at 9:00 am.

Present:

Manager Water & Wastewater	Denis Berthiaume
Manager Parks & Horticulture	Casey Colthurst
Human Resources Officer	Melissa Doetzel
Manager Facilities	Ray Hammond
Water Employee	Shaun LaPorte
Drainage Superintendent/Engineering Technologist	Sam Paglia
Facility Attendant	Scott Willoughby
Deputy Fire Chief	Chad Mactier

Absent:

Landscape Technician/Groundskeeper	Denis Laforet
Director Corporate Services & clerk	Laura Moy

Also Present:

Administrative Assistant to the Director Corporate Services & Clerk	Sue White

1. Call to Order

2. Roll Call

3. Disclosure of Pecuniary Interest

There was no disclosure of pecuniary interest noted.

4. Reports

a. Indoor Air Quality Assessment - Tecumseh Town Hall - June 17, 2019

On May 6, 2019 a formal report was forwarded to Human Resources stating several members at Town Hall were experiencing symptoms such as fatigue, light headedness, and allergy-like symptoms (i.e. coughing / sneezing and skin irritation). Deputy Fire Chief Mactier did a check of Town Hall with the Department's gas detector which shows oxygen levels and checks for carbon monoxide. Oxygen levels were perfect and carbon monoxide readings were zero.

The Town retained the services of Indoor Environmental Specialists (IES) and they completed an air quality test inspection on June 4, 2019 .

IES had been retained to take measurements on the temperature and relative humidity, respirable particulate in the air, volatile organic compounds, ozone in the air around photocopiers, spore counts, observed mould growth / moisture issues and test for carbon monoxide and carbon dioxide levels.

IES noted that a total of six (6) mould air samples were collected and small spore counts were identified in two locations. No carbon monoxide was detected and carbon dioxide levels in the air were acceptable for an office environment. In addition, temperature and relative humidity measurements were within comfort guidelines throughout the facility at the time of testing. Measurements for total volatile organic compounds

(TVOC's) were within the recommended guidelines. Ozone concentrations and respirable particulate in the air were below the applicable legislative occupational exposure values.

The Committee discussed the IES report in detail. With regards to the mould testing, Mr. Paglia commented that currently, there were no specific laws or regulations governing acceptable levels of mould in buildings. During the assessment of Town Hall, two areas in the ceiling - one over Sue Homeniuk's desk and another outside Brian Hillman's office had stains on them and two of the test areas that recorded higher results than other test areas. Mr. Paglia stated that the Army Corp of Engineers has considered anything under 1,000 counts per cubic metre acceptable, but noted that all Health Canada and other agency guidelines indicate that prudent avoidance, and that any indoor growth or amplification site of mould, regardless of the concentration should be eliminated. He also noted that the testing was only done for 5 minutes when it is supposed to be carried out for 10 minutes and questioned why the testing had not been done for the full 10 minutes as recommended by the manufacturer of the testing equipment. The Committee agreed that further examination of the areas where mould counts were found should take place to determine where the leaking was occurring and if there were any signs of mould issues in the ceiling.

Discussion took place on how often an air quality assessment of Town offices should take place. Ms. Doetzel advises that it is mandated that the ventilation system shall be inspected every 6 months to ensure it is in good working condition. She also noted that following the renovation of the building, the ductwork will be cleaned and another air quality assessment would be undertaken.

Motion: JHSAC - 19/19

Moved By	Denis Berthiaume
Seconded By	Shaun LaPorte

That further investigation take place regarding the two areas identified within that had spore counts to determine if the cause of the mould could be located and eliminated and the damaged ceiling tiles be replaced;

And that once the renovations are completed on Town Hall, the ductwork be cleaned and another air quality assessment be completed;

And further that the full results of the Indoor Air Quality Assessment, dated June 17, 2019, be posted on the Health and Safety bulletin board.

Carried

5. Unfinished Business

6. New Business

7. Next Meeting

The next regular meeting of the Committee would be held on Tuesday, August 6 2019 at 2:00 pm.

8. Adjournment

Motion: JHSAC - 10/19

Moved By Sam Paglia
Seconded By Shaun LaPorte

That the July 2, 2019 meeting of the Joint Health and Safety Advisory Committee be adjourned at 9:37 am.

Carried

_____

Sam Paglia, Co-Chair

_____

Melissa Doetzel, Human Resources Officer

Minutes of the Senior Advisory Committee
for the Corporation of The Town of Tecumseh

A meeting of the Senior Advisory Committee for the Town of Tecumseh was scheduled to be held on June 27, 2019, in the Council Chambers at Town Hall, 917 Lesperance Road, Tecumseh at 6:00 pm.

1. Call to Order

The Chairperson calls the meeting to order at 6:00 pm.

2. Roll Call

Present:

Councillor	Rick Tonial
Member	Suzanne Beneteau
Member	Loretta Stoyka Henderson
Vice-Chair	Gabrielle McMillan
Chair	Paul Morand
Member	Dorothy Nagy
Member	Dara Pfeifer O'Connor
Member	Nancy Tennant

Also Present:

Manager Committee & Community Services	Christina Hebert

3. Disclosure of Pecuniary Interest

None reported.

4. Delegations

a. Bonnie Pacuta Re: Age Friendly Community

Ms. Bonnie Pacuta provides a brief overview of the Age Friendly Community initiative as outlined on the World Health Organization website.

In an age-friendly community, the policies, services and structures related to the physical and social environment are designed to help seniors age actively and stay connected.

Ms. Pacuta outlines her involvement and the process the City of Windsor followed in supporting and achieving, in June 2012, the Age Friendly Community designation. She advises the goal is for the Windsor Essex region to become age friendly.

The City of Brantford developed an Age Friendly Strategy detailing the steps to establishing an age friendly community, including the economic benefits.

In response to an inquiry, Ms Pacuta confirms that once designation is achieved, the municipality is required to continue reporting on ongoing initiatives that are undertaken.

She references the Seniors Summit Event Report from November 2017 which is available electronically and may be of interest to the Members.

The Members express appreciation to Ms. Pacuta for her presentation this evening.

5. Communications

a. Senior Advisory Committee Minutes - May 23, 2019

Motion: SAC- 15/19

Moved By Member Nancy Tennant
Seconded By Member Dara Pfeifer O'Connor

That the minutes of the May 23, 2019 meeting of the Senior Advisory Committee as were duplicated and delivered to the Committee members, are accepted.

Carried

6. Reports

None.

7. Unfinished Business

a. Seniors Community Grant Program

The Manager Committee & Community Services confirms the Seniors Community Grant Application, proposing a series of 'Lunch 'N Learns' on a variety of topics, has been submitted. If successful, the project must commence after September 30, 2019 and must be completed by March 31, 2020.

b. Education Workshops

It is noted the Elder Abuse Ontario (EAO) 'Its Not Right' workshop, scheduled for Thursday, October 3, 2019 at the Golden Age Club, would align with the proposed Lunch 'N Learn series, under the Seniors Community Grant.

Member Nancy Tennant references a recent Windsor Star article regarding World Elder Abuse Day. The article highlights the growing concern of elder abuse and that social isolation is among the greatest risk factors.

The proposed Lunch 'N Learn series would help to address such concerns.

c. Tecumseh Corn Festival

Discussion ensues regarding the booth at the Tecumseh Corn Festival on Seniors Day, Friday, August 23. The Members provide their availability for shift coverage at the booth.

Further details will be made available closer to the event.

The Members commit to brainstorming questions for a brief survey to engage seniors on what education topics, as well as other senior initiatives that are of interest, for the next meeting. The survey will help to determine the preferred education topics for the Lunch 'N Learn series.

d. Fall Prevention Clinic

The Windsor Essex County Health Unit (WECHU) has requested another Fall Prevention Clinic to be scheduled in the spring of 2020, in addition to the November 7, 2019 clinic.

The WECHU and the Council on Aging Windsor Essex are currently working on the annual Senior Calendar and would like to include the spring 2020 Fall Prevention Clinic.

The Manager Committee & Community Services will coordinate a date with the Golden Age Club.

8. New Business

a. Audio Book Club

Member Nancy Tennant explains the concept of an Audio Book Club which was proposed by resident Marian Drouillard. Ms. Drouillard has books on compact discs that she is generously willing to share to organize a book club for older adults and seniors.

The book club could meet on a weekly basis to listen to portions of a novel, engage in discussion and social interaction, particularly during the winter months. The book club could be held at the Golden Age Club and if there was interest, in the senior apartment buildings for those who do not have access to transportation.

It is suggested the idea of an Audio Book Club be included on the survey to gage interest.

b. Active & Aging Well Expo

Member Nancy Tennant attended Amherstburg's Active & Aging Well Expo held on June 7 and 8. She informs the Members on the wealth of information made available from various vendors.

A suggestion is made to make available some of the information distributed, such as the 'Guide to Programs and Services for Seniors in Ontario' at the Town Hall and Golden Age Club for seniors' ease of reference.

c. Presentation to Council

The Members provide their availability for the annual presentation to Council by the SAC and Youth Advisory Committee in respect of the Committee's accomplishments from the prior year and initiatives for the current year.

The Manager Committee & Community Services will draft the PowerPoint Presentation and circulate same for review and feedback.

9. Next Meeting

The next meeting of the Senior Advisory Committee will be held on July 25, 2019.

10. Adjournment

Motion: SAC- 16/19

Moved By Member Nancy Tennant
Seconded By Vice Chair Gabrielle McMillan

That there being no further business, the June 27, 2019 meeting of the Senior Advisory Committee now adjourn at 6:58 pm.

Carried

_____

Paul Morand, Chair

_____

Gabrielle McMillan, Vice-Chair

Minutes of the Youth Advisory Committee
for the Corporation of The Town of Tecumseh

A meeting of the Youth Advisory Committee for the Town of Tecumseh was scheduled to be held on June 17, 2019, in the Sandwich South Meeting Room at Town Hall, 917 Lesperance Road, Tecumseh at 4:30 pm.

1. Call to Order

The meeting was adjourned at 4:45 pm due to a lack of quorum. No discussion was held and no decisions were made.

2. Roll Call

Present:

Secretary	Tamsyn King
Treasurer	Kristi Koutros
Member	Kurtis Hengl Lachance
Vice-Chair	Suzie Sawicki

Also Present:

Manager Committee & Community Services	Christina Hebert

Absent:

Councillor	Rick Tonial
Member	Jacob Altenhof
Member	Michael Altenhof
Chair	Brendan Froese
Member	Tia-Lynne McCann
Member	Ava Ruuth
Member	Cameron Skinner

3. Disclosure of Pecuniary Interest

4. Delegations

a. WindsorEssex Community Foundation Re: RBC Future Launch Community Challenge Grant

5. Communications

a. Youth Advisory Committee Minutes - April 15, 2019 and May 27, 2019

Motion: YAC - 13/19

That the minutes of the April 15, 2019 and May 27, 2019 meeting of the Youth Advisory Committee as were duplicated and delivered to the Committee members, are accepted.

b. City of Windsor News Release dated May 29, 2019

c. Local Leaders: Think Globally, Act Locally Event

Local Leaders: Think Globally, Act Locally Website

Motion: YAC - 14/19

That Communications - For Information B through C as listed on the June 17, 2019 Youth Advisory Committee Agenda are received.

6. Reports

7. Unfinished Business

a. Local Government Week

b. Recreation Events

1. Canada Day Celebrations
2. Outdoor Movie Night
3. Tecumseh Corn Festival

8. New Business

9. Next Meeting

The next meeting of the Youth Advisory Committee will be held on July 15, 2019.

10. Adjournment

Motion: YAC - 15/19

That there being no further business, the June 17, 2019 meeting of the Youth Advisory Committee now adjourn at _____ pm.

_____

Brendan Froese, Chair

_____

Suzie Sawicki, Vice-Chair

The Corporation of the Town of Tecumseh

Corporate Services & Clerk

To: Mayor and Members of Council

From: Laura Moy, Director Corporate Services & Clerk

Date to Council: July 23, 2019

Report Number: CS-2019-14

Subject: Council Compensation Review

Recommendations

It is recommended:

That consideration be given to the following recommendations provided by the Council Compensation Review Committee which have been given in accordance with the Committee's Terms of Reference and Scope of Review established by Council at their December 11, 2018 Special Meeting:

1. That the base pays for the Mayor, Deputy Mayor and Councillor positions **be adjusted** to offset the removal of the 1/3 tax free treatment, effective January 1, 2019, and that the adjustment be removed in the event that the Canada Revenue Agency (CRA) provision is repealed;

2. That the base pays for the Mayor, Deputy Mayor and Councillor positions **be adjusted** annually using the percentage adjustment provided for the Management/Non-union Salary Grid;

3. That the economic adjustment for the Mayor, Deputy Mayor and Councillor positions in 2019, and future years, **be varied** to normalize the base pay for the three positions in order to be more aligned with the comparator practice and the 65th percentile (100% of the economic adjustment for the Mayor, 50% for Councillor and 25% for Deputy Mayor);

4. That an external review **be conducted** once every four years during the term of Council using a Community Advisory Committee, a Consultant and comparator data;

5. That the comparator municipalities for the next Council compensation review **be changed** when the comparators for the Management/Non-union compensation change.

6. That a more itemized Annual Statement of Council Remuneration **be given**.

Background

At the December 11, 2018, Special Meeting of Council, held for the purpose of appointing Committee and Board Members for the current term of Council, consideration was given to Report CS-2018-43.

At the meeting, Report CS 2018-43, regarding the appointment of a Council Compensation Review Committee (Committee), was received and the Terms of Reference, Committee Composition and Name, Scope of Review, as well as the Budget and Administrative Support, for the Council Compensation Review Committee appended to the Report in Appendix 1, were approved.

At the meeting the following Members were appointed to the Committee: Fiona Bryden, Jules Champoux, Marian Drouillard, Dwayne Ellis, and Joey Jraige.

The Terms of Reference for the Committee were to undertake a review of the current level of remuneration/compensation paid to the Mayor and Members of Council, and benefits, including but not limited to:

- health benefits,
- taxation issues (T-2200),
- 1/3 tax-free allowance elimination, and
- the provision of equipment and staffing resources.

The Committee was made responsible for making recommendations regarding any proposed changes effective January 1, 2019, for the new term of Council by the end of July 2019.

The Director Corporate Services & Clerk was appointed by Council to provide administrative support and to be responsible for associated costs related to supporting the Committee, including a third-party consultant. The Director Financial Services & Treasurer was appointed to provide support related to the financial impacts and costing of remuneration alternatives.

In keeping with the direction given, the Committee and third-party consultant, Marianne Love, will be reporting to Council at the July 23, 2019, Regular Meeting of Council on their recommended changes to the remuneration/compensation and benefits for the positions of Mayor, Deputy Mayor and Councillor.

This report is prepared in conjunction with the Committee and Consultant joint report to provide background on the review, the legislative authority for compensating Council and offering health care benefits, and the financial implications of the recommended changes.

Comments

Council Compensation and Benefits

The last review of the compensation for Tecumseh Council was undertaken in 2005. At that time an increase in the base pay for the Mayor, Deputy Mayor and Councillor positions was approved to include committee, special and public meeting per diems. The base pay for the Deputy Mayor was increased in 2007 relative to the Mayor and Councillor positions.

The base pay is increased annually for cost of living by the same adjustment provided to non-union management employees, as set out in the Council Remuneration By-law No. 2006-84, as amended by By-law No. 2007-85. The current (2018 rate) annual compensation paid to each Member of Council is:

Mayor: $39,047

Deputy Mayor: $31,650

Councillor: $24,254

In 2017, health and dental benefits were made available to the Members equivalent to the same benefits offered to non-union management employees. A life benefit was also introduced at that time of $50,000 for each Member.

Legal Authority

The *Municipal Act, S.O. 2001*, Chapter 25, (Act) in section 283 provides authority for the Council of a municipality to provide payment of remuneration to the Members of Council.

Section 282 of the Act provides authority, subject to the *Health Insurance Act*, for a municipality to provide, only through contract either with an insurer licensed under the *Insurance Act* or with an association registered under the *Prepaid Hospital and Medical Services Act* group life, group accident insurance or group sickness insurance for Members of Council.

Up to and including 2018, during the term of Council, 1/3 of elected officials' pay was received as a tax-free allowance for income tax purposes. This allowance was meant to offset employment expenses related to carrying out their duties as an elected official, thereby replacing the need to maintain detailed records of business related expenses (which could then be similarly deducted from income for tax purposes). Any expenses above the 1/3 tax-free allowance amount can still be itemized and deducted from taxable income.

The Federal Government, in its 2017 budget, made a change to this allowance, which now stipulates that elected officials are no longer permitted this tax free allowance, beginning in 2019.

Scope of Committee's Review

The scope of the review to be undertaken by the Committee, as directed by Council, was to:

- examine the current work-load and level of responsibility and commitment required of the Mayor and Members of Council;
- determine the adequacy of the current compensation and benefits;
- undertake a review of other peer municipalities, for the purpose of establishing a viable comparative measure; and
- seek feedback and public input as appropriate.

In accordance with the direction provided, the Committee conducted a survey of the Members of Council in order to assist them in understanding their respective roles, responsibilities and level of commitment.

A custom survey was also conducted of nine comparator municipalities. The Committee selected the market comparator municipalities based on the last Management/Non-union compensation study having regard to:

- historic comparators
- geographic location (i.e., County and surrounding area)
- similar service alignment/"like" services
- size (i.e., population/operating budget)

The comparator municipalities included all of the local municipalities in Essex County, the County of Essex, as well as three external municipalities, namely: the Town of St. Thomas, City of Stratford and Town of Innisfil.

The comparators were used to determine competitive remuneration and benefits for Council.

Additionally, the Association of Municipal Managers Clerks & Treasurers (AMCTO) publication, *Municipal Council Compensation in Ontario (March 2018)* was referenced to identify best practice and common trends relative to the review, as well as for the purpose of establishing a viable comparative measure. The publication can found at AMCTO Municipal Council Compensation Study, March 2018

The Annual Statement of Remuneration in 2018 for each of the comparator municipalities were examined by the Committee. It was noted however, that each municipality's Statement was itemized differently and did not consistently break down the reporting contents.

Committee's Conclusions

In summary, as a result of the Review, the Committee concluded that:

The 65th percentile target (P65) is a reasonable pay target for base pay having regard to local area practice and the comparator municipalities.

Other elements of compensation for Tecumseh are generally competitive with the comparators, including health and life benefit coverage, the provision of technology (i.e. cell phones, computers, laptops), travel and professional development.

The 2018 base pay remuneration for the Mayor, Deputy Mayor and Councillor positions for Tecumseh is the same or higher relative to the comparator municipalities. The base pay for the Deputy Mayor and Councillor positions is higher than the P65 of the comparators; 22% and 13% respectively. (See **Appendix 1**)

The difference in base pay between Tecumseh's Mayor and Deputy Mayor positions is 19%; the average difference in base pay between the Mayor and Deputy Mayor among the area comparator municipalities is 33%. Tecumseh's Deputy Mayor base pay is sitting closer to the Mayor base pay relative to Deputy Mayors/Mayors in the area comparator municipalities. (See **Appendix 2**)

The comparator municipalities are representative, based on select criteria, and are aligned with the comparators for the Management/Non-union Employee Group. However, the Town of St. Thomas does not have a Deputy Mayor position and the base pay amounts for the City of Stratford positions do not align with those in the comparator group (i.e. Mayor is high; Deputy Mayor is low).

The majority of the municipal comparators have adjusted the base pay for their elected officials' salary to offset the 1/3 tax free benefit. This is also supported by prevailing practice in the province.

It is common practice to increase the annual base pay for elected official positions, annually, by the amount used to adjust the Management/Non-union salary grid. This allows for a year over year increase to align with cost of living increases. This practice was also supported by the Committee's survey results.

It is best practice to review compensation once during the term of Council using a survey of comparator municipalities.

Recommendations of the Committee

The Committee at their June 13 and 28, 2019 meetings passed motions to make the following five recommendations to Council:

1. That the base pays for the Elected Official positions be adjusted to offset the removal of the 1/3 tax free treatment, effective January 1, 2019, and that the adjustment be removed in the event that the CRA provision is repealed.

2. That Council continue the practice of adjusting base pays for the Elected Official positions annually by using the % adjustment provided for the Management/Non-union Salary Grid; however, Council may wish to consider a varied economic adjustment for the Mayor, Deputy Mayor and/or Councillor position in 2019 and future years to normalize the base pay for the three positions and become more aligned with comparator practice and the 65th percentile (i.e.,100% of the economic adjustment for the Mayor, 50% for Councillor and 25% for Deputy Mayor).

3. That an external review be conducted once every four years using a Community Advisory Committee, a Consultant and comparator data; the next review being during the next term of Council (2022-2026).

4. That Council consider revising the comparator group when the comparators for the Management/Non-union compensation change.

5. That Council consider providing more itemization of the remuneration and benefits in the Annual Statement of Council Remuneration.

Consultations

Chief Administrative Officer
Financial Services
Comparator Municipalities
AMCTO
Marianne Love, Consultant

Financial Implications

Offsetting the removal of the 1/3 tax free treatment, so that Members of Council will ultimately receive the same net compensation in 2019 as they did in 2018, will increase payroll costs by approximately $45,000.

An economic adjustment to base pay for Members of Council for 2019 by a percentage equivalent to that of the Management/Non-union Salary Grid (2%), in accordance with Council Remuneration By-law 2006-84 and as amended by 2007-85, will amount to approximately $5,000.

Varying the economic adjustment to normalize the base pay for the three positions in order to be more aligned with the comparator practice and the 65th percentile, will reduce the 2019 economic adjustment by approximately $2,000.

The possibility of offsetting the 1/3 tax free treatment and an estimate for an economic adjustment was considered during the 2019 budget process and an amount sufficient to cover this net increase of approximately $48,000 is included in the 2019 approved budget.

A periodic increase to the operating budget every four years of approximately $12,000 will be necessary to fund the cost of an external review, based on cost of current review.

Link to Strategic Priorities

Applicable	2019-22 Strategic Priorities
☐	Make the Town of Tecumseh an even better place to live, work and invest through a shared vision for our residents and newcomers.
☐	Ensure that Tecumseh's current and future growth is built upon the principles of sustainability and strategic decision-making.
☐	Integrate the principles of health and wellness into all of Tecumseh's plans and priorities.
☐	Steward the Town's "continuous improvement" approach to municipal service delivery to residents and businesses.
☒	Demonstrate the Town's leadership role in the community by promoting good governance and community engagement, by bringing together organizations serving the Town and the region to pursue common goals.

Communications

Not applicable ☒

Website ☐ Social Media ☐ News Release ☐ Local Newspaper ☐

This report has been reviewed by Senior Administration as indicated below and recommended for submission by the Chief Administrative Officer.

Prepared by:

Laura Moy, Dipl. M.M., CMMIII HR Professional
Director Corporate Services & Clerk

Reviewed by:

Tom Kitsos, CPA, CMA, BComm
Director Financial Services & Chief Financial Officer

Recommended by:

Margaret Misek-Evans, MCIP, RPP
Chief Administrative Officer

Attachment Number	**Attachment Name**
1	Market Analysis (2018 Base Pay)
2	Comparator Base Pay Differentials

Appendix 1

Tecumseh Council Market Analysis (Base Pay)

2018 MARKET SUMMARY - ANNUAL JOB RATE
(_%) = above market +_% = below market

Job Title	2018 Job Rate Annual	No. of Obs.	Market Median Annual	% Diff.	Market P55 Annual	% Diff.	Market P60 Annual	% Diff.	Market P65 Annual	% Diff.
Mayor	$39,047.00	9	$37,301	*(4.5%)*	$37,591	*(3.7%)*	$38,027	*(2.6%)*	$38,882	*(0.4%)*
Deputy Mayor	$31,650.00	8	$22,930	*(27.6%)*	$23,590	*(25.5%)*	$24,257	*(23.4%)*	$24,690	*(22.0%)*
Councillor	$24,254.00	9	$19,397	*(20.0%)*	$19,883	*(18.0%)*	$20,612	*(15.0%)*	$21,050	*(13.2%)*
--	--	**--**	**--**	**(17.3%)**	--	**(15.7%)**	**--**	**(13.7%)**	**--**	**(11.9%)**

Appendix 2

Comparator Base Pay Differentials

Town of Tecumseh				Amherstburg			Essex			Innisfil			Kingsville			Lakeshore			LaSalle			Leamington		
Council Salary Analysis		$ Diff	% Diff		$ Diff	% Diff		$ Diff	% Diff		$ Diff	% Diff		$ Diff	% Diff		$ Diff	% Diff		$ Diff	% Diff		$ Diff	% Diff
Mayor	$ 39,047			$ 36,531			$ 36,107			$ 39,737			$ 30,834			$ 37,067			$ 38,027			$ 37,301		
		$ 7,397	**19%**		**$ 14,544**	**40%**		**$14,191**	**39%**		**$ 13,119**	**33%**		**$ 9,949**	**32%**		**$ 12,233**	**33%**		**$ 6,387**	**17%**		**$13,428**	**36%**
Deputy Mayor	$ 31,650			$ 21,987			$ 21,916			$ 26,618			$ 20,885			$ 24,834			$ 31,640			$ 23,873		
		$ 7,396	**23%**		**$ 3,914**	**18%**		**$ 3,641**	**17%**		**$ 5,130**	**19%**		**$ 3,916**	**19%**		**$ 4,222**	**17%**		**$ 3,143**	**10%**		**$ 4,476**	**19%**
Councillor	$ 24,254			$ 18,073			$ 18,275			$ 21,488			$ 16,969			$ 20,612			$ 28,497			$ 19,397		
* excluding Stratford and St. Thomas																								

Average Base Pay and % Differences	$ Diff	% Diff
Mayor/Deputy	$ 11,979	33%
Deputy/Councillor	$ 4,063	17%

The Corporation of the Town of Tecumseh

Corporate Services & Clerk

To: Mayor and Members of Council

From: Laura Moy, Director Corporate Services & Clerk

Date to Council: July 23, 2019

Report Number: CS-2019-22

Subject: Appointment of an Integrity Commissioner

Recommendations

It is recommended:

That Corporate Services & Clerk Report No. CS-2019-22 regarding the Appointment of an Integrity Commissioner **be received**;

And that Mr. Robert Swayze **be appointed** as the Integrity Commissioner for The Corporation of the Town of Tecumseh (Town) for the purpose of investigating complaints related to the Code of Conduct for Members of Council, Committees and Local Boards Policy No. 63 as adopted by By-law No. 2014-01 (Code of Conduct), and as otherwise may be amended;

And further that By-law No. 2019-55 being a by-law to authorize the Mayor and the Clerk to execute a renewal Retainer Agreement between the Town and Robert Swayze for the term January 1, 2020 through March 31, 2023 **be adopted**.

Background

The *Municipal Act, 2001, S.O. 2001, c.25* (*Municipal Act)* under Part V.1 requires a municipality to establish a Code of Conduct for Members of Council and local boards, and to appoint an Integrity Commissioner. The Integrity Commissioner reports to Council and is responsible for performing, in an independent manner, the functions assigned by the municipality with respect to any or all of the following:

1. The application of the Code of Conduct for members of council and the Code of Conduct for members of local boards.

2. The application of any procedures, rules and policies of the municipality and local boards governing the ethical behaviour of members of council and of local boards.

3. The application of sections 5, 5.1 and 5.2 of the *Municipal Conflict of Interest Act* to members of council and of local boards.

4. Requests from members of council and of local boards for advice respecting their obligations under the Code of Conduct applicable to the member.

5. Requests from members of council and of local boards for advice respecting their obligations under a procedure, rule or policy of the municipality or of the local board, as the case may be, governing the ethical behaviour of members.

6. Requests from members of council and of local boards for advice respecting their obligations under the *Municipal Conflict of Interest Act*.

7. The provision of educational information to members of council, members of local boards, the municipality and the public about the municipality's codes of conduct for members of council and members of local boards and about the *Municipal Conflict of Interest Act*. 2017, c. 10, Sched. 1, s. 19 (1).

If a municipality has not appointed a Commissioner, the municipality shall, in accordance with the Act, make arrangements for all of these responsibilities to be provided by a Commissioner of another municipality.

As required, by the *Municipal Act* under Section 270, a Transparency and Accountability Policy No. 61 was adopted in 2007 by Council to ensure accountability to the public for their actions, and the manner in which they will ensure that the Town's actions are transparent to the public.

In 2008, Council first adopted a Code of Conduct under By-law No. 2008-47 for Members of Council, Committees and Local Boards (Members), in conjunction with Policy No. 61, and in accordance with Section 223.2(1) of the *Municipal Act*. The purpose of the Code of Conduct is to supplement the legislative parameters within which Members must operate and to:

a. encourage a high standard of conduct;

b. ensure that Members share a common basis for acceptable conduct;

c. protect the public interest and enhance public confidence in Members; and

d. set out a means of correcting unethical conduct.

In September of 2013, Council appointed John G. Maddox, of JGM Consulting, as the Town's Integrity Commissioner to provide: advice and opinions to the Members; independent complaint prevention, investigation, adjudication, and resolution for Members of Council and the public; and to provide education on adherence with the Code of Conduct and other procedures, rules and policies governing ethical behavior.

Periodic audits of municipal policies and procedures are undertaken to determine whether they exhibit a commitment to the Transparency and Accountability Policy and to proactively prepare for a potential policy breach by establishing a protocol to effectively manage any alleged breach.

A review of the Town's Code of Conduct was undertaken in 2013, in consultation with the Integrity Commissioner, to ensure that Members governed by the Code of Conduct understood and would be able to comply with standards of conduct required by law in terms of their interpersonal interactions, communications and conduct, as well as other Town Policies, such as the Violence and Harassment in the Workplace Policy No. 68, Harassment Policy No. 6, Corporate Communication Policy No. 76, and the Use of Corporate Resources for Election Purposes Policy No. 69.

As a result of the review of the Code of Conduct, along with the Town's policies previously mentioned, and the *Ontario Human Rights Code*, *Occupational Health & Safety Act*, *Municipal Elections Act*, and *Municipal Act*, a revised Code of Conduct was prepared and adopted by By-law No. 2014-01 on January 14, 2014.

A Complaint Procedure Information Package was developed to accompany the Code of Conduct when requested by a member of the public who may wish to file a formal complaint. Complaints submitted under the Code of Conduct are to be investigated by the Integrity Commissioner.

To dissuade frivolous and vexatious complaints, Council approved a Complaint Application fee of $125. The fee is to be refunded in the event the Integrity Commissioner finds there to be a basis for the complaint.

Comments

The term of the Agreement between the Town and John G. Maddox of JGM Consulting for Integrity Commissioner Services expired on September 31, 2015.

A number of the Essex County lower tier municipalities collectively expressed an interest in retaining the services of an Integrity Officer and jointly developed a Request for Proposal (RFP) in 2015.

As result, Robert J. Swayze was retained under an Agreement for Integrity Commissioner Services for a two-year term 2016-2017.

Mr. Swayze is a solicitor practicing in Caledon, Ontario. His practice has primarily been in municipal law. He has held senior positions, including Town and City Solicitor, with various municipalities during his career and has been appointed as the Integrity Officer for a number of municipalities.

A joint RFP was again issued in 2017 for Integrity Commissioner Services by a number of the area municipal Clerks. Two submissions were received in response to the RFP. The proposals were at a much greater cost than the Agreement with Mr. Swayze (i.e. $1,000 / month retainer). Since the submissions were not acceptable, a renewal retainer Agreement for a two-year term ending December 31, 2019, was entered into with Mr. Swayze.

Mr. Swayze has offered to further extend his services until March 31, 2023. He does not require a retainer fee for his services as an Integrity Commissioner. He does charge $280 per hour for services performed and, if required, mileage is charged at $0.52 per kilometer. Process server and large printing jobs are billable at cost. While most investigations will be performed from Mr. Swayze's office, should a trip to Essex County be necessary, additional costs for airfare, a rental car and overnight accommodation may be incurred, however Mr. Swayze does not charge for travel time.

Mr. Swayze provides value-added services, including a review of the Code of Conduct and training on the Code of Conduct for Council Members, etc. These services are charged on the same basis as an investigation.

Extending the Agreement with Mr. Swayze until March 2023 provides consistent services for the remaining term of Council and allows for the Council-elect in 2022 to consider appointment of an Integrity Commissioner during their 2023-2026 term.

Purchasing Policy

Section 4.8 states:

b) Where a contract contains an option for renewal, the Department Director may exercise such option provided that all of the following apply:

   i. the supplier's performance in supplying the goods, services or construction is considered to have met the requirements of the contract;

   ii. The Department Director and the Purchasing Officer agree that the exercise of the option is in the best interest of the Town;

   iii. funds are available in appropriate accounts within Town Council approved budget including authorized revisions to meet the proposed expenditure; and

   iv. a valid business case has been completed.

Mr. Swayze's performance has met the requirements of the prior Retainer Agreements. The Town is required to retain an Integrity Commissioner to investigate complaints under the Code of Conduct. Funds are available in the annual budget in the event an investigation is to be conducted.

Code of Conduct

The Code of Conduct, as a result of changes to the *Municipal Act, 2001*, set out in *Bill 68 Modernizing Ontario's Municipal Legislation Act, 2016* (Bill 68) is no longer discretionary - it is required for Members of Council and Local Boards.

Periodic audits of municipal policies and procedures are undertaken to ensure legislative compliance, provide efficiencies in services, and to reflect current and/or best practices. The

Code of Conduct is under review, in consultation with Mr. Swayze. Codes of Conduct in the Province have been evolving since Bill 68 was passed. As an example, the Municipal Integrity Commissioners of Ontario (MICO) has made recommendations on a standardized formal complaint process. Proposed changes to the Code of Conduct will be the subject of a future report to Council later this year.

Consultations

Director Financial Services & Chief Financial Officer
Robert Swayze, Barrister & Solicitor

Financial Implications

The 2019 Budget contains a provision in the Clerks Department Professional Fee – Other for $2,500 for Integrity Commissioner fees in the event of an investigation.

Link to Strategic Priorities

Applicable	2019-22 Strategic Priorities
☐	Make the Town of Tecumseh an even better place to live, work and invest through a shared vision for our residents and newcomers.
☐	Ensure that Tecumseh's current and future growth is built upon the principles of sustainability and strategic decision-making.
☐	Integrate the principles of health and wellness into all of Tecumseh's plans and priorities.
☒	Steward the Town's "continuous improvement" approach to municipal service delivery to residents and businesses.
☐	Demonstrate the Town's leadership role in the community by promoting good governance and community engagement, by bringing together organizations serving the Town and the region to pursue common goals.

Communications

Not applicable ☒

Website ☐ Social Media ☐ News Release ☐ Local Newspaper ☐

This report has been reviewed by Senior Administration as indicated below and recommended for submission by the Chief Administrative Officer.

Prepared by:

Sue White
Administrative Assistant to Director Corporate Services & Clerk

Reviewed by:

Laura Moy, Dipl. M.M., CMMIII HR Professional
Director Corporate Services & Clerk

Recommended by:

Margaret Misek-Evans, MCIP, RPP
Chief Administrative Officer

Attachment Number	**Attachment Name**
1	Agreement between Corporation of the Town of Tecumseh and Robert J. Swayze, Barrister & Solicitor

Agreement Extending Term of The Integrity Commissioner

Dated as of: July 23, 2019

Between:

The Corporation of The Town of Tecumseh

(Hereinafter referred to as the “Municipality”)

-and-

Robert J. Swayze, Barrister & Solicitor

(Hereinafter referred to as the “Integrity Commissioner”)

Whereas the Integrity Commissioner was retained by an Agreement dated November 24, 2015, (the “Agreement”) for a term expiring on November 23, 2016,

And Whereas by agreement dated August 13, 2018, the parties hereto extended the term of the Agreement to expire on December 31, 2019.

And Whereas the parties hereto wish to further extend the term of the Agreement until March 31, 2023.

Now Therefore the parties agree as follows:

1. The parties hereto agree that the term of the Agreement is hereby extended to March 31, 2023 when it will expire unless extended further by agreement of all the parties.

2. This Agreement shall enure to the benefit of and bind the parties and their respective heirs, successors and permitted assigns. This Agreement is not assignable by the Integrity Commissioner.

In Witness Hereof both of the parties hereto have executed this agreement as of the 23rd day of July, 2019.

Signed, Sealed and Delivered

The Corporation of The Town of Tecumseh

Dated: July 23, 2019

Per

Mayor

Per

Clerk

Dated:

Witness

Robert J. Swayze, Barrister & Solicitor

The Corporation of the Town of Tecumseh

Corporate Services & Clerk

To: Mayor and Members of Council

From: Laura Moy, Director Corporate Services & Clerk

Date to Council: July 23, 2019

Report Number: CS-2019-23

Subject: Committee of Adjustment Vacancy

Recommendations

It is recommended:

That the resignation of Jason Jolicoeur from the Committee of Adjustment **be accepted**;

And that consideration **be given** to:

1. appointing a Member of Council to fill the vacancy on the Committee of Adjustment for the remaining term, or

2. appointing a Member of Council temporarily to fill the vacancy, pending applications being received and considered in accordance with the Town's Committee/Local Board Application and Appointment Policy No. 4.

Background

A Special Meeting of Council was held on Tuesday, December 11, 2018, for the purpose of appointing members to the Town's Statutory and Advisory Committees and its Local Boards for the term of Council ending in November 2022, or until such time as new members are appointed. At the meeting, consideration was given to Report CS-2018-37 regarding 2019-2022 Advisory and Statutory Committee Appointments.

By-laws were subsequently adopted by Council at their Regular Meeting held on Tuesday, January 22, 2019, to formally approve and appoint all Committee and Board members, in accordance with the direction provided by motions at the December 11, 2018, Special Meeting.

By-law No. 2019-06 was adopted to appoint members to the Committee of Adjustment (Committee) and empowering the granting of Minor Variances and By-law No. 2019-07 was adopted to delegate the authority for the giving of consents for the term of Council 2019-2022.

Comments

The Town has been given notice by member, Jason Jolicoeur, that he would be resigning from the Committee effective after the July 22, 2019 Committee meeting as he has taken employment elsewhere and will be moving away from the area.

All Committee and Board vacancies are normally filled after calling for Applications in September during a non-election year, in accordance with the Town's Committee/Local Board Application and Appointment Policy No. 4 (Policy). Applications are received until October 31st and considered at a Special Meeting of Council held on the fourth Tuesday in November.

Following the appointments and adoption of By-laws No. 2018-06 and 2019-07 in January 2019, a member, Robert James Mackie, resigned effective after the April 2019 Committee meeting. At the March 26, 2019, Regular Meeting of Council, consideration was given to Report CS-2019-06 regarding the Committee of Adjustment Vacancy. In light of the then recent applications received (by November 30, 2018) for the Committee and there being more than a sufficient number of applications, Council appointed Chris Carpenter to the Committee, rather than waiting until November when applications would normally be considered to fill Committee or Board vacancies.

In the prior term of Council, a vacancy was filled by appointing a Member of Council to the Committee.

The Planning & Building Services Department is requesting that Council consider filling this current vacancy sooner than the procedure set out in the Policy to better ensure quorum.

It is recommended that Council consider:

1. appointing a Member of Council to fill the vacancy on the Committee for the remaining term, or

2. appointing a Member of Council temporarily to fill the vacancy, pending applications being received and considered in accordance with the Policy.

The current members of the Committee, as appointed by By-law Nos. 2019-30 and 2019-31, are:

- Lori Chadwick
- Tom Fuerth
- Jason Jolicoeur (resignation effective July 22, 2019)
- Tom Marentette

- Paul Morand
- Tony Muscedere
- Chris Carpenter

Consultations

Planning & Building Services

Financial Implications

There are no financial implications.

Link to Strategic Priorities

Applicable	2019-22 Strategic Priorities
☒	Make the Town of Tecumseh an even better place to live, work and invest through a shared vision for our residents and newcomers.
☒	Ensure that Tecumseh's current and future growth is built upon the principles of sustainability and strategic decision-making.
☐	Integrate the principles of health and wellness into all of Tecumseh's plans and priorities.
☐	Steward the Town's "continuous improvement" approach to municipal service delivery to residents and businesses.
☒	Demonstrate the Town's leadership role in the community by promoting good governance and community engagement, by bringing together organizations serving the Town and the region to pursue common goals.

Communications

Not applicable ☒

Website ☐ Social Media ☐ News Release ☐ Local Newspaper ☐

This report has been reviewed by Senior Administration as indicated below and recommended for submission by the Chief Administrative Officer.

Prepared by:

Sue White
Administrative Assistant to Director Corporate Services & Clerk

Reviewed by:

Brian Hillman, MA, MCIP, RPP
Director Planning & Building Services

Reviewed by:

Laura Moy, Dipl. M.M., CMMIII HR Professional
Director Corporate Services & Clerk

Recommended by:

Margaret Misek-Evans, MCIP, RPP
Chief Administrative Officer

Attachment Number	**Attachment Name**
None	None

The Corporation of the Town of Tecumseh

Financial Services

To: Mayor and Members of Council

From: Tom Kitsos, Director Financial Services & Chief Financial Officer

Date to Council: July 23, 2019

Report Number: FS-2019-08

Subject: Taxes Receivable – June 2019

Recommendations

It is recommended:

That Financial Services Report FS-2019-08 Taxes Receivable – June 2019 **be received** for information.

Background

A regular report is to be provided to Council regarding the status of tax arrears.

Tax billings and due dates:

- Interim tax notices are mailed in January for all ratepayers with due dates in February and April
- Final Residential notices are mailed in May with due dates of June and September
- Final Commercial/Industrial notices are mailed when capping calculations are completed with due dates of September and November

Procedures used for collecting tax arrears are as follows:

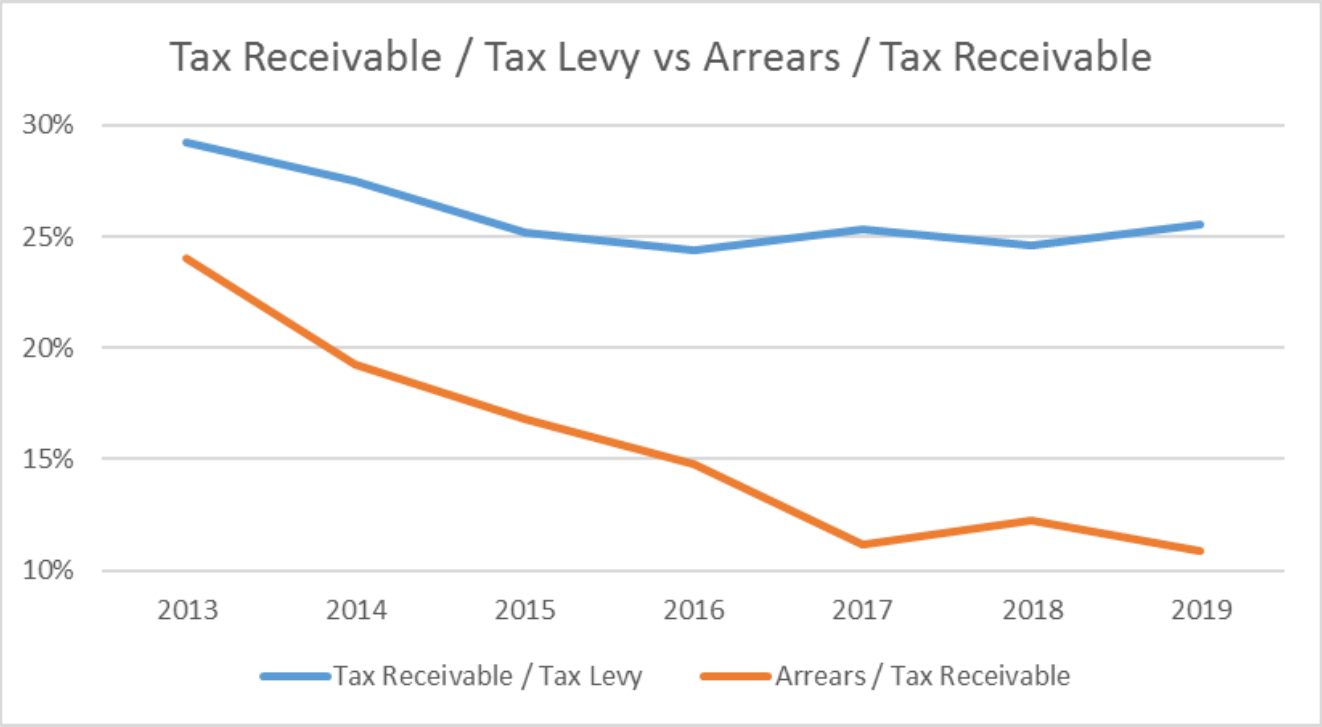
- Penalty and interest is charged on the first of the month for all accounts in arrears
- Arrears notices are sent out as reminders of past due taxes five times during the year (March, May, July, October and December)
- In the third year of arrears, letters are mailed asking ratepayers to make payment arrangements to avoid tax registration

- A final letter is sent in April informing the ratepayer that we will proceed with tax registration
- After all collection attempts on outstanding arrears have been exhausted, a tax arrears certificate is registered under the Municipal Act, Section 373 (1)
- The ratepayer has one full year after registration to redeem the property; taxes, penalties and interest for all years including current year must be paid in full
- Should a ratepayer fail to redeem their property by the cancellation date, the property becomes eligible for tax sale

Comments

Total uncollected property taxes as a percentage of total tax levies is one of several measures used to evaluate the economic health of a municipality. An increasing percentage over time may indicate an overall decline in the municipality's economic health.

The chart below illustrates tax receivable as a percentage of tax levy and tax arrears as a percentage of tax receivable at the mid-point of the year.



Tax receivable as a percentage of tax levy peaked at 29% in 2013 and has dropped to levels of 24-26% the last few years. Tax receivable includes amounts billed in the current year, some of which may not yet be due, so this figure generally appears quite high at the midpoint of the year as compared to end of year figures.

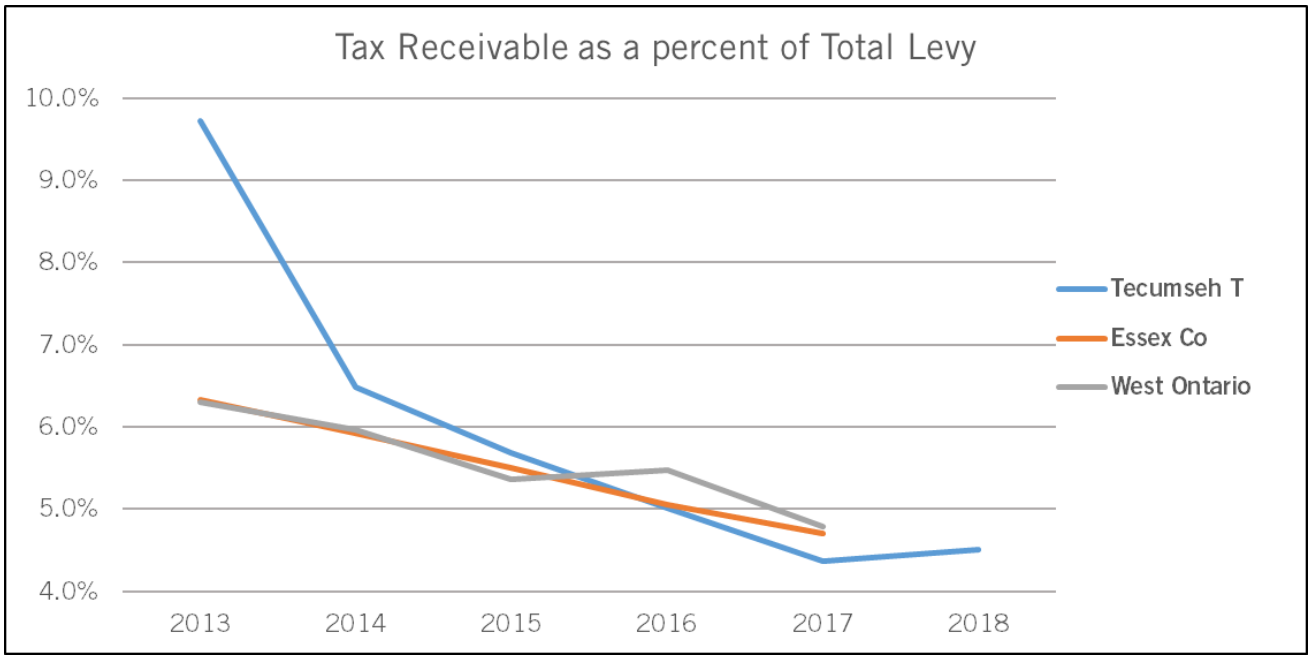
Tax arrears as a percentage of tax receivable is a gauge to measure the age of the tax receivables, where a higher percentage indicates that there are older receivables and therefore potentially greater risks for collection. Note that tax arrears are defined as tax receivable owing from prior years, i.e. does not include current year receivables.

Mid-Year	Tax Receivable	Arrears	# Properties in Arrears
2018	$11,927,312	$1,457,503	234
2019	$12,631,141	$1,371,099	220

As shown in the table above, tax receivable at June 2019 totals $12.6 million of which $1.4 million is due from prior years, compared to $11.9 million and $1.5 million respectively at June 2018. The tax arrears as a percentage of tax receivable measure has decreased from 24% in 2013 to values hovering around 11-12% since 2017.

Both measures have improved significantly during the course of the last several years. Prior year receivables have been trending downward at an accelerated pace due to the redemption of several large accounts over the course of the past several years, thus increasing the spread between the two chart lines, i.e. reducing the age of tax receivables.

Tax receivable as a percentage of tax levy for years 2013 to 2017 for Tecumseh, Essex County (average of lower tier municipalities in Essex) and West Ontario is illustrated in the following chart. Estimated 2018 data is only currently available for Tecumseh.



Source: Ministry of Municipal Affairs – Financial Information Return data

Comparable data is based on Financial Information Returns (FIR), which are currently available up to 2017. It should be noted that the comparable data is based on year-end figures, as opposed to mid-year figures, which eliminates the effect of taxes issued but not yet due and thus results in lower, more meaningful percentages.

Tax receivable as a percentage of tax levy increased slightly to 4.5% in 2018 (from 4.4% in 2017). This percentage is below the historical normal range and has come down significantly

over the course of the past few years after a period of relatively high percentages during 2009-2013. The Town has historically been in the 6% - 8% range, whereas the historical average for West Ontario has been between 4% - 6%.

The number of properties registered for tax arrears has fluctuated year-to-year during the 2013-2019 year-to-date period within the range of two to six properties. The number of registrations (tax arrears certificates) per year is down considerably compared to years past as many property owners have stayed the registration process by committing to payment plans designed to eliminate tax arrears. Default of a payment plan would result in tax registration.

Once a property is registered, failure to redeem the property by the tax arrears registration due date would put the Town in position for a Tax Sale. Historically, all property owners have been able to redeem their properties thus avoiding tax sale.

There were two properties scheduled for tax sale this year. In each case, property owners have come forward to pay the redemption price resulting in cancellation of both tax sales.

Consultations

None

Financial Implications

All costs incurred by the Town with respect to property registration and tax sale are recoverable except in the event a property is not sold at tax sale.

Link to Strategic Priorities

Applicable	2019-22 Strategic Priorities
☐	Make the Town of Tecumseh an even better place to live, work and invest through a shared vision for our residents and newcomers.
☒	Ensure that Tecumseh's current and future growth is built upon the principles of sustainability and strategic decision-making.
☐	Integrate the principles of health and wellness into all of Tecumseh's plans and priorities.
☐	Steward the Town's "continuous improvement" approach to municipal service delivery to residents and businesses.
☐	Demonstrate the Town's leadership role in the community by promoting good governance and community engagement, by bringing together organizations serving the Town and the region to pursue common goals.

Communications

Not applicable ☒

Website ☐ Social Media ☐ News Release ☐ Local Newspaper ☐

This report has been reviewed by Senior Administration as indicated below and recommended for submission by the Chief Administrative Officer.

Prepared by:

Zora Visekruna, MBA
Financial Analyst

Reviewed by:

Tom Kitsos, CPA, CMA, BComm
Director Financial Services & Chief Financial Officer

Recommended by:

Margaret Misek-Evans, MCIP, RPP
Chief Administrative Officer

Attachment Number	**Attachment Name**
None	None

The Corporation of the Town of Tecumseh

Planning & Building Services

To: Mayor and Members of Council

From: Brian Hillman, Director Planning & Building Services

Date to Council: July 23, 2019

Report Number: PBS-2019-22

Subject: Results from Public Meeting and Final Recommendation
Proposed Official Plan and Zoning By-Law Amendments
Gateway Tower Inc. (Valente Development Corp.)
11870 Tecumseh Road
Proposed Six-Storey, 97-Unit Apartment Building
OUR FILE: D19 VALTEC

Recommendations

It is recommended:

That a by-law having the effect of amending the Tecumseh Official Plan land use designation for a 1.08 hectare (2.68 acre) parcel of land situated at the northeast corner of the Tecumseh Road/Southfield Drive intersection (11870 Tecumseh Road), by establishing a new site-specific policy in the "General Commercial" designation, in order to facilitate the development of the lands for a six-storey apartment building consisting of 97 residential dwelling units and in keeping with PBS-2019-11 and PBS-2019-22**, be adopted**;

And that a by-law having the effect of amending the Tecumseh Zoning By-law 1746 for a 1.08 hectare (2.68 acre) parcel of land situated at the northeast corner of the Tecumseh Road/Southfield Drive intersection (11870 Tecumseh Road), from "General Commercial Zone (C3)" to a new site-specific "General Commercial Zone (C3-15)", in order to facilitate the development of the lands for a six-storey apartment building consisting of 97 residential dwelling units and in keeping with PBS-2019-11 and PBS-2019-22, **be adopted**.

Background

On June 25, 2019, Council held a public meeting in accordance with *The Planning Act* to hear comments on proposed applications to amend the Tecumseh Official Plan and Zoning By-law to permit the development of a 1.08 hectare (2.68 acre) parcel of land situated at the northeast corner of the Tecumseh Road/Southfield Drive intersection (11870 Tecumseh Road). The proposed development consists of a six-storey apartment building containing 97 residential dwelling units (see Attachments 1).

The proposed L-shaped apartment building would have a three and six storey component. The southern portion fronting/overlooking Tecumseh Road will be three storeys in height with floors 4-6 being tiered back from Tecumseh Road to reduce building massing along the street and to minimize the impact of the height on the associated pedestrian realm (see Attachment 2).

The subject applications are summarized as follows:

1. Proposed Official Plan Amendment

   The purpose of the application is to establish a new site-specific policy in the "General Commercial" designation to facilitate the development of the lands for a six-storey apartment building consisting of 97 residential dwelling units with a total lot density of 90 units per hectare and establish a maximum height of three storeys for that portion of the building fronting/overlooking Tecumseh Road.

2. Proposed Zoning By-law Amendment

   The purpose of the application is to rezone the subject property from "General Commercial (C3)" to a site-specific "General Commercial Zone (C3-15)" to permit the proposed six-storey, 97-unit apartment building (with a maximum height of three storeys for that portion fronting/overlooking Tecumseh Road) and to establish site-specific lot, building and yard provisions.

The purpose of this Report is to summarize the nature of the comments received and recommend a course of action with respect to the proposed Official Plan and Zoning By-law amendment applications.

Comments

Comments Received Through Public Consultation Process and Public Meeting

No comments were received in advance of the public meeting. At the public meeting, one resident asked questions related to residential intensification targets and expressed support for

the subject development. Based on the foregoing, no concerns have been identified with the proposed development.

Planning Analysis

A detailed planning analysis addressing the policies contained within the Provincial Policy Statement, the County of Essex Official Plan and the Tecumseh Official Plan was provided by way of PBS-2019-11. This Report was received and reviewed by Council at its May 28, 2019 Regular Council Meeting and at the subsequent Public Meeting on June 25, 2019.

A summary of the aforementioned planning analysis is provided below:

Provincial Policy Statement (PPS)

The PPS encourages and supports development on lands identified for urban growth in settlement areas. It also establishes that the Town should be supporting and promoting residential infill development that results in compact built form and makes more efficient use of existing services while offering a range of housing forms/types/tenures to meet expected demands such as those of the growing senior cohort of the Town's population.

The proposed residential development is consistent with the foregoing policies. It provides an alternative form of housing type and at a density that provides for a more compact built form. The proposed development is also a means of achieving intensification in accordance with the definition contained in the PPS. Based on the foregoing, it is the opinion of the writer that the applications for the proposed residential development are consistent with the PPS.

County of Essex Official Plan

Any amendment to a local official plan must be in conformity with the policy direction contained in the County of Essex Official Plan (County OP). The subject lands are within an identified settlement area of the County OP. The goals and policies of the County OP encourage a range of residential development within identified settlement areas such as the fully serviced urban areas of the Town of Tecumseh.

Accordingly, the proposed development conforms to the goals and policies of the County OP.

Tecumseh Official Plan

The Tecumseh Official Plan contemplates multiple storey apartment residential uses in the General Commercial area subject to the review, evaluation and public/stakeholder consultation process that would be undertaken as part of the required Official Plan Amendment process. The Plan also encourages a variety and varying densities of residential uses that can be appropriately integrated with the existing and proposed development pattern.

PBS-2019-11 reviewed, in detail, the range of issues to be considered as part of an OPA/ZBA process (i.e. traffic, servicing, compatibility, etc.) and concluded that this proposal adequately addresses the relevant policy considerations of the Official Plan.

Tecumseh Road Main Street Community Improvement Plan

The subject property is within the Tecumseh Road Main Street Community Improvement Plan (CIP). The CIP identifies the importance of additional residential development in order to facilitate the rejuvenation of the entire CIP area. The CIP encourages the development of higher density residential uses within the CIP area, including apartment dwellings.

Furthermore, the CIP has identified ten "Big Moves" that will form the basis for the proposed Urban Design Guidelines and Implementation Strategies. These "Big Moves" are the key design elements that will support the Vision and Guiding Principles, and define the CIP Concept. One of these "Big Moves" includes the creation of:

> "higher density residential neighbourhoods north and south of main street with integrated public and private open spaces, road access, and pedestrian linkages."

The proposal is generally consistent with the land use and urban design policy standards of the CIP. It is believed that it will be a critical development towards achieving some of the important overarching, broad-based objectives for the area pertaining to encouraging higher density residential uses and increasing the residential population. Moreover, the subject proposal will assist in the strengthening of the CIP area by introducing additional residents to the area who will work/live/play/shop.

Site Plan Control/Plan of Condominium

As detailed in PBS-2019-11, the subject property is subject to Site Plan Control. Council approval of a site plan control agreement will be required prior to any development occurring. In addition, the Owner will be required to obtain Draft Plan of Condominium Approval from the County of Essex if the development proceeds in the form of condominium-ownership. The applicant has been advised of these requirements. Further Council involvement will be required for these approval processes by way of subsequent Planning Reports.

Conclusion

In summary, it is the opinion of the writer, along with Town Administration, based on the results of the public consultation process, that the proposed Official Plan and Zoning By-law applications are supportable. Detailed site design issues will be addressed through the required Site Plan Control agreement that will be finalized and recommended for execution by Council at a future date.

On the basis of the foregoing, it is the opinion of the writer that the proposed Official Plan and Zoning By-law Amendments to allow the proposed residential development are consistent with the Provincial Policy Statement, conform to the County Official Plan and Tecumseh Official Plan policies and will result in appropriate development that is in keeping with the character of the surrounding lands and is based on sound land use planning principles.

Accordingly, Town Administration recommends that Council pass by-laws amending the Tecumseh Official Plan and the Tecumseh Zoning By-law 1746 permitting the development of the subject property for a six-storey apartment building consisting of 97 residential dwelling units in keeping with PBS-2019-11 and PBS-2019-22.

Consultations

None

Financial Implications

None

Link to Strategic Priorities

Applicable	2019-22 Strategic Priorities
☒	Make the Town of Tecumseh an even better place to live, work and invest through a shared vision for our residents and newcomers.
☒	Ensure that Tecumseh's current and future growth is built upon the principles of sustainability and strategic decision-making.
☐	Integrate the principles of health and wellness into all of Tecumseh's plans and priorities.
☐	Steward the Town's "continuous improvement" approach to municipal service delivery to residents and businesses.
☐	Demonstrate the Town's leadership role in the community by promoting good governance and community engagement, by bringing together organizations serving the Town and the region to pursue common goals.

Communications

Not applicable ☒

Website ☐ Social Media ☐ News Release ☐ Local Newspaper ☐

This report has been reviewed by Senior Administration as indicated below and recommended for submission by the Chief Administrative Officer.

Prepared by:

Enrico DeCecco, BA (Hons), MCIP, RPP
Junior Planner

Reviewed by:

Chad Jeffery, MA, MCIP, RPP
Manager Planning Services

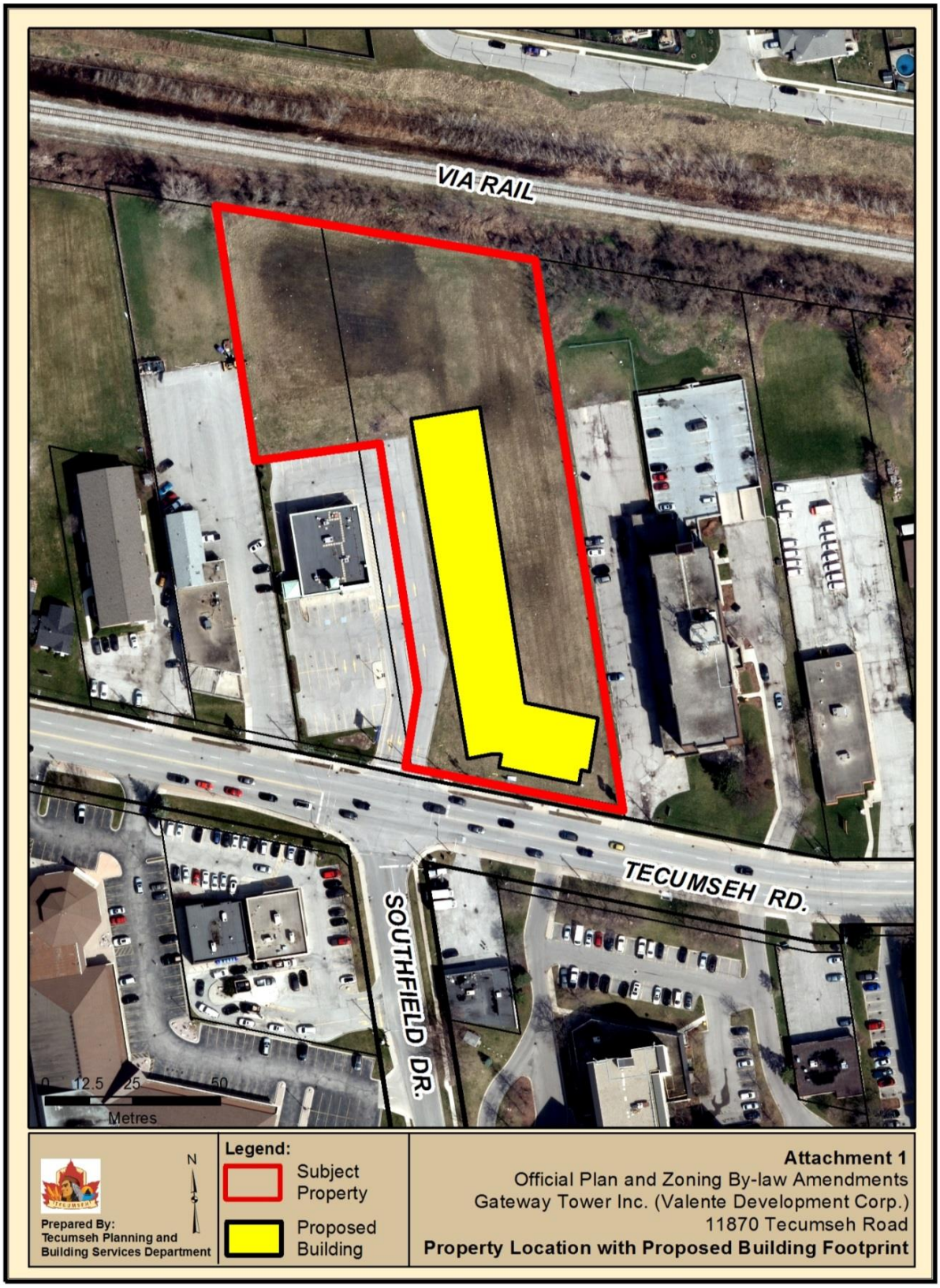
Reviewed by:

Brian Hillman, MA, MCIP, RPP
Director Planning & Building Services

Recommended by:

Margaret Misek-Evans, MCIP, RPP
Chief Administrative Officer

Attachment Number	**Attachment Name**
1	Subject Property Map
2	Architectural Renderings


VIA RAIL
TECUMSEH RD.
SOUTHFIELD DR.
0 12.5 25 50
Metres
N
Prepared By:
Tecumseh Planning and
Building Services Department
Legend:
Subject Property
Proposed Building
Attachment 1
Official Plan and Zoning By-law Amendments
Gateway Tower Inc. (Valente Development Corp.)
11870 Tecumseh Road
Property Location with Proposed Building Footprint

View from Tecumseh Road Facing Northeast

View from Tecumseh Road Facing Northwest

Prepared By:
Tecumseh Planning and
Building Services Department

Attachment 2
Official Plan and Zoning By-law Amendments
Gateway Tower Inc. (Valente Development Corp.)
11870 Tecumseh Road
Architectural Renderings

The Corporation of the Town of Tecumseh

Planning & Building Services

To: Mayor and Members of Council

From: Brian Hillman, Director Planning & Building Services

Date to Council: July 23, 2019

Report Number: PBS-2019-23

Subject: 2593430 Ontario Limited/Petretta Construction
Harbour Club Condominium, 14328-14346 Tecumseh Road
Execution of Site Plan Control Agreement
OUR FILE: D11 PETTEC

Recommendations

It is recommended:

That a by-law authorizing the execution of the "2593430 Ontario Limited (Petretta Construction)" site plan control agreement, satisfactory in form to the Town's Solicitor, which allows for a five-storey, 64-unit condominium dwelling, along with associated underground parking, at-grade parking, boat slips, landscaping, outdoor amenity areas and on-site services/works on a 1.3 hectare (3.2 acre) property located on the north side of Tecumseh Road (14328-14346 Tecumseh Road), approximately 45 metres east of its intersection with Brighton Road, **be adopted**, subject to the following occurring prior to the Town's execution of the Agreement:

i) the final stormwater management design and stormwater management calculations and associated site service drawings and supporting documentation being approved by the Town;

ii) the final photometric lighting plan being approved by the Town;

iii) the Owner executing the site plan control agreement; and

iv) the Owner posting security for performance pursuant to paragraph 6.1 of the agreement.

And that the execution of such further documents as are called for by the site plan control agreement approved above including, but not limited to, the execution of the acknowledgement/direction required to register the site plan control agreement on title to the lands and such other acknowledgements/directions for any related transfers or real property registrations contemplated by the site plan control agreement, by the Mayor and Clerk, **be authorized**;

And further that the giving of notice of intent to pass a by-law to remove the Holding (H) symbol in accordance with the provisions of the *Planning Act* for the subject lands to change the zoning from "Holding Residential Type Three (H) R3-13" to "Residential Type Three (R3-13) upon execution of the site plan control agreement by the Owner, **be authorized**.

Background

Property Location

The 1.3 hectare (3.2 acre) subject property is located on the north side of Tecumseh Road (14328-14346 Tecumseh Road), approximately 45 metres east of its intersection with Brighton Road (see Attachment 1).

Recent Planning Approvals

Official Plan and Zoning By-law Amendments

In October of 2018, after extensive public consultation, Council adopted Official Plan and Zoning By-law amendments that were filed by 2593430 Ontario Limited ("the Owner") to permit a five-storey, 65-unit apartment and associated marina and accessory uses on the subject property. The Official Plan Amendment (OPA No. 15) re-designated the subject property to a "Medium Density Residential" designation with site-specific policies permitting/establishing:

- a maximum building height of no more than 65 feet and no more than five storeys;
- a maximum of 65 dwelling units;
- an accessory marina;
- that the height of the north-south wing of the building be stepped back to mitigate potential impacts on properties to the north; and
- that commercial uses be permitted (but not required) on the first floor.

The corresponding "Holding Residential Type Three (H) R3-13 implemented the foregoing policy direction and established site-specific lot and building requirements. OPA No .15 was

subsequently approved by the County of Essex (the Approval Authority for Official Plan Amendments) in January of 2019.

Draft Plan of Condominium Approval Application

On July 9, 2019, a Public Meeting to review a Draft Plan of Condominium proposal for the subject development was held by the Town on behalf of the County of Essex (the approval authority on Plan of Condominium application). PBS-2019-20, which was presented at the July 9, 2019 Public Meeting, provided detailed analysis on the Plan of Condominium approval application and recommended support of the application.

Based on the results of the Public Meeting, Town Council supported the Draft Plan of Condominium Approval of County File No. 37-CD-19001, subject to the County of Essex providing the following conditions as part of Draft Plan of Condominium Approval:

1. That the Owner enter into a site plan control agreement with the Town of Tecumseh wherein the Owner agrees to satisfy all the requirements, design, engineering, financial and otherwise, of the Town concerning but not limited to the payment of development charges, driveway access, surface parking, sidewalks, landscaping details, fencing details, lighting details, installation of services, sanitary sewerage collection system, water distribution system, utilities and stormwater management facilities for the development of the lands, including those works required off-site;

2. That the Owner engage the services of a qualified engineer to complete a Stormwater Management Study to address stormwater quantity and quality to the satisfaction of the Town and that the site plan control agreement between the Owner and the Town, where required, contain a provision requiring the construction of the works by the Owner as identified in the Stormwater Management Study; and

3. That prior to final approval by the Approval Authority, the Approval Authority is to be advised by the Town that this proposed Plan of Condominium conforms to the Zoning By-law in effect.

These requested conditions and PBS-2019-20 were forwarded to the County of Essex as part of its consideration of the approval of the Plan of Condominium. The Town is currently awaiting issuance of Draft Plan of Condominium Approval by the County of Essex.

Proposed Development

Based on the foregoing, and in accordance with Condition 1 of the above-noted requested conditions of Draft Plan of Condominium approval, the Owner has filed an application for site plan control approval for the subject development. The property is subject to site plan control approval in accordance with Section 41 of the *Planning Act, R.S.O. 1990*.

The proposed site plan (see Attachment 2) depicts:

- a 64-unit condominium apartment building which also contains accessory first floor amenities including a fitness centre, main lobby, lounge and multi-purpose room;

- 151 on-site parking spaces consisting of 75 underground (including two handicap spaces) and 76 at-grade paved parking spaces (including two handicap spaces) located along the western side of the subject property;

- one driveway access from Tecumseh Road, located at the westerly end of the property;

- a new boardwalk along the northerly and easterly perimeter of the building, connecting to the existing sidewalk on the north side of Tecumseh Road;

- 20 new large-format marina boat slips for exclusive use of individual unit owners and 12 transient marina boat slips; and

- a large landscaped area, comprising ground-oriented treatments along with tree plantings, is focused along Tecumseh Road in front of the proposed condominium apartment building.

In addition, the Owner has submitted building elevation drawings that will be referenced in and attached to the agreement. These elevation drawings depict the height of the north-south wing of the building being stepped back and the agreement contains language that ensures that the building will be constructed in accordance with these elevation plans.

Comments

Zoning

The subject property is zoned “Holding Residential Type Three (H) R3-13” in the St. Clair Beach Zoning By-law 2065 (see Attachment 3). The site plan control agreement, once executed and registered, ensures that the proposed development is constructed and designed in accordance with the site-specific R3-13 zoning that applies to the property and in accordance with the building elevation plans that were developed and presented to the public as a result of the public consultation process. Accordingly, the Owner has concurrently applied for the Holding (H) symbol removal anticipating Council approval of the site plan control agreement. It is therefore recommended that the Holding symbol (H) be removed upon execution of the site plan control agreement.

Servicing

The proposed development will be on full municipal services (sanitary, water and stormwater drainage). The Public Works and Environmental Services Department has reviewed the sanitary, storm and water servicing requirements for the proposed development and has advised that there are no servicing capacity concerns for the subject property or to the municipal system based on the information and analysis provided to date.

The Applicant's engineering consultants, along with Town Administration, are currently finalizing the site service drawings and photometric lighting plan. The site plan control agreement requires that final approval of the Stormwater Management Study, associated servicing drawings and supporting documentation and photometric plan, to the satisfaction of the Town, shall be required prior to the issuance of a building permit. Public Works and Environmental Services has advised that it has no concerns with the proposed development.

It is confirmed that a permit will be required from the Essex Region Conservation Authority (ERCA) prior to development proceeding and it is our understanding that ERCA is currently reviewing the applicant's submission.

Summary

In summary, it is the opinion of the writer, along with Town Administration, that the proposed site plan control agreement will result in appropriate development that is compatible with the surrounding land uses, is in conformity with the associated site specific Official Plan policies and Zoning By-law regulations and is based on sound land use planning principles.

Town Administration has reviewed the proposed site plan agreement and is prepared to recommend approval of the document and the attached drawings. Wolf Hooker Law Firm (Town Solicitor) has drafted the attached agreement (see Attachment 4, with site plan drawing attached thereto as Schedule B) which facilitates the development. As has been the practice of the Town to date (for developments of this scale), the agreement establishes that a security deposit in the amount of $20,000 (cash or letter of credit) is required as a condition of approval to ensure all performance obligations of the Owner are fulfilled.

In addition, Town Administration recommends that Council authorize the giving of notice of intent to pass a by-law to remove the Holding (H) symbol currently applying to the subject property in accordance with the provisions of the *Planning Act*.

Consultations

Planning & Building Services
Public Works & Environmental Services
Fire & Emergency Services
Town Solicitor

Financial Implications

None

Link to Strategic Priorities

Applicable	2019-22 Strategic Priorities
☒	Make the Town of Tecumseh an even better place to live, work and invest through a shared vision for our residents and newcomers.
☒	Ensure that Tecumseh's current and future growth is built upon the principles of sustainability and strategic decision-making.
☐	Integrate the principles of health and wellness into all of Tecumseh's plans and priorities.
☐	Steward the Town's "continuous improvement" approach to municipal service delivery to residents and businesses.
☐	Demonstrate the Town's leadership role in the community by promoting good governance and community engagement, by bringing together organizations serving the Town and the region to pursue common goals.

Communications

Not applicable ☒

Website ☐ Social Media ☐ News Release ☐ Local Newspaper ☐

This report has been reviewed by Senior Administration as indicated below and recommended for submission by the Chief Administrative Officer.

Prepared by:

Enrico DeCecco, BA (Hons), MCIP, RPP
Junior Planner

Reviewed by:

Chad Jeffery, MA, MCIP, RPP
Manager Planning Services

Reviewed by:

John Henderson, P.Eng.
Manager Engineering Services

Reviewed by:

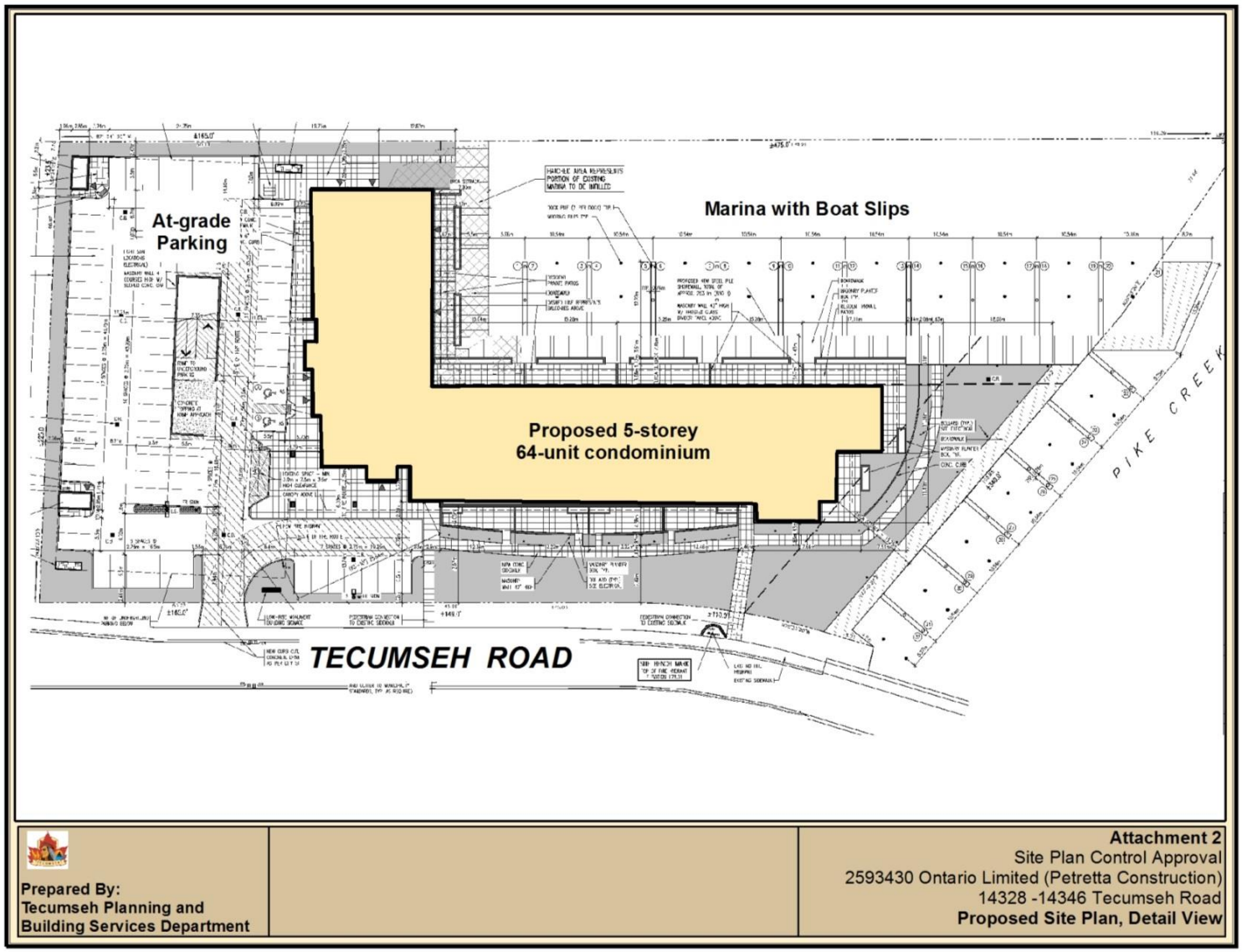
Brian Hillman, MA, MCIP, RPP
Director Planning & Building Services

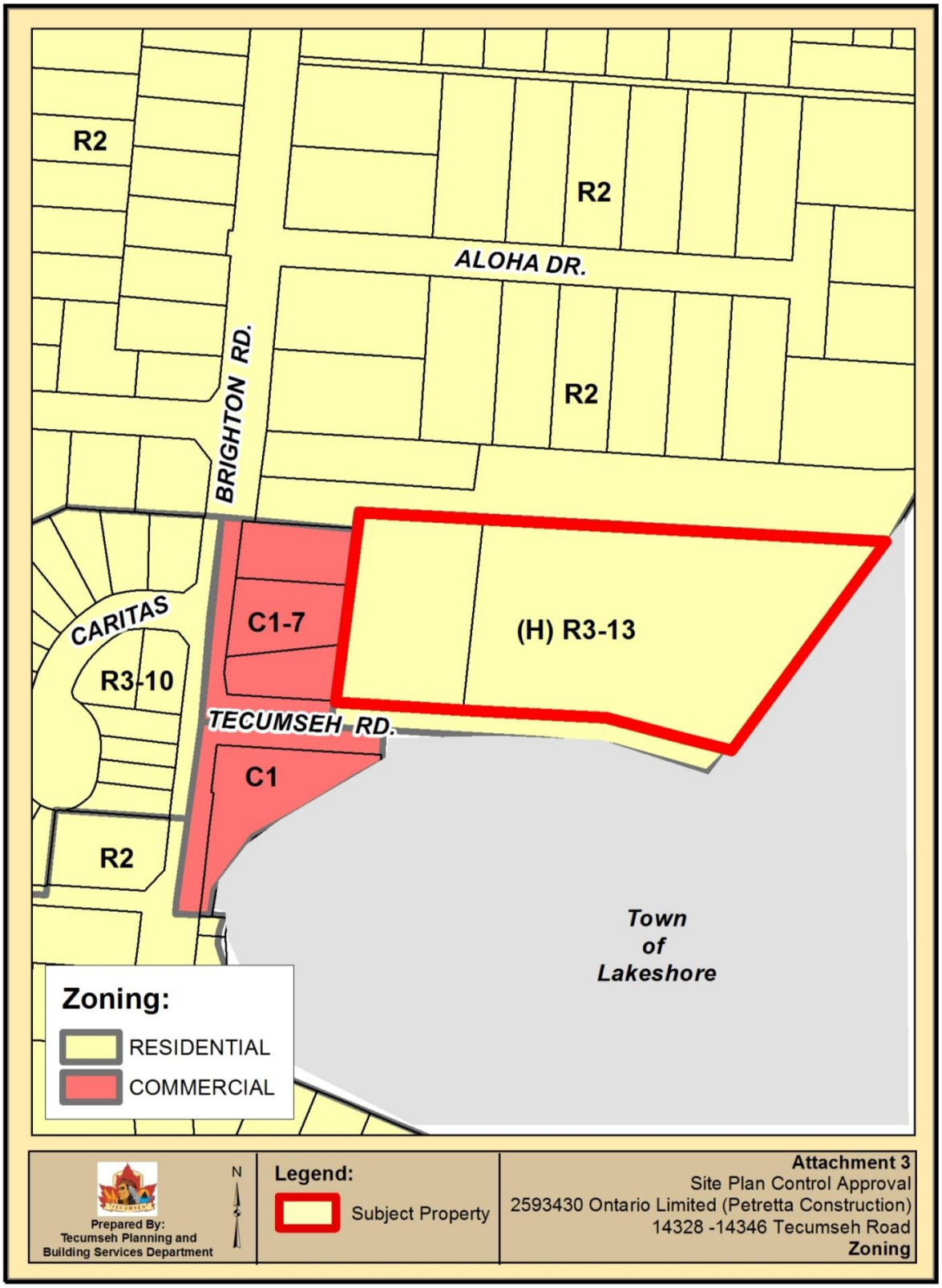
Recommended by:

Margaret Misek-Evans, MCIP, RPP
Chief Administrative Officer

Attachment Number	Attachment Name
1	Subject Property
2	Proposed Site Plan, Detail View
3	Zoning Map
4	Draft Site Plan Control Agreement

ALOHA DR.
Pike Creek
BRIGHTON RD
EAST PIKE CREEK RD.
TECUMSEH RD
Pike Creek
Town of Lakeshore
MEI-LIN CRES.
0 25 50 100
Metres
Prepared By:
Tecumseh Planning and
Building Services Department
N
Legend:
Subject Property
Municipal Boundary
Attachment 1
Site Plan Control Approval
2593430 Ontario Limited (Petretta Construction)
14328 -14346 Tecumseh Road
Subject Property


At-grade Parking
Marina with Boat Slips
Proposed 5-storey
64-unit condominium
PIKE CREEK
TECUMSEH ROAD
Prepared By:
Tecumseh Planning and
Building Services Department
Attachment 2
Site Plan Control Approval
2593430 Ontario Limited (Petretta Construction)
14328 -14346 Tecumseh Road
Proposed Site Plan, Detail View


R2
R2
R2
R2
ALOHA DR.
BRIGHTON RD.
CARITAS
R3-10
C1-7
(H) R3-13
TECUMSEH RD.
C1
R2
Town of Lakeshore
Zoning:
RESIDENTIAL
COMMERCIAL
Prepared By:
Tecumseh Planning and
Building Services Department
N
Legend:
Subject Property
Attachment 3
Site Plan Control Approval
2593430 Ontario Limited (Petretta Construction)
14328 -14346 Tecumseh Road
Zoning

Attachment 4
2593430 Ontario Limited/Petretta Construction
Harbour Club Condominium, 14328-14346 Tecumseh Road
Draft Site Plan Control Agreement

SITE PLAN CONTROL AGREEMENT

Between:

The Corporation of the Town of Tecumseh

-and-

2593430 Ontario Limited

PREPARED BY:

WOLF HOOKER PROFESSIONAL CORPORATION
Barristers & Solicitors
72 Talbot Street North, Suite 100
Essex, Ontario N8M 1A2

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SITE PLAN CONTROL AGREEMENT

THIS AGREEMENT made in triplicate this _____ day of _____, 2019.

B E T W E E N:

THE CORPORATION OF THE TOWN OF TECUMSEH,
hereinafter called the **"Municipality" or "Town"**

OF THE FIRST PART

-and-

2593430 ONTARIO LIMITED
hereinafter called the **"Owner"**

OF THE SECOND PART

HEREINAFTER collectively referred to as the "Parties"

RECITALS

WHEREAS the Owners, own certain lands situated within the corporate limits of the Municipality, said lands being more particularly described in Schedule "F" hereto (the "Lands");

AND WHEREAS the Municipality has enacted a by-law designating the Land as a site plan control area, pursuant to Section 41(2) of The Planning Act, R.S.O 1990, c.P.13 and amendments thereto;

AND WHEREAS where site plan control is in effect, Section 41 of The Planning Act, R.S.O. 1990, c.P.13 and amendments thereto, states that the approval of plans by Municipal Council is required prior to development of the Lands, and that the Municipality may require the Owners to enter into an Agreement with the Municipality respecting certain prescribed matters;

AND WHEREAS as a condition of agreeing to development, the Municipality has requested the Owner enter into a Site Plan Agreement;

AND WHEREAS the Owner covenants and agrees to develop the Lands in accordance with this agreement;

AND WHEREAS the proposed development of the Lands is in accordance with the Official Plan and Zoning By-Law of the Municipality as of the date of this Agreement;

WITNESSETH that in consideration of these presents, and other good and valuable consideration, the Parties hereto mutually covenant, promise and agree as follows:

ARTICLE I
MUNICIPALITY CONSULTANTS

1.1 MUNICIPALITY TO RETAIN

In addition to persons in the employ of the Municipality, the Municipality shall retain the following professionals:

a) a consulting/professional civil engineer registered with the Professional Engineers of

Ontario (the "Municipality's Engineer"), for the purpose of reviewing all plans, specifications, engineering documents, contracts, details, elevations and other relevant information as well as the occasional inspection of the construction, repair and maintenance of the Services;

b) the Municipality's solicitor for the purpose of reviewing all necessary legal matters incidental to the development of the Lands, including, without limiting generality, the preparation of this agreement together with all other documentation required by the Municipality to give effect to this Agreement and/or the development of the Lands;

ARTICLE 2
THE OWNER AGREES

2.1 OWNER AGREES

The Owners jointly and severally make the following covenants, all of which shall be carried out at the Owner's expense:

2.1.1 Owner to Provide

The following facilities, works or matters shall be provided by the Owner to the satisfaction of and at no expense to the Municipality: all buildings, landscaping, fencing, parking, storage and access areas, lighting, walkways, garbage disposal facilities, grading and provision for storm, surface and waste water in accordance with the attached site plan set out in Schedule "A" (the Site Plan) and "Schedule "B1" (the Site Services Plan) in accordance with all the applicable provisions of the Municipality's By-Laws;

2.1.2 Construction and Maintenance

The Owners agree that the development of the Lands shall be constructed and forever maintained in accordance with the Site Plan and Site Services Plan;

2.1.3 The Development

The owners shall construct, install and provide the facilities and works required in and for the development at its own expense and in accordance with the Site Plan and other provisions of the Agreement.

2.1.4 Plans

2.1.4.1 Criteria

All plans, construction, installation, facilities and works shall be completed in accordance with:

a) Sound engineering practice;

b) The criteria laid down by governmental authorities having jurisdiction including, without limiting the generality of the foregoing, the Municipality, the Corporation of the County of Essex, the Essex Power Corporation or Ontario Hydro Corporation (whichever is the applicable hydro authority), the Ministry of the Environment and Energy, the Ministry of Transportation and the Essex Region Conservation Authority (ERCA);

c) Such criteria as approved by Council of the Municipality.

2.1.4.2 Preparation of Plans

The Owner shall, at its own expense and prior to issuance of a building permit:

a) prepare the Site Plan delineating the Owner's plans for the development of the Lands, which site plan shall be subject to the approval of the Municipality. It is hereby acknowledged that the Site Plan and Site Services Plan required to fulfill this condition have been prepared and approved, and are attached hereto as Schedule "A" and "B1", respectively;

b) prepare and submit to the Municipality all plans for off-site and on-site Services not detailed or fully described in the Site Plan, which plans shall also be subject to approval of the Municipality; and

c) provide to the Municipality all requisite copies of the Site Plan and the said plans for Services as may be required by the Municipality.

2.1.4.3 Lot Grading Plan

The Owner further agrees, if required by the Municipality's Chief Building Official, and/or ERCA to submit to the satisfaction of the Chief Building Official and/or ERCA, a lot grading plan covering the subject lands for their approval prior to the issuance of any building permits. The Owner also agrees to have the approved elevation as per the lot grading plan verified by an Ontario Land Surveyor at the following stages of construction:

a) Prior to the pouring of footings (top of forms elevation); and
b) Following completion of construction;

Where the finished grade of lot deviates from the original lot grading plan presented to and accepted by the Municipality's Chief Building Official and/or ERCA, the Owner shall either submit a new lot grading plan to the satisfaction of the Municipality's Chief Building Official and/or ERCA or regrade the lands to the elevations indicated on the original lot grading plan.

2.1.4.4 Drainage Plan

The Owner shall provide for grading and drainage of the subject lands all in accordance with a Drainage Plan and the Engineering Data. Drainage facilities and requirements shall be constructed and installed contemporaneously with the construction of the development. The Owner shall supply, construct or install all facilities and works necessary to connect the Owner's drainage system to the Municipality's storm sewer system, and shall pay to the Municipality any connection charges associated therewith.

2.1.4.5 Landscaping Plan

The Owner shall landscape the subject lands all in accordance with the Landscaping Plan annexed hereto and marked Schedule "D". The Owner further agrees to maintain such landscaping for so long as the buildings exist on the lands. Any topsoil removed from the subject lands during grading operations shall be stockpiled thereon in areas compatible for the reception of the same and the Owner covenants and agrees that it will not remove such topsoil from the boundaries of the lands without the approval of the Municipality. Any topsoil excavated but not immediately required for landscaping or for grading purposes shall be contoured and bermed to the satisfaction of the Municipality. Alternatively, the Owner, at its sole risk and expense, shall move such topsoil to such area within the Municipality as may be designated by the Municipality or, in the further alternative, the Owner shall, after receiving permission from the Municipality, at its sole risk and expense, remove such topsoil out from within the boundaries of the Municipality.

2.1.4.6 Reference Plan

The Owner, at the Owner’s expense, shall engage a registered Ontario Land Surveyor to prepare, submit and register a Reference Plan, which must delineate the all of the Lands. The Owner, at the Owner’s expense, shall initially provide Two (2) copies and (1) diskette of the Plan. All files are to be projected to North American Datum (NAD 83) UTM Zone 17 Geographic Coordinate System. The Owner at the Owner’s expense shall provide additional copies of the subdivision plan in the required format upon the request of the Town. Any additional Reference Plans required to describe any portion of the Lands for which an interest (in fee simple or otherwise) is to be conveyed by the Owner shall be prepared, registered and copies supplied to the Municipality in the manner indicated above and at the expense of the Owner.

2.1.4.7 Elevation

The owner shall construct the building in accordance with the elevation plans annexed hereto and marked Schedule “C1” and “C2”. The owner further agrees to maintain the building for so long as it exists in accordance with said plans.

2.1.5 Engineer

The Owner shall employ at its expense a Consulting Engineer to:

a) Design and submit drawings with respect to all services required (herein “the Engineering Data”).
b) Visit the site as required by the Municipality and inspect all services, etc.
c) Submit to the Municipality (and all other authority having jurisdiction) "as-built" details and elevations.

2.1.6 Services

2.1.6.1 Stormwater Management
The Owner agrees that stormwater management measures shall be applicable to the development of the Lands, in a manner which is in accordance with the provisions of The Drainage Act, R.S.O. 1990, c.D.17 and amendments thereto, and to the satisfaction of the Municipality's Engineer.

2.1.6.2 Sanitary Sewers
The Owner, at its own expense, shall supply, construct or install all sanitary sewer connections necessary to service the site all in accordance with the Engineering Data. No work shall be carried out until the Engineering Data has been approved by the Town.

2.1.6.3 Water Services
The Owner, at its own expense, shall supply, construct or install all water connections necessary to supply water to the site all in accordance with the Engineering Data. No such work shall be carried out until the Engineering Data has been approved by the Town. Remote registry water meters shall be installed as specified by the Town. All costs of connecting water services to existing services shall be borne by the Owner.

2.1.6.4 Electrical Services
All hydro services shall be underground. The Owner, at its expense, shall supply, construct or install all underground hydro services in the manner, location and design depicted in the Engineering Data but subject to the manner, design and specifications established from time to time by Ontario Hydro and the Essex Power Corporation for such services. All costs of connecting hydro services to existing services shall be borne by the Owner.

2.1.6.5 Underground Telephone and Gas
The Owner shall ensure that all Bell Canada and Union Gas Company installations shall be underground.

2.1.6.6 Notification and Permits
The owner hereby agrees to notify all local, Provincial or Federal authorities having jurisdiction as to its proposed development, and to obtain all necessary permits and/or approvals which may be required from any authority having jurisdiction with respect thereto.

2.1.6.7 Co-ordination of Services
The Owner shall be responsible for co-ordinating the installation of all facilities and works including without limitation the services to be installed by Bell Canada and Union Gas Company. The Municipality will send to the Owner's engineer all plans of installations received from time to time from Bell Canada and Union Gas Company.

2.1.7 Traffic Signs

The Owner shall provide, install and maintain suitable traffic direction and information signs, all in accordance with The Highway Traffic Act of Ontario, R.S.O. 1990, c.H.8 and amendments thereto, and The Public Transportation and Highway Improvement Act, R.S.O. 1990, c.P.50 and amendments thereto, to the satisfaction of the Municipality. The Owner shall provide, install and maintain suitable traffic direction and information signs painted or otherwise marked on the surface of the parking area and driveway approaches, all to the satisfaction of the Municipality.

2.1.8 Entrances

The Owner hereby agrees to construct and install all entrances, driveways, and curbing to the satisfaction of the Municipality and the County of Essex Road Department if applicable; and further agrees that the same shall be barrier free. The Owner shall maintain all entrances and driveways on the Lands to the satisfaction of the Municipality and the County of Essex Road Department if applicable. Any driveway approaches which become redundant following the development of shall be closed and the area restored to the satisfaction of the Municipality.

2.1.9 Repair

The Owner agrees that any Municipal property, including without limiting the generality of the

foregoing, curbs, gutters, pavements, sidewalks, or landscaped areas on the public highway, and any property belonging to a third party, which are damaged during construction or otherwise, shall be restored by the Owner at its expense, and to the satisfaction of the Municipality. The Owner shall keep the subject lands in a state of good repair (including the cutting of weeds) and upon written notice from the Municipality shall correct deficiencies in the state of repair within ten (10) days thereof.

2.1.10 Dirt and Debris

The Owner further agrees to keep the public highways adjacent to the subject lands free from dirt and debris caused by the construction of the subject lands, and to provide reasonable dust control for the site and adjacent municipal streets during the course of construction.

2.1.11 Address Sign

The municipal address of the building shall be provided in a prominent location on the site and shall be designed to be easily readable from the adjacent street(s).

2.1.12 Environmental Laws

The Owner shall at all times in connection with the development and the implementation of this agreement comply fully with all environmental laws.

2.1.13 Noise By-Laws

The owner shall at all times insure that the provisions of the noise by-law for the Municipality be strictly adhered to.

2.1.14 Local Improvements / Drainage Act

The owner agrees to sign Local Improvement petitions for, and agrees not to oppose, any municipal services proposed by the Municipality to be constructed pursuant to:

a) the provisions of the Municipal Act S.O., 2001, c.25, including but not limited to Ontario Regulation 119/03, or
b) the Drainage Act of Ontario R.S.O. 1990 c.D.17 and amendments thereto,

which shall directly or indirectly benefit the lands.

2.1.15 Parking, Driveways and Loading Areas

The Owner at its own expense shall provide parking driveways and loading areas in accordance with the Site Plan and/or the Site Services Plan. All such areas shall be paved with asphalt or concrete. All handicapped parking areas shall be identified with signage and logos to the satisfaction of the Municipality and identified as such using the then-current form available from the Office of the Clerk of the Municipality.

2.1.16 Snow Removal

The Owner, and not the Municipality, shall be responsible for keeping the parking and access areas free and clear of all snow and ice regardless of who owns those improvements or the lands upon which they are situate. No snow or ice from the subject lands shall be deposited on any municipal streets.

2.1.17 External Lighting

The Owner shall erect exterior lighting on the subject lands as depicted in the Site Plan, Site Services Plan and/or Photometric Plan (the latter attached as Schedule “E” hereto) all in accordance with the Engineering Data. The Owner shall not erect any exterior lighting on the subject lands, other than that provided for in the Engineering Data or depicted in the Site Plan, Site Services Plan and/or Photometric Plan, unless the consent therefor is first had and obtained from the Municipality. The Owner further agrees that all lighting of the said lands shall be oriented and its intensity so

controlled as to prevent glare on adjacent roadways and residential properties.

Should the Municipality, in its sole discretion determine that the lighting of the said lands has an adverse impact on the adjacent roadways or residential properties, then the Owner shall take all necessary measures to correct the adverse impact to the satisfaction of the Municipality. Measures to reduce the impact may include but shall not be limited to, the relocation of the lighting fixtures, the shielding of the lighting fixtures, the replacement of the lighting fixtures, replacing the lamps with lamps of lower intensity, reducing the time period when the lighting is activated or the removal of the lighting fixture.

2.1.18 Signs

The Owner shall not erect any signs on the subject lands other than signs which are allowed by this Agreement, as shown on Schedule "A" and/or Schedule "B", and are consistent with the Town's Sign Bylaw or which are otherwise required by applicable law.

2.1.19 Refuse Collection

The Owner agrees to provide on-site facilities for refuse collection. Such facilities shall be screened from view in accordance with the requirements of the Municipality. The Owner, and not the Municipality, shall be responsible for the removal of any garbage, refuse or other wastes from the waste storage facility.

ARTICLE 3
TIMING

3.1 CONDITIONS

3.1.1 Conditions Precedent

It is a condition precedent to the coming into force of this Agreement that the Owner complete the following simultaneously with the execution of this Agreement:

a) Security for performance is posted pursuant to Paragraph 6.1;
b) Construction lien deposit pursuant to Paragraph 6.3;

3.1.2 Conditions Subsequent

It is a condition subsequent of this Agreement that the Owner complete the following as soon as is reasonably possible subsequent to the execution of this Agreement failing which, the Town may at its option elect to terminate this Agreement:

a) Workers' Compensation Board Clearance Certificate issued if required;
b) Proof of Insurance is provided pursuant to Paragraph 6.4 if required;
c) Due registration against the title of the land of this Agreement;
d) Postponement to this Agreement by all encumbrances;
e) Receipt of the opinion of the Owner's lawyer confirming 3.1.2(c) and 3.1(d) if required by the Town;

3.2 BUFFER AREA

The Owner agrees to landscape all of the buffer and/or planting areas shown on the Site Plan and/or the Landscape Plan annexed hereto and marked Schedule "A" and "D" within SIX (6) months of commencement of construction as determined by the Chief Building Official.

3.3 COMPLETION

The Owners agree to fulfil all of the covenants set out herein to the satisfaction of the Municipality within ONE (1) year of the date of execution of this Agreement.

ARTICLE 4

PAYMENTS

4.1 COSTS

The Owner shall reimburse the Municipality for all the Municipality costs with respect to the development, including without limiting the generality of the foregoing, the fees and disbursements of its Engineer, and Solicitor. The Municipality shall deliver invoices to the owner in a timely fashion payment for which shall be due immediately.

4.2 DEVELOPMENT CHARGES

The Owner agrees to pay development charges with respect to the development in accordance with the Municipality's Development Charges By-Law.

ARTICLE 5
CONVEYANCES

5.1 EASEMENTS

The Owner shall convey or dedicate to the Municipality upon demand and without cost and free of encumbrance the easements provided for in the Engineering Data and Site Plan, in, through, over and under the subject lands as required for drainage purposes, sewers, hydro, gas, watermains, telephones etc. If the Municipality determines that additional easements are required, the Owner shall also convey or dedicate such additional easements upon demand and without cost and free of encumbrance.

5.2 ROAD WIDENING

The Owner shall convey or dedicate to the Municipality upon demand and without cost and free of encumbrance the lands shown on the Site Plan for road widening. If the Municipality determines that additional lands are required for road widening, the Owner shall also convey or dedicate such additional lands for road widening upon demand and without cost and free of encumbrance.

ARTICLE 6
SECURITY

6.1 PERFORMANCE

The Owner agrees, so as to assure the performance by the Owner of each of the terms and conditions of this Agreement during the development of the Lands, that the Owners shall, upon execution of this Agreement, forthwith deposit with the Municipality security in an amount which is equal to $ 20,000.00 plus an amount equal to the value of the road work, if any, to be completed within any municipal road allowance (as calculated by the Owner’s Engineer and approved by the Municipality). For greater certainty, the amount of said security shall be subject to approval by the Municipality's Clerk and Solicitor.

Said security shall be either by way of

a) cash, or
b) a Standby Letter of Credit pursuant to UCP500 only, issued by a chartered bank of Canada in form satisfactory to the Municipality's Clerk and Solicitor. (not a Letter of Guarantee or Bond)

Provided that in no event shall the Municipality be required to pay interest on this security.

6.2 RELEASE OF SECURITY

The Municipality agrees to return the said security to the Owner upon the completion and final approval of the works specified in this Agreement which approval is at the Municipality’s sole discretion.

6.3 CONSTRUCTION LIENS

In as much as the Owner is obligated at the Owner's entire expense and not at the expense of the Municipality, to make improvements to the municipal infrastructure, the Owner shall deposit with the Municipality, in order to satisfy the requirements of Section 17(4) of the Construction Lien Act, R.S.O. 1990, c.C.30 and amendments thereto, cash or a letter of credit in form satisfactory to the Municipality and its Solicitor and in an amount of the holdbacks (under Part IV of the Construction Lien Act, R.S.O. 1990, c.C.30 and amendments thereto) that would have been required were the improvements made at the expense of the Municipality. The Owner may, at its option, obtain a single letter of credit with respect to its responsibilities pursuant to Paragraph 6.1 of this Article, provided that the Municipality and its solicitor is satisfied that the Municipality's security under each paragraph, if read separately, would not be compromised by the Letter of Credit proposed by the Owner.

Provided that in no event shall the Municipality be required to pay interest on this security.

6.4 INDEMNITY AND INSURANCE

The Owner shall indemnify and save harmless the Municipality, and the Essex Power Corporation, from and against all actions, claims, loss, damage and liability connected with the development as contemplated herein arising directly or indirectly out of the negligence or unlawful performance or the non-performance of any obligation of the Owner or any contractors to the Owner under this Agreement. While any of the facilities and works herein have not been approved by the Municipality, the Owner shall maintain in full force and effect a policy of personal liability and property damage insurance in form and amount satisfactory to the Municipality's solicitor wherein the Owner, the Municipality, and the Essex Power Corporation, shall be insured as principals against such liability to the limits approved. The Owner shall provide the Municipality with a certified copy of such policy prior to the commencement of construction of any of the facilities and works referred to herein.

ARTICLE 7
DEFAULT

7.1 STOP WORK

In the event of any default by the Owner in the performance of any of the terms and conditions of this Agreement, the Municipality at its discretion shall, in addition to other remedies available to the Municipality, be entitled to refuse building permits with respect to the development and/or shall be entitled to refuse building and/or occupancy permits with respect to any buildings, and/or shall be entitled to issue stop work orders with respect to any matters in respect of which a building permit has been issued and/or may refuse to grant to the Owner any permissions, permits, certificates, approvals or authorities of any kind or nature which the Owner would have been entitled to receive had the Owner otherwise complied with the Municipality's requirements in this agreement, and/or shall be entitled to refuse to issue releases, all of which may be done until such time as the default has been cured in a manner satisfactory to the Municipality.

7.2 MUNICIPALITY MAY COMPLETE

The owner acknowledges that this agreement is entered into pursuant to section 41(11) of the Planning Act, R.S.O. 1990 c.P.13 and amendments thereto, and that a bylaw has been passed by the Municipality approving the entering into of this Agreement by the Municipality and incorporating the terms of this Agreement into that bylaw, and further that section 446 of The Municipal Act, S.O. 2001, c.25 and amendments thereto, applies to all requirements of this Agreement. If the Owner neglects to undertake any matter or thing required to be done by this Agreement and such default continues after SEVEN (7) days of the Owner being given written notice by the Municipality of such default, in addition to other remedies available to the Municipality, the Municipality may direct that such matter or thing shall be done at the expense of the Owner, and the Municipality may recover the costs incurred in doing it, by action or by adding such costs to the tax role and collecting them in the same manner as taxes; the Owner hereby authorises the Municipality (including, without limiting the generality of the foregoing, its employees, agents and servants) to enter upon

the Lands to do any such matter or thing.

ARTICLE 8
REGISTRATION AND CONSENTS

8.1 REGISTRATION AND ENFORCEMENT

Pursuant to Section 41(10) of the said Planning Act, R.S.O. 1990, c.P.13 and amendments thereto, this Agreement may be registered against the Lands to which it applies, as a first charge, at the Owner's expense, and the Municipality is entitled to enforce the provisions hereof against the Owners, who shall be jointly and severally liable for the Owners' covenants and obligations outlined herein, and, subject to the provisions of The Registry Act, R.S.O. 1990, c.R.20 and amendments thereto, and the Land Titles Act, R.S.O. 1990, c.L.5 and amendments thereto, against any and all subsequent owners of the Lands.

8.2 CONSENT

The Owners hereby consent to the registration of this Agreement on the title of the Lands, said registration (as well as the preparation of this Agreement) to be at the Owners' expense.

8.3 MORTGAGEES

The owners agree to obtain a postponement of any mortgages or other encumbrances which may affect the Lands.

ARTICLE 9
MISCELLANEOUS

9.1 COMMUNICATION

Subject to the express provisions of this Agreement, all communications provided for or permitted hereunder shall be in writing, personally delivered to an officer of the addressee or sent by registered and receipted mail, charges prepaid, or by facsimile transmission or other means of recorded telecommunication, charges prepaid, to the applicable address set forth below or to such other address as either party hereto may from time to time designate to the other in such manner.

Communications sent to the Municipality shall be addressed to:
917 Lesperance Road, Tecumseh, Ontario N8N 1W9

Communications sent to the Owner shall be addressed to:

2593430 ONTARIO LIMITED
2504 BINDER CRESCENT
OLDCASTLE, ON N0R 1LO

Any communication so personally delivered shall be deemed to have been validly and effectively given on the date of such delivery. Communications so sent by registered and receipted mail shall be deemed to have been validly and effectively given on the Business Day next following the day on which it is received, as evidenced by the postal receipt. Communications so sent by facsimile transmission or other means of recorded telecommunication shall be deemed to have been validly and effectively given on the Business Day next following the day on which it is sent. Any party may from time to time change his or its address for service on written notice to the others.

"Business Day" means any day, other than a Saturday, Sunday or any other day on which the

principal chartered banks located in the Town are not open for business during normal banking hours

9.2 TIME OF ESSENCE

Time shall be of the essence of this Agreement and of every part thereof.

9.3 WAIVER

No waiver by any part of a breach of any of the covenants, conditions and provisions herein contained shall be effective or binding upon such party unless the same shall be expressed in writing and any waiver so expressed shall not limit or affect such party's rights with respect to any other future breach.

9.4 FURTHER ASSURANCES

Each of the Parties covenants and agrees that he, his heirs, executors, administrators and assigns will sign such further agreements, assurances, waivers and documents, attend such meetings, enact such by-laws or pass such resolutions and exercise such votes and influence, do and perform or cause to be done and performed such further and other acts and things as may be necessary or desirable from time to time in order to give full effect to this Agreement and every part thereof.

9.5 HEADINGS

The headings of the Articles of this Agreement are inserted for convenience only and do not constitute part of this Agreement.

9.6 SUCCESSORS AND ASSIGNS

The covenants hereunder shall run with the land and this Agreement shall be binding upon and enure to the benefit of the parties hereto and their respective heirs, executors, administrators, successors and assigns.

9.7 GENDER

All words and personal pronouns relating thereto shall be read and construed as the number and gender of the party or parties referred to in each case require and the verb shall be construed as agreeing with the required word and pronoun.

9.8 SEVERABILITY

If any covenant or provision contained herein is determined to be in whole or in part, invalid or unenforceable by reason of any rule of law or public policy, such invalidity or unenforceability shall not affect the validity or enforceability of any other covenant or provision contained herein and, in the case of partial invalidity or unenforceability of a covenant or provision, such partial invalidity or unenforceability shall not affect the validity or enforceability of the remainder of such covenant or provision, and such invalid or unenforceable covenant or provision or portion thereof, as the case may be, shall be severable from the remainder of this Agreement.

9.9 ENTIRE AGREEMENT

This Agreement expresses the final agreement among the parties hereto with respect to all matters herein and no representations, inducements, promises or agreements or otherwise among the parties not embodied herein shall be of any force and effect. This Agreement shall not be altered, amended or qualified except by a memorandum in writing, signed by all the parties hereto, and any alteration, amendment or qualification thereof shall be null and void and shall not be binding upon any such party unless made and recorded as aforesaid.

9.10 EXECUTION IN COUNTERPARTS

This Agreement may be executed in one or more counterparts, each of which when so executed

shall be deemed to be an original and all of which together shall constitute one and the same instrument.

9.11 JURISDICTION

This Agreement and all other agreements, security and documents to be delivered in connection with this agreement shall be governed by and construed in accordance with the applicable laws of the Province of Ontario and of Canada.

9.12 ASSIGNMENT

Subject to the terms of this agreement, this agreement is not assignable by the owner prior to completion of the works without the consent of the Municipality.

9.13 TRUE COPY

All of the parties hereto acknowledge having received a true copy of this document.

9.14 SCHEDULES

Those Schedules marked as Schedules “A” to “E” have been signed by the parties and are on file with the Municipality. A reduced copy of those schedules are annexed hereto. A reduced copy of those schedules are annexed hereto which copy may be removed prior to registration on title should the Land Registry Office so determine or require.

9.15 CONTRA PROFERENTEM RULE NOT APPLICABLE

It is agreed and acknowledged that both parties, directly or through their agents, principals, representatives and/or solicitors, have participated in the preparation and/or negotiation of the provisions of this agreement.

Should any provision of this agreement require judicial interpretation, mediation or arbitration, it is agreed that the court, mediator or arbitrator interpreting or construing the same shall not apply a presumption that the terms thereof shall be more strictly construed against one party or so as to disadvantage any party on the basis that such party and/or its solicitor or agent:

a. *Prepared this agreement or any part of it; or*
b. *Seeks to rely on this agreement or any part of it."*

See next page for signing…

9.16 INDEPENDENT LEGAL ADVICE

To the extent that the solicitors of Wolf Hooker Professional Corporation has been involved in the preparation of this agreement, such solicitors act solely as solicitors for the Town and with regard to the interests of the Town and not for any other party to this agreement. It is strongly recommended that all other parties to this agreement obtain independent legal advice prior to signing this agreement. Each such party acknowledges:

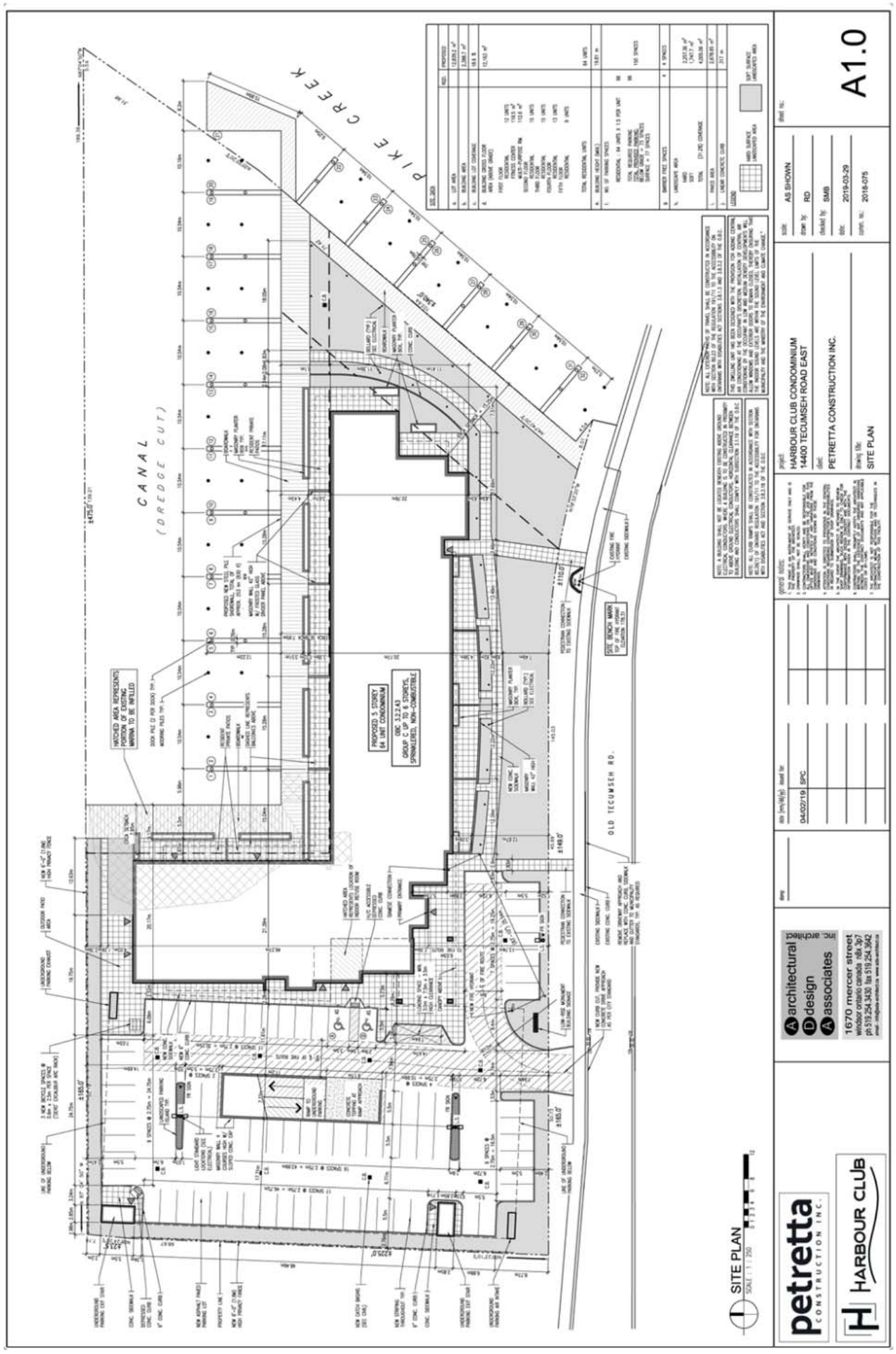
1) having obtained independent legal advice from his, her, or its' own solicitor with respect to the terms of this Agreement prior to its execution or having otherwise been given a reasonable opportunity to obtain such advice and declined to so;

2) that he *or* she *or* it understands the terms, and his *or* her rights and obligations, under this Agreement.

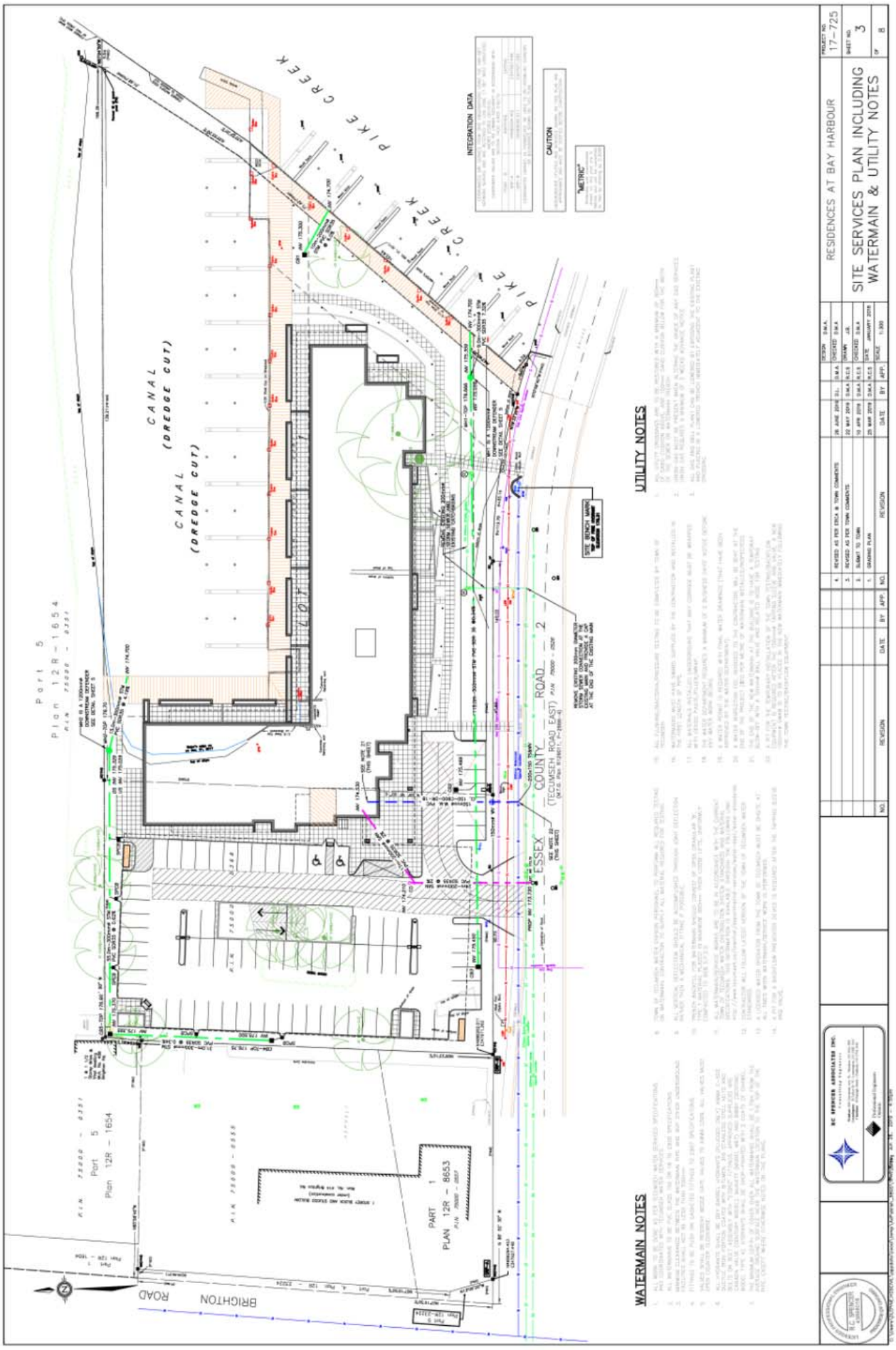
IN WITNESS WHEREOF the Parties hereto have hereunto set their hands and seals.

SIGNED, SEALED AND DELIVERED }
in the presence of }
}
}
}

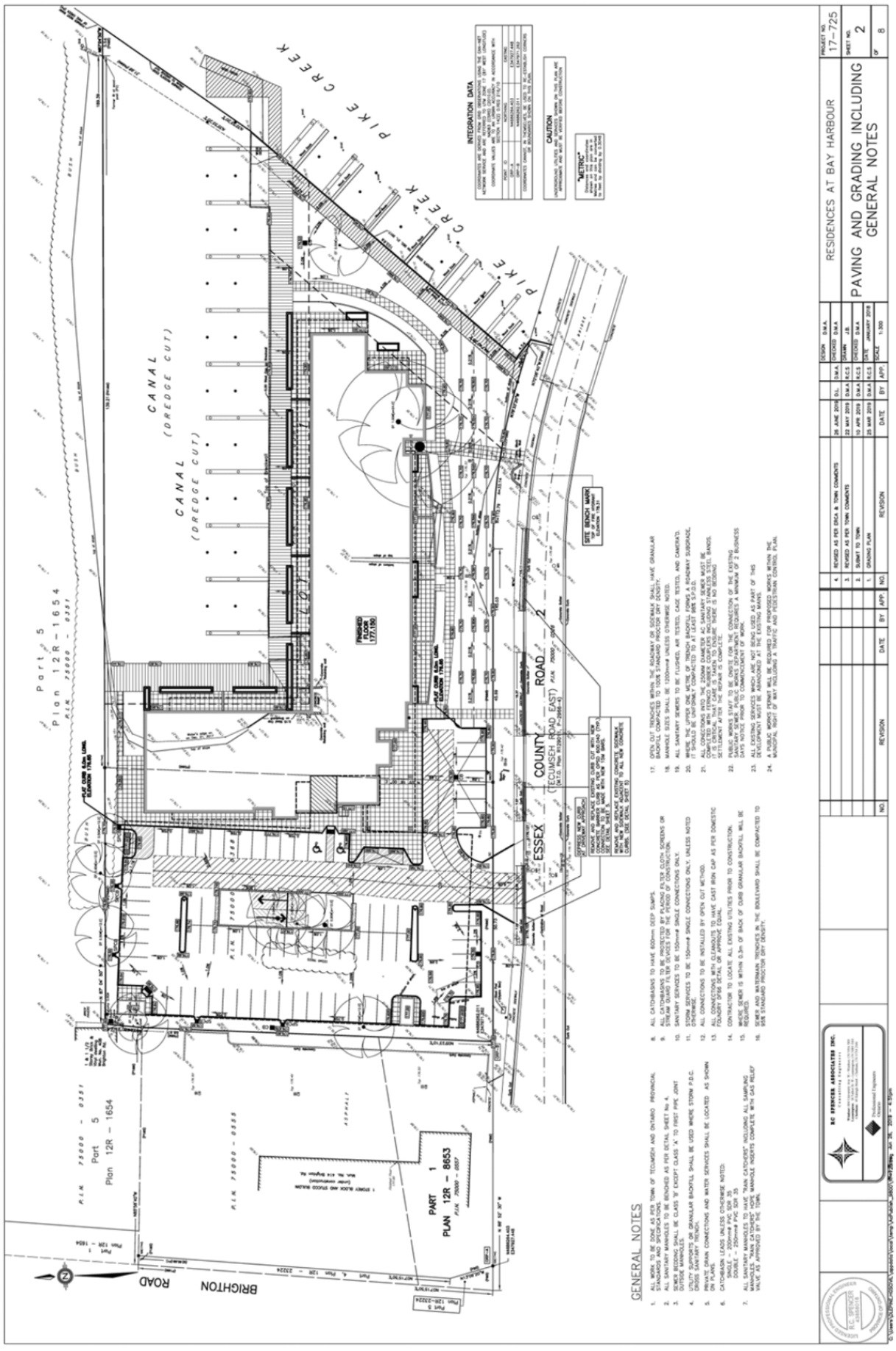
SCHEDULE "A"
SITE PLAN



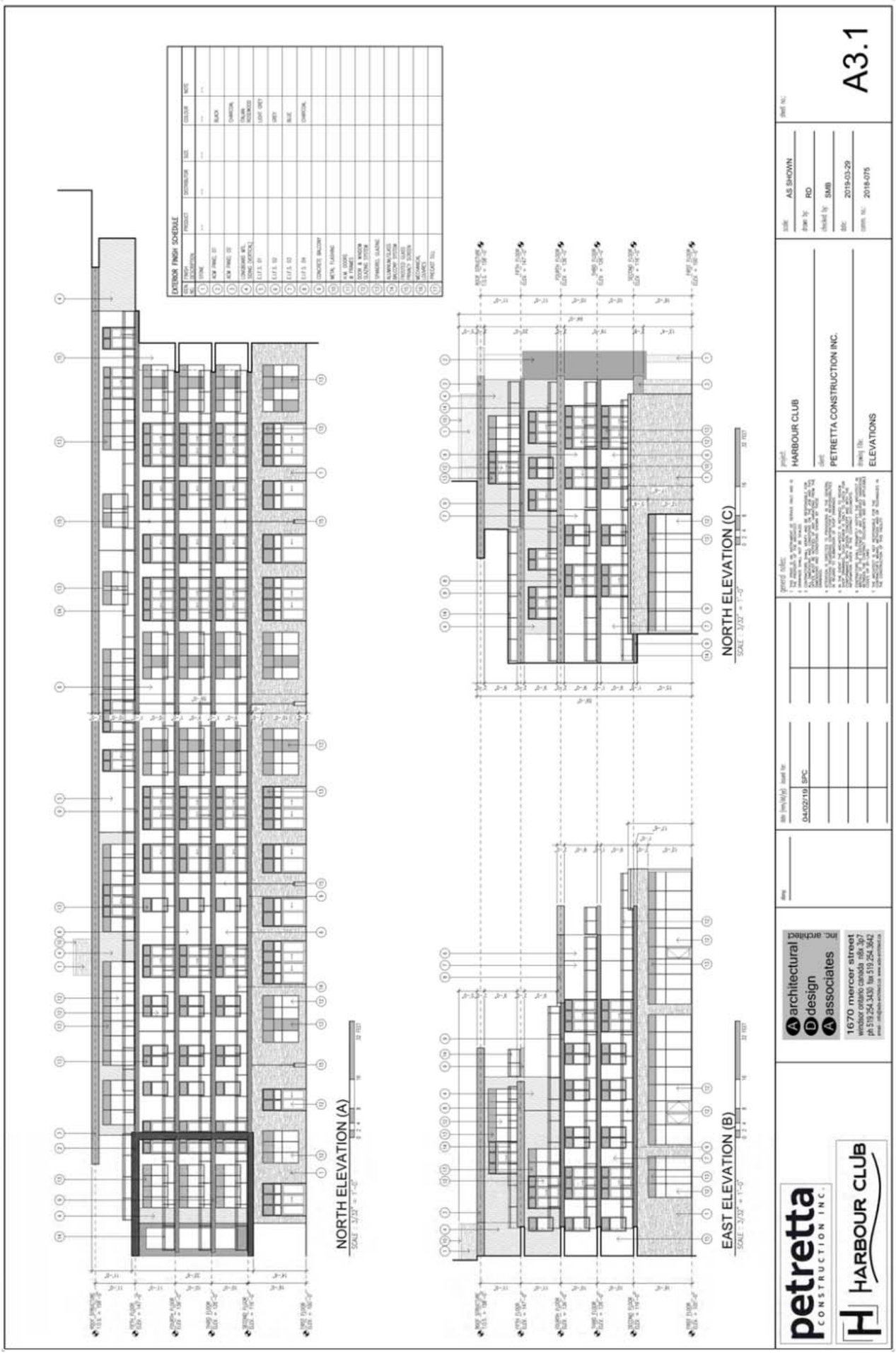
SCHEDULE "B1"
SITE SERVICE PLAN



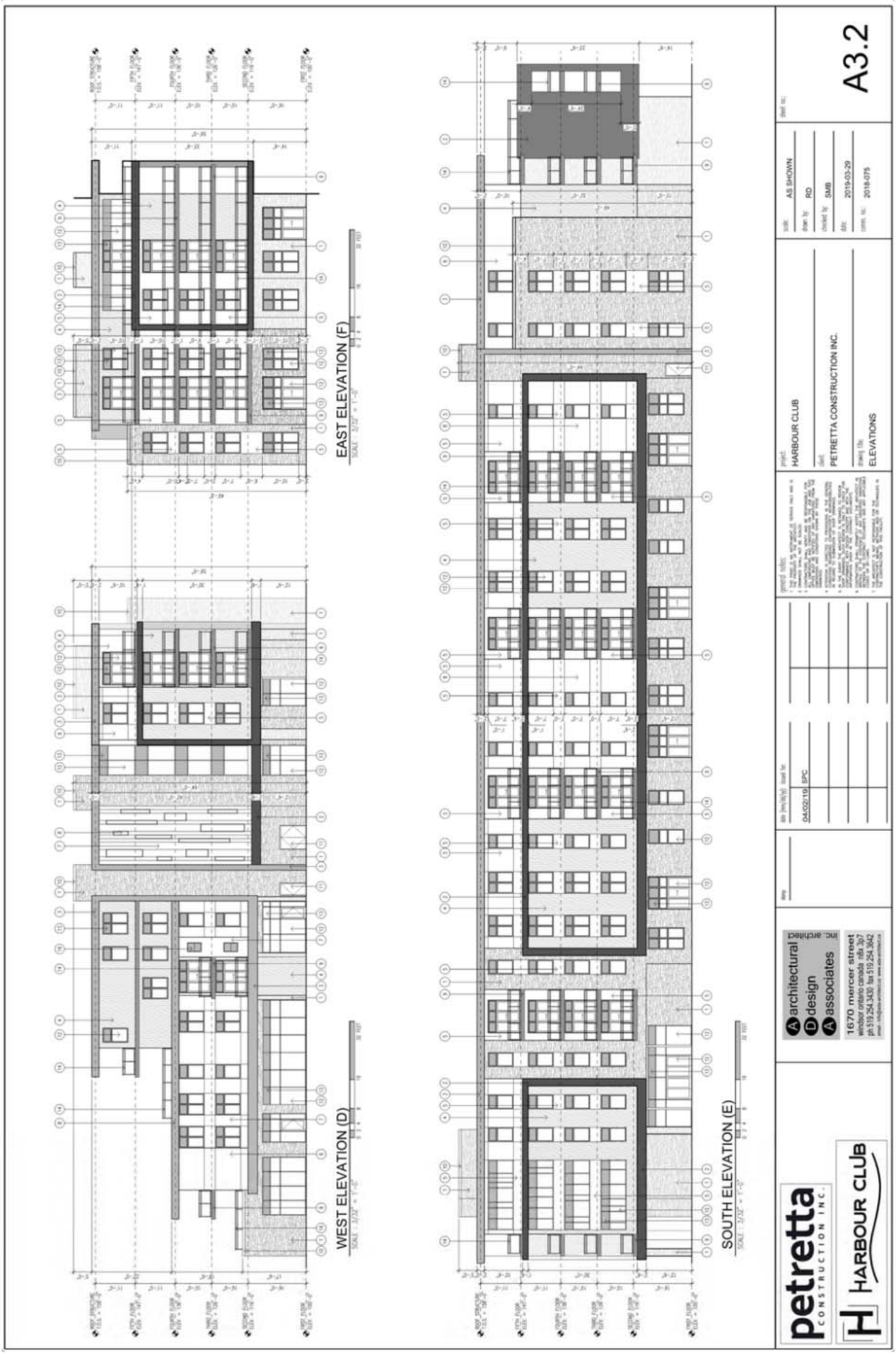
SCHEDULE "B1"
PAVING AND GRADING PLAN



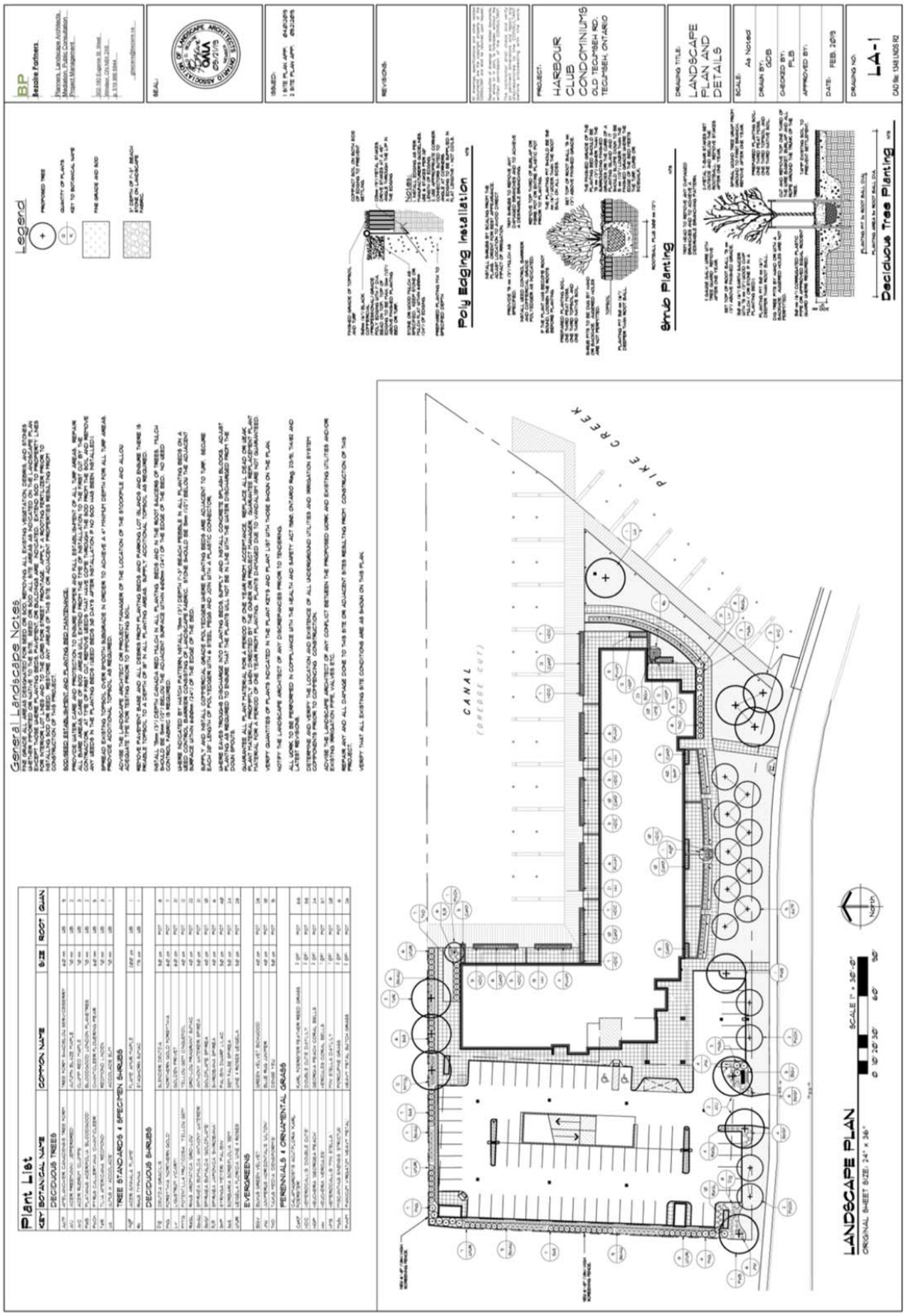
SCHEDULE "C1"
ELEVATIONS



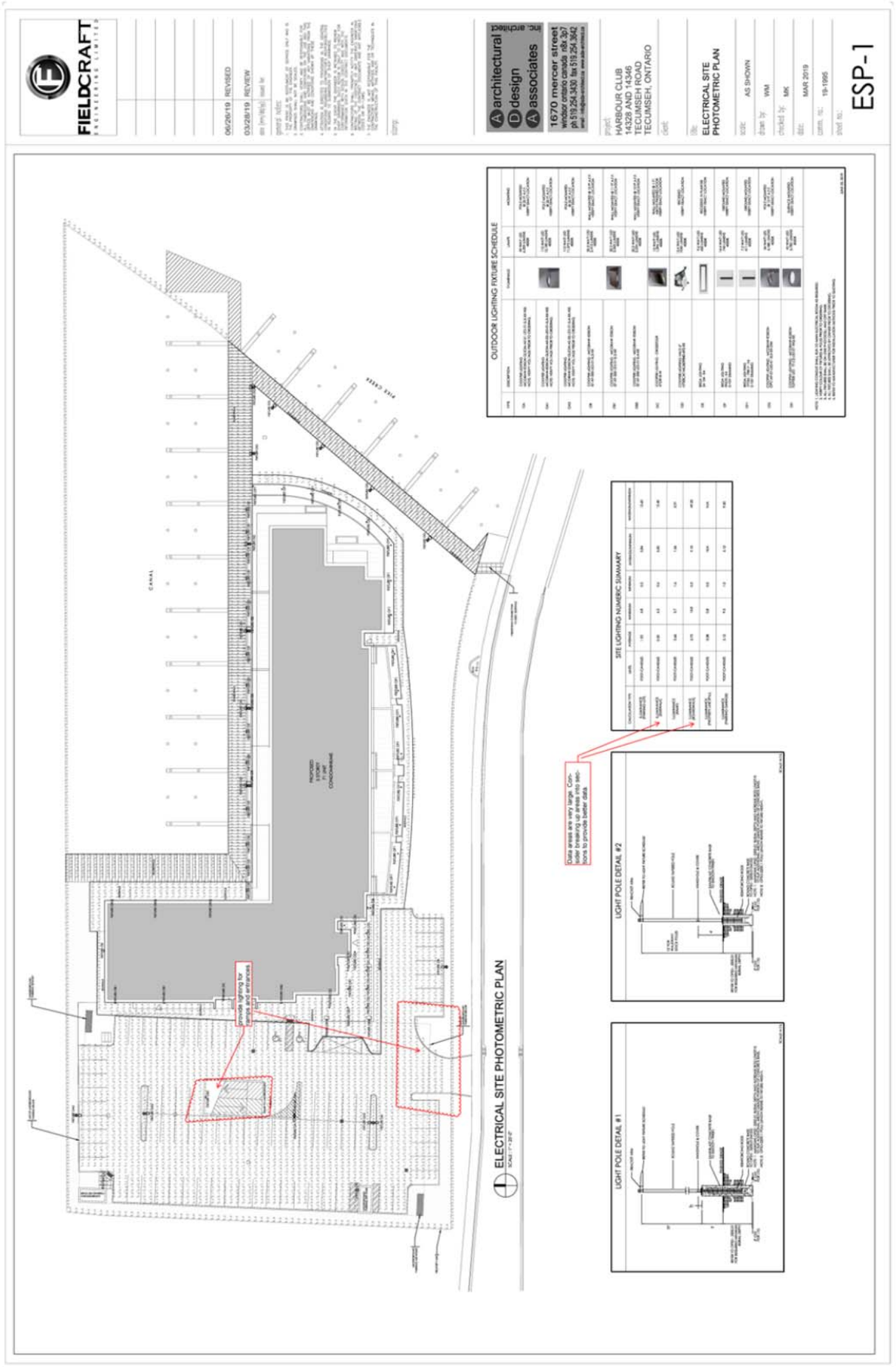
SCHEDULE "C2"
ELEVATIONS



SCHEDULE "D"
LANDSCAPE PLAN



SCHEDULE "E"
PHOTOMETRIC PLAN



SCHEDULE "F"
Description of The Lands

Firstly, 14328 Tecumseh Road East, Tecumseh, ON

PT LT 1 CON WEST OF RIVER PECHE MAIDSTONE (ST CLAIR BEACH) AS IN R1143478; TECUMSEH

Being all of PIN 75000-0368

Secondly, 14346 Tecumseh Road East, Tecumseh, ON

PT LT 1 CON WEST OF RIVER PECHE MAIDSTONE (ST CLAIR BEACH) AS IN R832208; TECUMSEH

Being all of PIN 75000-0367

The Corporation of the
Town of Tecumseh

Planning & Building Services

To: Mayor and Members of Council

From: Brian Hillman, Director Planning & Building Services

Date to Council: July 23, 2019

Report Number: PBS-2019-24

Subject: Bill 108 - More Homes, More Choice Act, 2019
Posting of Draft Bill 108 Regulations

Recommendations

It is recommended:

> **That** PBS-2019-24, *Bill 108 – More Homes, More Choice Act, 2019*, Posting of Draft Bill 108 Regulations, **be received**;
>
> **And that** PBS-2019-24 **be submitted** to the Province through the Environmental Registry of Ontario as comments from the Town of Tecumseh on Draft Bill 108 Proposed Regulations under the *Planning Act* and the *Development Charges Act.*

Background

On June 6, 2019, Bill 108, the *More Homes, More Choice Act* (Bill 108) received Royal Assent by the Province of Ontario. Bill 108 amended 13 pieces of provincial legislation, with the stated goal being to address the shortage of affordable housing in Ontario by finding faster ways to get a mix of housing types built.

In June of 2019, Council received PBS-2019-19, which provided a summary of the changes specifically related to the *Planning Act*, *Local Planning Appeal Tribunal Act* and the *Development Charges Act* and provided a commentary on how the changes may impact the Town of Tecumseh.

Although Bill 108 received Royal Assent on June 6, only portions of the Bill came into force, with the balance to come into force on the day of proclamation. Bill 108 will require the introduction of numerous regulations for implementation.

On June 21, 2019, the Province posted the following three sets of proposed regulations for public comment on the Environmental Registry of Ontario (ERO):

A) Proposed Regulations under the Planning Act, Excluding Community Benefit Charges (CBC) (Closes for comment: August 6, 2019)

B) Proposed Regulations under the Planning Act Pertaining to CBC (Closes for comment: August 21, 2019)

C) Proposed Regulation Changes Pertaining to the Development Charges Act (Closes for comment: August 21, 2019)

These proposed regulations are intended to provide further guidance related to timing and transition of the changes introduced by Bill 108. The Province has indicated that it will be reviewing the feedback with experts and will provide the final regulations by late summer.

The purpose of this report is to summarize the three sets of regulations posted on the ERO and to provide Administrative comments on these regulations for submission and consideration by the Province.

Comments

A) Proposed Regulations Pertaining to the Planning Act, Excluding CBC

1. Transition

Proposed changes to the transition regulation (*O. Reg. 174/16: "Transitional Matters – General"*) would set out rules for planning matters in process at the time certain components of Schedule 12 to Bill 108 are proclaimed. The proposed transition regulation changes would provide certainty regarding the processing and decision-making on planning matters.

Certain changes to the *Planning Act* through Schedule 12 to Bill 108 that are not addressed in the proposed transition regulation would apply immediately upon the coming into force of those changes. The proposed regulation content with respect to transition is described in Attachment 1.

Administrative Comments

There are no planning applications in the Town that would be affected by the *Planning Act* transitional regulations.

2. Additional Residential Unit Requirements and Standards

The *Planning Act* currently requires municipalities to authorize in their official plans and zoning by-laws the use of second residential units in **either** a detached, semi-detached, and row house **or** in ancillary buildings and structures (e.g., above laneway garages or coach houses).

Schedule 12 to Bill 108 includes provisions to require municipalities to authorize in their official plans and zoning by-laws the use of an additional residential unit in **both** a detached, semi-detached, and row houses **and** in an ancillary building or structure (e.g., above laneway garages or coach houses).

Attachment 1 contains additional detail on how the removal of barriers would be facilitated.

Administrative Comments

These regulations help to clarify the Province's approach to encouraging intensification through the removal of barriers to the addition of second units in existing residential areas. It should be noted that the Town may continue to determine appropriate locations for the introduction of second units on the basis of servicing capacity. However, given the potential for an increased level of intensification (i.e. a second unit in both the dwelling and ancillary structure), it may become more difficult to identify suitable areas for intensification on this basis. Accordingly, this may have the unintended consequence of limiting the number of areas where this level of intensification may be achieved.

3. Housekeeping regulatory changes

Regulations under the *Planning Act* currently provide for requirements on how to give notice for various matters, including when a municipality is required to notify the public of subdivision applications and when it intends to establish a time-frame for non-decision appeals for official plans/amendments. Attachment 1 outlines the housekeeping changes needed to correct for the now-redundant notice provisions.

Administrative Comments

These housekeeping changes do not present any significant implications to the Town with respect to its current Plan of Subdivision and Official Plan amendment processes.

B) Proposed Regulations Under the Planning Act Pertaining to Community Benefit Charges

Schedule 12 of the Act would, upon proclamation, make amendments to the *Planning Act* to provide the authority for municipalities to charge for community benefits in order to fund a range of capital infrastructure for community services that would benefit new development.

1. Transition

Schedule 12 provides transitional provisions for section 37, and section 42 under the *Planning Act*, and development charges for discounted services (soft services) under the *Development Charges Act* to provide the flexibility necessary for municipalities to migrate to the community benefits charge authority. It should be noted that municipalities are not mandated to collect a CBC, however if they were not collected, it would result in a loss of revenue stream that would need to be offset by the general levy.

An amendment to the *Development Charges Act, 1997* provides for a date to be prescribed in regulation that would effectively establish a deadline as to when municipalities must transition to the community benefits authority if they wish to collect for the capital costs of community benefits from new development. Beyond the date prescribed in regulation:

i) Municipalities would generally no longer be able to collect development charges for discounted services;

ii) Municipalities would generally no longer be able to pass by-laws to collect funds under section 37 of the *Planning Act.* Section 37 is often referred as the "Bonusing" section of the Act because it provides municipalities the option of passing a by-law to authorize increases in height and density of development in return for facilities, service or other matters (i.e. monetary contributions).

It is proposed that the specified date for municipalities to transition to community benefits is January 1, 2021.

Administrative Comments

A study will have to be undertaken in order to get a CBC By-law in place prior to the January 1, 2021 deadline when by-laws governing soft services expire. This study will require additional budget considerations in 2020 and will require the allocation of staff resources and time.

2. Reporting on community benefit charges collected

The amendments to the *Planning Act* in Schedule 12 provides for municipalities that pass a community benefits by-law to provide the reports and information that may be prescribed in the regulation to persons prescribed in regulation, as outlined in Attachment 2.

Administrative Comments

Reporting protocols will need to be established necessitating the allocation of staff resources and time.

3. Reporting on parkland cash-in-lieu fees collected

The amendments to the *Planning Act* in Schedule 12 provides that municipalities may continue using the current basic parkland provisions of the *Planning Act* if they are not collecting community benefits charges. Municipalities with parkland special accounts will be required to provide the reports and information that may be prescribed in the regulation to persons prescribed in regulation, as outlined in Attachment 2.

Administrative Comments

Reporting protocols will need to be established necessitating the allocation of staff resources and time.

4. Exemptions from community benefits charges

To help reduce the costs to build certain types of development that are in high demand, amendments to the *Planning Act* in Schedule 12 provides for the Minister to prescribe such types of development or redevelopment in respect of which a community benefits charge cannot be imposed. Attachment 2 provides the list of exemptions, which includes uses such as retirement homes, non-profit housing and hospices all of which are currently subject to development charges.

Administrative Comments

Currently, the *Development Charges Act* allows the Town to collect a "soft service charge" for the proposed exempted uses. Accordingly, given that a soft service charge will no longer be collectible under the *Development Charges Act*, and the noted uses are exempt from paying a community development charge under the *Planning Act*, there will be a funding shortfall. As a point of reference, approximately 20 percent of the Town's Development Charge is allocated for soft services. It should also be noted that the terms for the types of developments to be exempted are not defined. These terms should be defined in the regulations to ensure clarity and consistent application Province-wide. This would assist in the development and administration of the CBC By-law.

5. Community benefits charges formula

The amendments to the *Planning Act* in Schedule 12 provides the authority for municipalities to charge for community benefits to fund a range of soft capital infrastructure for community services needed because of new development.

This capital infrastructure for soft community services could include libraries, parkland, daycare facilities and recreation facilities.

For any particular development, the community benefits charge payable shall not exceed the amount determined by a formula involving the application of a prescribed percentage to the value of the development land. The value of land that is used is the value on the day before the building permit is issued to account for the necessary zoning to accommodate the development (see Attachment 2).

Administrative Comments

Administration is unable to determine an association between long term identified soft services needs and the valuation of land. It is therefore not possible to provide feedback on what would be deemed to be an appropriate percentage at this time. It would seem more appropriate that the determination of a percentage and the related formula would be considered concurrently and with a more robust municipal engagement process.

6. Appraisals for community benefits charges

The amendments to the *Planning Act* in Schedule 12 allow for the owner of land proposing to develop a site to provide the municipality with an appraisal of the site if they are of the view that the community benefits charge exceeds what is legislatively permitted. Similarly, a

municipality can also provide the owner of land with an appraisal if it is of the view that the owner of the land's appraisal is inaccurate. If both appraisals differ by more than 5 percent, a third appraisal is prepared. Attachment 2 outlines how this would work.

Administrative Comments

Again, it is noted that Administration is unable to determine an association between long term identified soft services needs and the valuation of land. In addition, the proposed regulations invite disputes over appraisal values, which, in turn, will involve the Town incurring additional costs and allocation of staff time. Further, depending on the number and complexity of these appraisal disputes, and the availability of local appraisers, the proposed timelines may not be sufficient.

7. Excluded services for community benefits charges

Amendments to the *Planning Act* in Schedule 12 provides that community benefits charges cannot be imposed for facilities, services or matters associated with services eligible for collection under the *Development Charges Act, 1997*. It also provides for the province to prescribe facilities, services or matters in respect of which community benefit charges cannot be imposed. The list of proposed facilities and services prescribed (see Attachment 2) is consistent with ineligible services under the *Development Charges Act.*

Administrative Comments

Given that these services are currently ineligible under the *Development Charges Act*, the proposed regulation has no impact on the Town.

C) Proposed Regulation Changes Pertaining to the *Development Charges Act* (DCA)

1. Transition

The amendments in Schedule 12 would, upon proclamation, provide transitional provisions for section 37, and section 42 under the *Planning Act*, and in Schedule 3 of the Act provide transitional provisions for development charges for discounted services (soft services) under the *Development Charges Act* to provide for the flexibility necessary for municipalities to migrate to the community benefits charge authority.

Municipalities would be able to transition to the community benefits charge authority once the legislative provisions come into force (as will be set out in proclamation). It is proposed that the legislative provisions related to community benefits charges would come into force on January 1, 2020 and allow for a transition period of one year.

An amendment to the *Development Charges Act, 1997* provides for a date to be prescribed in regulation that would effectively establish a deadline as to when municipalities must transition to the community benefits authority if they wish to collect for the capital costs of community benefits from new development (unless a municipality will only collect parkland).

The Minister proposes that the specified date for municipalities to transition to community benefits is January 1, 2021. From this date forward, municipalities would generally no longer be able to collect development charges for discounted services.

Administrative Comments

A study will have to be undertaken in order to get a CBC By-law in place prior to the January 1, 2021 deadline when DC By-laws governing soft services expire. This study will require additional budget considerations in 2020 and will require the allocation of staff resources and time.

2. Scope of types of development subject to development charges deferral

The province recognizes that development charges are one of the many demands on cashflow for new development. Mandating the deferral of development charge alleviates some pressure on cashflow which could increase the likelihood of riskier, cost-sensitive housing projects, such as purpose-built rentals proceeding. As such, amendments to the *Development Charges Ac*t will provide for the deferral of development charges for rental housing development; non-profit housing development; institutional development; industrial development; and commercial development until occupancy.

The proposed regulatory change provides further detail concerning what constitutes rental housing; non-profit housing; institutional development; industrial development; and commercial development, as outlined in Attachment 3.

Administrative Comments

If the stated purpose of the legislation is to alleviate some pressure on cashflow in order to increase the likelihood of riskier, cost-sensitive housing projects, then it is recommended that non-residential uses be very scoped or excluded from these deferrals. The proposed regulations instead allow for payment deferrals for a broad range of institutional, industrial and commercial uses. The ability to defer these payments will require the implementation of Administrative procedures/tracking that are not currently in place and will therefore involve additional staff time and resources. Further, deferring payments will have an impact on the timing of the DC collection relative to when the Town needs to fund services.

3. Period of time for which the development charge freeze would be in place

In order to provide greater certainty of costs to developers, amendments to the *Development Charges Act* made by Schedule 3 would, upon proclamation, provide that the amount of a development charge would be set at the time council receives the site plan application for a development. If a site plan is not submitted, the amount would be set at the time council receives the application for a zoning amendment. The status quo would apply for developments requiring neither of these applications.

The proposed regulatory change would establish the period in which the development charge rate freeze will be in place.

The Minister is proposing that the development charge rate would be frozen until two years from the date the site plan application is approved, or in the absence of the site plan application, two years from the date the zoning application was approved.

Administrative Comments

This proposed regulation will require the implementation of Administrative procedures/tracking that are not currently in place and will therefore involve additional staff time and resources. These enhanced and more complex procedures/tracking methods may also increase the potential for Administrative error. In addition, given the Town is able to apply interest on funds owing (at a maximum interest rate that the Ministry is proposing may be determined at the sole discretion of the Town), it is difficult to understand the benefit of the freeze to the development community or the additional cost to the Town.

4. Interest rate during deferral and freeze of development charges

Amendments to the *Development Charges Act* in Schedule 3 would, upon proclamation, provide for municipalities to charge interest on development charges payable during the deferral. It also provides for municipalities to charge interest during the development charge 'freeze' from the date the applicable application is received, to the date the development charge is payable. In both cases, the interest cannot be charged at a rate above a prescribed maximum rate, however the Minister is not proposing a prescribed rate at this time. In other words, this may in fact come into play in the future, which could adversely affect the Town.

Administrative Comments

See comments on item 3 above.

5. Additional dwelling units

In order to reduce development costs and increase housing supply the *Development Charges Act* as amended by Schedule 3 would, upon proclamation, provide that:

i) the creation of an additional dwelling in prescribed classes of residential buildings and ancillary structures does not trigger a development charge; and

ii) the creation of a second dwelling unit in prescribed classes of new residential buildings, including ancillary structures, is exempt from development charges.

Additional detail is contained in Attachment 3.

Administrative Comments

Staff believes this measure will reduce development charge collections over time, however, the extent of the amount is difficult to predict.

Consultations

Financial Services

Financial Implications

It is anticipated that the consolidation of community infrastructure development charges and the *Planning Act* cash-in-lieu provisions to the new Community Benefit Charge provisions where the rates are fixed, could impact the ability to fund the Town's existing 10-year capital program for community infrastructure and negatively affect debt levels. Once the full impacts are known, the proposed capital program may require further scope changes or deferrals to community infrastructure capital projects in order to minimize the impacts on existing ratepayers.

In addition, further costs are expected to be incurred by the Town in relation to changes to Administrative tasks required to implement some of the Bill 108 changes, particularly as it relates to deferred DC payments.

Link to Strategic Priorities

Applicable	2019-22 Strategic Priorities
☐	Make the Town of Tecumseh an even better place to live, work and invest through a shared vision for our residents and newcomers.
☐	Ensure that Tecumseh's current and future growth is built upon the principles of sustainability and strategic decision-making.
☐	Integrate the principles of health and wellness into all of Tecumseh's plans and priorities.
☐	Steward the Town's "continuous improvement" approach to municipal service delivery to residents and businesses.
☐	Demonstrate the Town's leadership role in the community by promoting good governance and community engagement, by bringing together organizations serving the Town and the region to pursue common goals.

Communications

Not applicable ☒

Website ☐ Social Media ☐ News Release ☐ Local Newspaper ☐

This report has been reviewed by Senior Administration as indicated below and recommended for submission by the Chief Administrative Officer.

Prepared by:

Chad Jeffery, MA, MCIP, RPP
Manager Planning Services

Reviewed by:

Tom Kitsos, CPA, CMA, BComm
Director Financial Services & Chief Financial Officer

Reviewed by:

Brian Hillman, MA, MCIP, RPP
Director Planning & Building Services

Recommended by:

Margaret Misek-Evans, MCIP, RPP
Chief Administrative Officer

Attachment Number	**Attachment Name**
1	Regulations Pertaining to the *Planning Act*
2	Regulations Pertaining to the Community Benefits Charges
3	Regulations Pertaining to the *Development Charges Act*

Proposed Regulations Pertaining to the *Planning Act*, Excluding Community Benefits Charges

1. Transition

The regulation proposes that the following changes which are part of Schedule 12 to Bill 108 be transitioned as follows:

i) Expanding the grounds of appeal of a decision on an official plan/amendment or zoning by-law/amendment and allowing the Local Planning Appeal Tribunal to make any land use planning decision the municipality or approval authority could have made would apply to:

- appeals of decisions that have not yet been scheduled for a hearing by the Local Planning Appeal Tribunal regarding the merits of the matter before the Tribunal

ii) Expanding the grounds of appeal of a lack of decision on an official plan/amendment or zoning by-law amendment and allowing the Local Planning Appeal Tribunal to make any land use planning decision the municipality or approval authority could have made would apply to:

- appeals of the failure of an approval authority or municipality to make a decision within the legislated timeline that have not yet been scheduled for a hearing by the Local Planning Appeal Tribunal regarding the merits of the matter before the Tribunal

iii) The removal of appeals other than by key participants (e.g. the province, municipality, applicant) and the reduction of approval authority decision timelines for non-decisions of official plan/amendments would apply where the approval authority has not issued a notice of decision at the time the proposed changes come into force.

iv) The removal of appeals other than by key participants (e.g. the province, municipality, applicant, utility companies, etc.) for draft plan of subdivision approvals, conditions of draft plan of subdivision approvals or changes to those conditions would apply where:

- the notice of the decision to draft approve or change conditions is given, or

- conditions are appealed other than at the time of draft approval.

on or after the day the proposed changes come into force (e.g., appeals made during appeal periods that begin once the proposed changes come into force)

v) The reduction for decision timelines on applications for official plan amendments (120 days), zoning by-law amendments (90 days, except where concurrent with official plan amendment for some proposals) and plans of subdivision (120 days) would apply to complete applications submitted after Royal Assent.

2. Additional Residential Unit Requirements and Standards

A regulation is proposed under s. 35.1(2)(b) of the *Planning Act* setting out requirements and standards to remove barriers to the establishment of additional residential units, as follows:

i) One parking space for each of the additional residential units which may be provided through tandem parking;

ii) Where a municipal zoning by-law requires no parking spaces for the primary residential unit, no parking spaces would be required for the additional residential units;

iii) Where a municipal zoning by-law is passed that sets a parking standard lower than a standard of one parking space for each of the additional residential units, the municipal zoning by-law parking standard would prevail;

iv) “Tandem parking” would be defined as a parking space that is only accessed by passing through another parking space from a street, lane or driveway;

v) An additional residential unit, where permitted in the zoning by-law, may be occupied by any person in accordance with s. 35(2) of the *Planning Act*, and, for greater clarity, regardless of whether the primary unit is occupied by the owner of the property, and

vi) An additional residential unit, where permitted in the zoning by-law, would be permitted without regard to the date of construction of the primary or ancillary building.

3. Housekeeping regulatory changes

As Schedule 12 to Bill 108 provides for the removal of provisions in the *Planning Act* for second notice of subdivision applications and provisions for some non-decision appeals for official plans/amendments, housekeeping changes are required in O. Reg. 544/06 “Plans of Subdivision” and O. Reg. 543/06 “Official Plans and Plan Amendments” to remove the redundant notice of a subdivision application and the notice requirements for non-decision appeals, which would no longer be necessary.

Proposed Regulations Under the *Planning Act* Pertaining to Community Benefit Charges

1. Transition

Schedule 12 provides transitional provisions for section 37, and section 42 under the *Planning Act*, and development charges for discounted services (soft services) under the *Development Charges Act* to provide the flexibility necessary for municipalities to migrate to the community benefits charge authority.

An amendment to the *Development Charges Act, 1997* provides for a date to be prescribed in regulation that would effectively establish a deadline as to when municipalities must transition to the community benefits authority if they wish to collect for the capital costs of community benefits from new development. Beyond the date prescribed in regulation:

i) Municipalities would generally no longer be able to collect development charges for discounted services;

ii) Municipalities would generally no longer be able to pass by-laws to collect funds under section 37 of the *Planning Act*

It is proposed that the specified date for municipalities to transition to community benefits is January 1, 2021.

2. Reporting on community benefit charges collected

In order to ensure that community benefit charges are collected and spent on community benefits in a transparent manner, and for greater accountability, the Minister is proposing to prescribe reporting requirements that are similar to existing reporting requirements for development charges and parkland under section 42 of the *Planning Act*.

Municipalities would be required annually to prepare a report for the preceding year that would provide information about the amounts in the community benefits charge special account, such as:

i) Opening and closing balances of the special account;

ii) A description of the services funded through the special account;

iii) Details on amounts allocated during the year;

iv) The amount of any money borrowed from the special account, and the purpose for which it was borrowed; and

v) The amount of interest accrued on money borrowed.

3. Reporting on parkland cash-in-lieu fees collected

In order to ensure that cash-in-lieu of parkland is collected and used in a transparent manner, the Minister is proposing to prescribe reporting requirements for parkland.

Municipalities would be required annually to prepare a report for the preceding year that would provide information about the amounts in the special account, such as:

i) Opening and closing balances of the special account;

ii) A description of land and machinery acquired with funds from the special account;

iii) Details on amounts allocated during the year;

iv) The amount of any money borrowed from the special account, and the purpose for which it was borrowed; and

v) The amount of interest accrued on money borrowed.

4. Exemptions from community benefits charges

The Minister is proposing that the following types of developments be exempt from charges for community benefits under the *Planning Act*:

i) Long-term care homes;

ii) Retirement homes;

iii) Universities and colleges;

iv) Memorial homes, clubhouses or athletic grounds of the Royal Canadian Legion;

v) Hospices; and

vi) Non-profit housing.

5. Community benefits charges formula

It is proposed that a range of percentages will be prescribed to take into account varying values of land.

In determining the prescribed percentages, there are two goals.

i) Firstly, to ensure that municipal revenues historically collected from development charges for “soft services”, parkland dedication including the alternative rate, and density bonusing are maintained; and

ii) Secondly, to make costs of development more predictable.

This Ministry is not providing prescribed percentages at this time. However, the Ministry would welcome feedback related to the determination of these percentages. There will be further consultation on the proposed formula in late summer.

6. Appraisals for community benefits

The Minister is proposing the following:

i) If the owner of land is of the view that the amount of a community benefits charge exceeds the amount legislatively permitted and pays the charge under protest, the owner has 30 days to provide the municipality with an appraisal of the value of land;

ii) If the municipality disputes the value of the land in the appraisal provided by the owner, the municipality has 45 days to provide the owner with an appraisal of the value of the land;

iii) If the municipality's appraisal differs by more than 5 percent from appraisal provided by the owner of the land, the owner can select an appraiser from the municipal list of appraisers, that appraiser's appraisal must be provided within 60 days.

7. Excluded services for community benefits charges

The Minister is proposing to prescribe that the following facilities, services or matters be excluded from community benefits charges:

i) Cultural or entertainment facilities

ii) Tourism facilities

iii) Hospitals

iv) Landfill sites and services

v) Facilities for the thermal treatment of waste

vi) Headquarters for the general administration of municipalities and local boards

This would be consistent with the ineligible services list currently found under the *Development Charges Act*.

Proposed Regulation Changes Pertaining to the *Development Charges Act* (DCA)

1. Transition

The Minister proposes that the specified date for municipalities to transition to community benefits is January 1, 2021. From this date to beyond Municipalities would generally no longer be able to collect development charges for discounted services.

2. Scope of types of development subject to development charges deferral

The Minister proposes that the types of developments proposed for development charge deferrals be defined as follows:

i) "Rental housing development" means construction, erection or placing of one or more buildings or structures for or the making of an addition or alteration to a building or structure for residential purposes with four or more self-contained units that are intended for use as rented residential premises;

ii) "Non-profit housing development" means the construction, erection or placing of one or more buildings or structures for or the making of an addition or alteration to a building or structure for residential purposes by a non-profit corporation.

iii) "Institutional development" means the construction, erection or placing of one or more buildings or structures for or the making of an addition or alteration to a building or structure for:

- long-term care homes;
- retirement homes;
- universities and colleges;
- memorial homes; clubhouses; or athletic grounds of the Royal Canadian Legion; and
- hospices

iv) "Industrial development" means the construction, erection or placing of one or more buildings or structures for or the making of an addition or alteration to a building or structure for:

- manufacturing, producing or processing anything,

- research or development in connection with manufacturing, producing or processing anything,

- storage, by a manufacturer, producer or processor, of anything used or produced in such manufacturing, production or processing if the storage is at the site where the manufacturing, production or processing takes place, or

- retail sales by a manufacturer, producer or processor of anything produced in manufacturing, production or processing, if the retail sales are at the site where the manufacturing, production or processing takes place.

v) "Commercial development" means the construction, erection or placing of one or more buildings or structures for or the making of an addition or alteration to a building or structure for:

- office buildings as defined under subsection 12(3) in *Ontario Regulation 282/98* under the *Assessment Act*; and

- shopping centres as defined under subsection 11(3) in *Ontario Regulation 282/98* under the *Assessment Act*.

3. Period of time for which the development charge freeze would be in place

The Minister is proposing that the development charge rate would be frozen until two years from the date the site plan application is approved, or in the absence of the site plan application, two years from the date the zoning application was approved.

4. Interest rate during deferral and freeze of development charges

The Minister is not proposing to prescribe a maximum interest rate that may be charged on development charge amounts that are deferred or on development charges that are frozen.

5. Additional dwelling units

The existing *O. Reg. 82/98* prescribes existing single detached dwellings, semi-detached/row dwellings and other residential buildings as buildings in which additional residential units can be created without triggering a development charge and rules related to the maximum number of additional units and other restrictions. It is proposed that this regulation be amended so that units could also be created within ancillary structures to these existing dwellings without triggering a development charge (subject to the same rules/restrictions).

It is also proposed that one additional unit in a new single detached dwelling; semi-detached dwelling; and row dwelling, including in a structure ancillary to one of these dwellings, would be exempt from development charges.

It is also proposed that within other existing residential buildings, the creation of additional units comprising 1% of existing units would be exempt from development charges.

The Corporation of the
Town of Tecumseh

Public Works & Environmental Services

To: Mayor and Members of Council

From: Phil Bartnik, Director Public Works & Environmental Services

Date to Council: July 23, 2019

Report Number: PWES-2019-02

Subject: Disaster Mitigation and Adaptation Fund
Special Spring 2019 Flooding Intake
Expression of Interest and Full Application

Recommendations

It is recommended:

That Administration **be authorized** to submit an Expression of Interest and the Full Application to the federal government for funding under the Disaster Mitigation and Adaptation Fund (DMAF) for the following projects:

(i) Scully & St. Mark's Storm Pump Station Improvements
(ii) P.J. Cecile Storm Pump Station Improvements

And that Administration **be authorized** to complete any business case(s), application(s), and/or to provide all information/documentation as required in order to constitute the application under DMAF;

And further that the Treasurer **be authorized** to sign any required documents necessary to complete the Expression of Interest and the Full Application to DMAF;

And furthermore that the Mayor and Clerk **be authorized** to sign any documents/agreements (if required) for the Expression of Interest and Full Application to DMAF, in a form satisfactory to the Town's Solicitor, financial content satisfactory to the Town's Treasurer and technical content satisfactory to the Town's Engineer.

Background

The Government of Canada launched the Disaster Mitigation and Adaptation Fund (DMAF), a national merit-based program that will invest $2 billion to support large-scale infrastructure projects to help communities better manage the risks of disasters triggered by natural hazards. DMAF projects will support the Government of Canada's objectives laid out in the Pan-Canadian Framework on Clean Growth and Climate Change.

DMAF projects must have a minimum of $20 million in eligible expenditures. Project bundling is possible under the DMAF (i.e. a project comprising several sub-projects with a total value of more than $20 million in eligible costs). The federal cost sharing and stacking limits for DMAF projects are up to 40% for municipalities.

The full details of the DMAF program are contained within Attachment No.1 to this report.

Town of Tecumseh, First Intake of DMAF

At the July 24, 2018 Regular Meeting of Council, Council approved the recommendations (Motion RCM-232/18) of Report No. PWES-2018-19 titled “Disaster Mitigation and Adaptation Fund – Expression of Interest” that authorized Administration to proceed with submitting the Expression of Interest and subsequent Full Application under the first intake of DMAF.

In the fall of 2018, the Town was successful with our Expression of Interest under DMAF and invited to proceed with the submission of the Full Application under the program. The Town submitted the Full Application in January 2019, which included the following bundled projects for a total of $30.70M:

- Manning Road Improvements, Phases 2 & 3 ($11.99M)
- Riverside Drive Trunk Sanitary Sewer ($2.80M)
- Scully & St. Mark’s Storm Pump Stations & Riverside Drive Trunk Storm Sewers ($15.91M)

On Friday May 31, 2019 the Town was made aware that we were unsuccessful with our Full Application under the first intake under DMAF.

Comments

Special Spring 2019 Flooding Intake of DMAF

On July 5, 2019 the Town received a letter from the Ministry of Infrastructure, Ministry of Municipal Affairs and Housing, and the Ministry of Natural Resources which identified a limited expedited intake to DMAF for projects supporting efforts for flood mitigation.

A subsequent email dated July 10, 2019 from the Ministry of Municipal Affairs and Housing provided additional details for the application process and deadlines. For municipalities that have a project (or bundled project) that can meet the minimum $20M project threshold, both

the Expression of Interest and the Full Application would need to be submitted to Infrastructure Canada by **August 1, 2019.**

Recommended Bundled Projects – Special Spring 2019 Flooding Intake of DMAF

DMAF projects must have a minimum of $20 million in eligible expenditures, and project bundling is possible under the DMAF in order to achieve this minimum.

Administration has compiled the following bundled projects by conducting a review of the current PWES 5-year Capital Works Plan and 10-year Outlook and the Town's Asset Management Plan for individual projects that would be:

(i) Relevant to the Town's Strategic Priorities;
(ii) Identified within the Town's Flood Mitigation Strategy;
(iii) Identified within the Town's Storm Drainage Master Plan (2019);
(iv) Have the ability to be designed and constructed within the DMAF program timelines;
(v) Based on the eligibility criteria and merit criteria listed for the Full Application under DMAF.

1) Scully & St. Mark's Storm Pump Station Improvements ($17.05M)

There are currently three vertical turbine pumps installed at the existing Scully pump station. No upgrades have been completed since the station was put into operation in 1974. The electrical equipment is approaching the end of its life. The St. Mark's pump station currently has two vertical turbine pumps and was constructed in 1957 and is also reaching its end of life. The current pump station structures on both sites cannot be expanded to accommodate the increased flow.

Based on the age of the pump station infrastructure at this location and through the modelling analysis, it is recommended that a new pump station is constructed at the Scully pump station site to handle flow from a consolidated service area of the Scully and St. Mark's pump stations. The new station would utilize vertical submersible axial flow pumps. The station would be located north of the existing structure and will require a new inlet and outfall pipe, and expanded outfall structure. The existing pump stations would be kept in service during construction.

Storm trunk sewer improvements and the redirection of storm drainage along Riverside Drive are required between Arlington Boulevard and the proposed consolidated storm pump station on the Scully site to convey flows from the existing St. Mark's storm pump station service area. The design of the storm trunk along Riverside Drive ranges from 1350 mm to 1500 mm in diameter.

With the proposed improvements of the storm trunk sewer along Riverside Drive and redirection of flows from the St. Mark's service area to the location of the consolidated Scully/St. Mark's storm pump station within the existing Scully site, sanitary sewer improvements are required along Riverside Drive due to potential conflicts with private drain connections of properties fronting Riverside Drive. To accommodate the new Riverside Drive storm trunk sewer from Arlington Boulevard to the new storm pump

station at the Scully storm pump station site, the following works are required beyond the storm sewer improvements:

- Lowering of the local Riverside Drive sanitary sewer by approximately 0.50 m between Arlington Boulevard and St. Mark's Road which currently outlets into the St. Mark's sanitary sewer. This local Riverside Drive sanitary sewer is proposed to be redirected to the Arlington sanitary sewer; and

- Lowering of the local Riverside Drive sanitary sewer by approximately 0.50 m between St. Mark's Road and Edgewater Drive and maintain the existing outlet to the Edgewater sanitary sewer.

2) P.J. Cecile Storm Pump Station Improvements ($9.70M)

There are currently two vertical turbine pumps installed at the pump station both equipped with 40 hp motors. No upgrades have been completed since the station was put into operation in 1974. The electrical equipment is approaching the end of its life.

Based on the age of the pump station infrastructure at this location and through the modelling analysis, it is recommended that a new pump station is constructed at the PJ Cecile PS site. Due to site restraints, the new pump station is proposed to be constructed over the footprint of the existing structure. The new station would utilize vertical submersible axial flow pumps. The installation of temporary pumps using portable pump stations is recommended to provide servicing during the construction. A new outfall pipe will be required to provide increased flow capacity. At this time, it is recommended to extend the new outfall to the northern end of the jetty bank to eliminate additional flow from entering the Beach Grove harbour, which is the location of the existing outfall. The inlet pipe to the pump station will be replaced with a larger diameter pipe in the existing alignment.

Bundled Project Timelines and Distribution of Costs

Year / Project	Scully & St Marks Storm PS Improvements ($ Millions)	P.J. Cecile Storm PS Improvements ($ Millions)	Totals ($ Millions)
2018	-	-	-
2019	-	-	-
2020	$0.90	-	$0.90
2021	$1.28	-	$1.28
2022	$1.00	-	$1.00
2023	$7.13	$0.80	$7.93
2024	$3.88	$1.50	$5.38
2025	$2.86	$3.94	$6.80
2026	-	$2.59	$2.59
2027	-	$0.87	$0.87
2028	-	-	-
Totals	$17.05	$9.70	$26.75

Consultations

Financial Services
Dillon Consulting Limited

Financial Implications

Should the Expression of Interest and the Full Application for funding be successful, the following financial implications arise if the grant application is approved:

Total net eligible project costs:	$26.75 M
Requested federal funding (max 40%):	$10.70 M
Amount to be funded by Town:	**$16.05 M**

Additional review will be undertaken to determine final funding sources but initial consideration would be to fund the Town's share of bundled projects from the following reserve funds:

Reserve Fund / Project	Scully & St. Mark's Storm PS Improvements ($ Millions)	P.J. Cecile Storm PS ($ Millions)	Total ($ Millions)
Road Lifecycle Reserve	$1.11	-	$1.11
Watermain RF	$0.41	-	$0.41
Wastewater Sewers RF	$0.37	-	$0.37
Storm Sewer Lifecycle*	$9.81	$4.35	$14.16
Total	$11.70	$4.35	$16.05
*DMAF Grant Applied between the projects			

The current allocation to the Lifecycle - Storm Sewer Reserves ($902,700) is intended for the replacement of the existing assets and not meant for 'level of service improvements'. There was no significant increase in the Lifecycle - Storm Sewer Reserves within the 2019 budget, however, it was intended that the 'level of service improvements' may be funded from the New Infrastructure Reserve (NIR) in the interim. This approach may find storm infrastructure projects competing for funding with other Council initiatives such as the Multi-Use Sportsplex and the Main Street CIP Streetscape project.

The Town's Asset Management Plan (AMP), last updated in 2018, incorporated the Town's 2016 Storm Pump Station condition assessment review, which included estimated rehabilitation costs. The rehabilitation costs contemplated did not consider level of service improvements. The review found that the pump stations were generally in good to fair condition and that rehabilitation costs of approximately $1.5 million would be necessary in the short-term.

However, the results of the Town's recent Storm Drainage Master Plan (2019 – northern urban area of Town) recommend significant improvements to the Town's storm pump station infrastructure in order to address surface flooding that will occur in extreme rainfall events, such as what the Town experienced in September 2016. Included in this Master Plan are the recommended improvements to the Scully/St. Mark's pump station service area and improvements to the PJ Cecile pump station service area with total estimated cost of $35.56 million related to storm infrastructure only. Of the total $26.75M costs for the bundled projects described in the previous section, $24.86M is attributable to storm infrastructure, specifically the three storm pump stations and the trunk storm sewers on Riverside Drive required to facilitate their construction.

The Town's AMP identified an annual funding shortfall of $1.2 million over the 20-year planning period incorporating the recommendations of the 2016 Pump Station condition assessment. This annual funding shortfall increases considerably should the Town pursue the recommendations contained within the Storm Drainage Master Plan.

Funding of new infrastructure or infrastructure enhancements should generally come from the New Infrastructure Reserve (NIR), however, it must be noted that the current annual allocation to NIR does not incorporate the results of the Town's recently completed Storm Drainage Master Plan.

Based on the projects identified in this report, the annual allocation to Lifecycle – Storm Sewer Reserves and NIR would have to increase by a combined amount of about $700,000 to reach an annual combined allocation of $1.6 million that would generate $16 million over a 10-year period allowed to complete these works to satisfy DMAF requirements.

Administration intends to undertake a funding strategy study for storm sewer infrastructure in 2020 as part of the annual PWES Capital Works Plan, which will include a review of the implementation of stormwater charges. The funding strategy study will be brought forward for Council approval through a separate report.

Link to Strategic Priorities

Applicable	2019-22 Strategic Priorities
☐	Make the Town of Tecumseh an even better place to live, work and invest through a shared vision for our residents and newcomers.
☒	Ensure that Tecumseh's current and future growth is built upon the principles of sustainability and strategic decision-making.
☐	Integrate the principles of health and wellness into all of Tecumseh's plans and priorities.
☒	Steward the Town's "continuous improvement" approach to municipal service delivery to residents and businesses.
☐	Demonstrate the Town's leadership role in the community by promoting good governance and community engagement, by bringing together organizations serving the Town and the region to pursue common goals.

Communications

Not applicable ☒

Website ☐ Social Media ☐ News Release ☐ Local Newspaper ☐

This report has been reviewed by Senior Administration as indicated below and recommended for submission by the Chief Administrative Officer.

Prepared by:

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Director Public Works & Environmental Services

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Director Financial Services & Chief Financial Officer

Recommended by:

Margaret Misek-Evans, MCIP, RPP
Chief Administrative Officer

Attachment Number	**Attachment Name**
1	DMAF Applicant's Guide
2	July 5, 2019 DMAF Letter

Infrastructure Canada

DISASTER MITIGATION AND ADAPTATION FUND

Strengthening the Resilience of Canadian Communities

APPLICANT'S GUIDE

Canada

Contact:
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This publication is available at: http://www.infrastructure.gc.ca/dmaf-faac/application-eng.html

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Strengthening the Resilience of Canadian Communities - Disaster Mitigation and Adaptation Fund (DMAF) - Applicants' Guide
Catalogue No.: T94-10/2018E-PDF
ISBN: 978-0-660-26613-8

Aussi offert en français sous le titre :
Renforcer la résilience des collectivités canadiennes : Fonds d'atténuation et d'adaptation en matière de catastrophes (FAAC) - Guide du demandeur

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INTRODUCTION

Residential homes on rue Jacques-Cartier in Gatineau, Quebec during severe flooding in 2017.

Over the past decade, almost every jurisdiction in Canada has experienced significant weather-related events or disasters triggered by natural hazards. The impacts of climate change are already becoming evident across Canada, with observed changes in air temperature, precipitation, snow and ice cover and other indicators.

In response to these threats, the Government of Canada has developed the Disaster Mitigation and Adaptation Fund (DMAF) to invest in the public infrastructure we need to mitigate the potential economic, environmental and social impacts of climate change, and strengthen our resilience to disasters triggered by natural hazards and extreme weather events.

The Climate Lens is a horizontal requirement applicable to DMAF. It has two components: the GHG mitigation assessment, which will measure the anticipated Greenhouse Gas (GHG) emissions impact of an infrastructure project, and the climate change resilience assessment, which will employ a risk management approach to anticipate, prevent, withstand, respond to, and recover from a climate change related disruption or impact.

The Climate Lens resilience assessment is integrated in the DMAF resilience assessment which is compatible with ISO 31000 on Risk Management. The DMAF resilience assessment also aligns with the guiding principles of systematic analysis of risk, pursuit of multiple benefits, and avoidance of unintended consequences. Therefore, DMAF Applicants are only required to conduct the GHG mitigation assessment (see Annex K).

DMAF Recipients will be responsible to report on Community Employment Benefits (CEB) for specific vulnerable populations.

This Applicant's Guide has been developed to provide Applicants with information about the DMAF application requirements and the evaluation and approval process, including the nature and type of information required to ensure a complete application.

1. DMAF OBJECTIVE AND PROGRAM ALLOCATION

Objective:

The DMAF is aimed at strengthening the resilience of Canadian communities through investments in large-scale infrastructure projects, including natural infrastructure projects, enabling them to better manage the risk associated with current and future natural hazards, such as floods, wildfires and droughts.

In doing so, the DMAF will contribute to the objectives of the Pan-Canadian Framework (PCF) on Clean Growth and Climate Change relating to building climate resilience through infrastructure and reducing climate-related hazards and disaster risks.

Program Allocation:

Budget 2017 earmarked $2 billion over 10 years for the DMAF.

2. PROGRAM DETAILS

The DMAF is a national, competitive, merit-based contribution program administered according to the Treasury Board (TB) Policy on Transfer Payments. All DMAF project proposals will be subjected to a merit assessment, with clearly defined point values for each of the merit criteria.

DMAF projects must have a minimum of $20 million in eligible expenditures. Project bundling is possible under the DMAF (details in Annex F).

3. ELIGIBLE RECIPIENTS

To apply for DMAF funding, the Applicant must be a legal entity capable of entering into legally binding agreements.

The eligible Recipients for DMAF funding are:

- a Canadian province or territory;
- a Canadian municipal or regional government established by or under provincial or territorial statute;
- a public sector body established by or under a Canadian provincial or territorial statute or by regulation or that is wholly-owned by a Canadian provincial, territorial, municipal or regional government;
- a Canadian public or not-for-profit post-secondary institution that is authorized - under the terms of a Canadian provincial, territorial or federal statute, or Royal Charter – to deliver post-secondary courses or programs that lead to recognized and transferable post-secondary credentials, that is working in collaboration with a Canadian municipality;
- a Canadian private sector body, including for-profit organizations and not-for-profit organizations. For-profit organizations will need to work in collaboration with one or more of the entities referred to above or with an eligible Indigenous recipient as defined in the first three sub-bullets listed under "eligible Indigenous recipients";
- eligible Indigenous recipients:
  - a band council within the meaning of section 2 of the Indian Act;
  - a First Nation, Inuit or Métis government or authority established pursuant to a Self-Government Agreement or a Comprehensive Land Claim Agreement between Her Majesty the Queen in right of Canada and an Indigenous Peoples of Canada, that has been approved, given effect and declared valid by federal legislation;
  - a First Nation, Inuit or Métis government that is established by or under federal, provincial or territorial legislation that incorporates a governance structure; and
  - a not-for-profit organization whose central mandate is to improve Indigenous outcomes, in collaboration with one or more of the Indigenous entities referred to above, a municipality, or province or territory.

IMPORTANT INFORMATION:

- Federal entities, including federal Crown corporations, are not eligible for funding.
- In the case of not-for-profit organizations whose mandate is to improve Indigenous outcomes, Applicants must provide INFC with a letter of support from one of the eligible Indigenous recipients indicated above, a municipality, or province or territory.
- Communities in Quebec will submit their projects directly to Infrastructure Canada, but, as is the current practice in existing Infrastructure Canada programs, all agreement will be signed with the Province of Quebec for projects administered by entities governed by the Loi sur le ministère du Conseil Exécutif, Chapitre M-30. The Province of Quebec will be responsible for the flow of funds to the recipients, who are responsible for project implementation.

4. COST SHARING AND STACKING LIMITS

The federal cost sharing and stacking limits for DMAF projects are as follows:

- up to 50% for provinces;
- up to 40% for municipalities and not-for profit organizations in provinces;
- up to 75% for, and in, territories;
- up to 75% for Indigenous recipients in provinces and territories (see Note below); and
- up to 25% for for-profit private sector recipients.

NOTE:

Indigenous recipients can access additional funding from any applicable federal source to a maximum federal contribution of 100% from all sources. Total Canadian government assistance will not exceed one hundred percent (100%) of total eligible costs for any project funded under this program.

Residential homes on rue Jacques-Cartier in Gatineau, Quebec during severe flooding in 2017.

5. ELIGIBLE EXPENDITURES AND INVESTMENTS

Investments under the DMAF must support infrastructure, which is defined as tangible capital assets that are primarily for public use or benefit, including natural infrastructure.

To be considered eligible, investments must be aimed at reducing the socio-economic, environmental and cultural impacts triggered by natural hazards and extreme weather events, taking into consideration current and potential future impacts of climate change in communities and infrastructure at high risk.

Eligible investments for infrastructure projects under the DMAF are:

- New construction of public infrastructure including natural infrastructure
- Modification and/or reinforcement including rehabilitation and expansion of existing public infrastructure including natural infrastructure

Eligible expenditures are costs considered by INFC to be direct and necessary for the successful implementation of an eligible project, not including those listed in section 6, below.

Eligible expenditures may include design and planning, capital cost, as well as costs related to meeting specific program requirements, such as the Climate Lens assessment(s), as well as creating CEB plans. Project expenditures become eligible as of the date of project approval, except for expenditures associated with Climate Lens assessments, which are retroactively eligible up to one year (12 months) maximum before the project approval in principle. However, these costs can be cost-shared only if a project is approved, a contribution agreement (CA) has been signed, and the conditions outlined in in the CA have been met.

Expenditure for land acquisition is eligible under the DMAF only for natural infrastructure projects. Eligibility will be conditional on the recipient submitting:

1. a justification, acceptable to INFC, of the need to acquire land as part of the project;
2. a demonstration of how the land will be used as natural infrastructure;
3. a demonstration of how the land will remain protected in perpetuity by a provincial, territorial and municipal government;
4. an attestation that the price is at or below fair market value.

An attestation template is included for guidance in Annex J.

NOTE:
All project cost estimates must be accounted for in accordance with the Public Sector Accounting Standards in effect in Canada.

6. INELIGIBLE EXPENDITURES AND INVESTMENTS

a. expenditures related to all emergency services infrastructure;

b. expenditures incurred before project approval, except for expenditures associated with the GHG assessment;

c. expenditures incurred for cancelled projects;

d. expenditures of relocating entire communities;

e. publicly-owned land acquisition;

f. land acquisition not directly linked to the development of natural infrastructure;

g. land acquisition in cases where it is the sole project component.

h. leasing of land, buildings and other facilities; leasing of equipment other than equipment directly related to the construction of the project; real estate fees and related expenditures;

i. any overhead expenditures, including salaries and other employment benefits for any employees of the recipient, direct or indirect operating or administrative costs of recipients including expenditures related to planning, engineering, architecture, supervision, management and other activities normally carried out by its staff, with the following exceptions:

   - the eligible recipient is able to demonstrate to Canada's satisfaction that it is not economically feasible to tender a contract; or
   - the arrangement is approved in advance and in writing by Canada.

j. financing charges, legal fees, and loan interest payments including those related to easements (e.g., surveys);

k. any goods and services expenditures which are received through donations or in-kind;

l. provincial sales tax and GST/HST, for which the recipient is eligible for a rebate, and any other expenditures eligible for rebates;

m. expenditures associated with operating expenses and regularly scheduled maintenance work;

n. expenditures related to furnishing and non-fixed assets which are not essential for the operation of the asset/project; and,

o. all capital expenditures, including site preparation and construction expenditures, until INFC is satisfied that the Environmental Assessment and Aboriginal consultation obligations have been met and continue to be met.

Bundling is permitted under the DMAF. Please refer to Annex F for more information.

IMPORTANT NOTE:

Any expenses related to contracts signed prior to the date of the project's approval in principle are ineligible except for those related to the GHG Assessment (details in section 5).

7. PROGRAM REQUIREMENTS

To be eligible for federal funding, all projects under the DMAF must:

1. comply with environmental assessment or federal policy requirements, ensure any Aboriginal consultations, and/or modern treaty obligations have been satisfied;
2. meet or exceed the applicable energy efficiency standards for buildings outlined in the PCF;
3. reflect the principles underlining the Federal Government's policies to promote linguistic duality and promote the development of official language minority communities;
4. meet or exceed the requirement of the highest published accessibility standard in a jurisdiction, defined as the requirements in the Canadian Standards Association Technical Standard Accessible Design for the Built Environment (CAN/CSA B651-12), in addition to applicable provincial or territorial building codes, and relevant municipal by-laws;
5. report on CEB for infrastructure projects. The framework for CEB has been designed to encourage Recipients to consider measures to increase access for specified groups to employment and other economic opportunities generated by their projects. These groups include apprentices, Indigenous peoples, women, persons with disabilities, veterans, youth, and new Canadians, as well as small, medium-sized and social enterprises (e.g., a business operated by a charity or non-profit organization);
6. comply with the Climate Lens, specifically the GHG assessment requirement; and
7. comply with the federal visibility requirements.

8. PROJECT APPLICATION PROCESS

DMAF Application Process

The DMAF has a two-stage application process:

- Step I: The **"Expression of Interest" (EOI) Application** (see guidance at Annex B); and
- Step II: The "**Full Application**" (see guidance at Annex C).

Step I: EOI Application

The completed EOI Application Form must be submitted to INFC before the deadlines, EOI timelines are available at http://www.infrastructure.gc.ca/dmaf-faac/index-eng.html. **The EOI Application is a mandatory component of the DMAF application process.**

Step II: Full Project Application:

Applicants with EOIs deemed eligible by INFC will be invited to submit a Full Application. The Full Application timelines are available at http://www.infrastructure.gc.ca/dmaf-faac/index-eng.html. Applicants must not submit a Full Application without receiving an invitation from INFC.

The Full Application is designed to capture information needed to assess the proposed project against the DMAF merit criteria and other federal requirements.

QUESTIONS:

Questions during the application process are to be submitted by email to infc.dmaf-faac.infc@canada.ca

9. PROJECT ASSESSMENT AND APPROVAL PROCESS

After the submission deadline for the EOI, INFC performs an eligibility assessment on all EOIs received.

After the deadline for submission of the Full Application, INFC conducts a merit assessment on all project applications.

IMPORTANT NOTE:
No applications will be considered after the EOI and Full Application deadlines.

To help ensure applications are finalized within the time allowed, INFC staff will be available to respond to any questions or concerns from Applicants.

As a final step, INFC prepares a recommendation for approval. The Minister of Infrastructure and Communities has authority to approve projects below $50 million in federal share.

NOTE:

- All Applicants will be notified of the outcome of their application.
- Projects outside the Minister's delegated authority will require additional time and information to support the TB approval.
- Projects that would require TB approval include:
  - Projects within the Minister's riding
  - Projects that involve federal assets
  - Projects submitted by for-profit recipients
  - Projects that require sole source contracting, unless:
    - > The procurement contract is under $25,000
    - > The procurement contract is under $100,000 where the contract is for the acquisition of architectural and/or engineering services
    - > A contract is with a public sector entity or
    - > Only one person or entity is capable of performing the contract

In cases where the Minister of Infrastructure and Communities, in consultation with the Minister of Public Safety and Emergency Preparedness, has identified a specific area of concern due to urgent and emergent situations, projects could be considered outside of the competitive intake process.

The Minister of Infrastructure and Communities approves in principle successful projects. However, Applicants should ensure that conditions outlined in the letter are respected. INFC will prepare a draft CA for the Applicants review and signature.

IMPORTANT NOTE:
The CA, signed by all parties, constitutes the formal approval of the project, therefore, INFC will not be able to reimburse any costs incurred until the CA is signed by Canada and the successful Applicant.

10. ROLES AND RESPONSIBILITIES

INFC is responsible for the implementation of the DMAF program, including reimbursement of claimed expenses incurred by Recipients, ensuring the proper use of federal funding, and monitoring projects and results.

INFC's role in a project is limited to making a financial contribution to the recipient for a specific project and consequently, INFC will have no involvement in the implementation of that project or its operation. INFC is neither a decision-maker nor an administrator of a Project.

INFC will not be financially responsible for any ineligible expenditures or cost overruns for a Project.

Applicants are responsible for filling in the application forms (EOI and Full Application) with true, accurate, and reliable information based on professional knowledge and the best available science.

Successful Applicants will be responsible for implementing the approved project(s) in accordance with the signed CAs.

11. CANADA INFRASTRUCTURE BANK

As part of the Government of Canada's *Investing in Canada Plan*, the Government established a new Canada Infrastructure Bank (CIB), providing up to $35 billion for investment in transformative infrastructure projects.

These investments will focus on large projects in the broad public interest, such as public transit systems, green infrastructure projects, and transportation projects of national or significant regional importance. At least $5 billion will be invested through the CIB in green infrastructure projects, including projects directed at the mitigation of and adaptation to the impacts of climate change and disaster triggered by natural disasters.

EOIs submitted to the DMAF will be shared with and reviewed by the CIB to determine whether any projects could benefit from CIB support. If so, the CIB may contact Applicants to discuss potential collaboration, but working with the CIB is optional and at the discretion of local jurisdictions. Please note the Bank's process would be separate from the DMAF process.

To learn more about the CIB, please visit the following web page:

http://www.infrastructure.gc.ca/CIB-BIC/index-eng.html

Wetland around White Trout Lake in Algonquin Park, Ontario.

12. PROJECT ASSESSMENT CRITERIA

The following table provides Applicants with guidance on the assessment criteria and related methodologies.

Table 1: Project evaluation details

EXPRESSION OF INTEREST

Expected Output: A list of eligible and ineligible projects

Screening Criteria	Methodology
1. **Quality and Completeness**	All fields are mandatory. An incomplete Application Form will not be considered for assessment.
2. **Address a** natural hazard	Every project needs to address at least one natural hazard.
3. **Public and Indigenous engagement**	Engagement with stakeholders such as Provinces and Territories (PTs), Indigenous communities, affected municipalities, and the general public is mandatory during the planning and/or design phase of the proposed project.

Eligibility Criteria	Methodology
1. **Project schedule**	Within the DMAF timeline (from May 2018 to March 31, 2028)
2. **Minimum Threshold**	$20 million total eligible costs
3. **Cost Sharing and Stacking**	Recipients need to meet this requirement. Details included in section D.2.
4. **Recipient Type**	Municipal, Regional, Provincial, Territorial, For Profit, Not-For-Profit and Indigenous communities. Details included in section 3
5. **Nature of the Project**	New construction, rehabilitation and/or expansion of an existing asset
6. **Asset Ownership, Use or Benefit**	The DMAF focuses on public infrastructure. Privately owned assets need to demonstrate public benefit.
7. **National Significance**	DMAF projects need to meet at least one of the national significance criteria (details in Annex B section C.5.)
8. **Alignment with the Program Objectives**	As described in section 1, DMAF projects must align with the program objectives.

FULL APPLICATION

Expected Output: A list of projects assessed against the merit criteria

Screening Criteria	Methodology
1. Quality and Completeness	An incomplete Application Form will not be considered for assessment.
Merit Criteria	**Methodology**
1. Assessment of the hazard risk	The DMAF focuses on the likelihood of the hazard risk **in consideration of the current and future climate change impacts within the asset lifespan**. The DMAF also considers socio-economic impacts including four key indicators (loss of lives, directly affected people as a percentage of the total population, local GDP loss, and population without essential services) as indicated in Annex C section J. Strong proposals include risk assessments that consider climate change impacts within the life cycle of the asset applying reliable quantitative and/or qualitative data such as Indigenous Traditional Knowledge and studies.
2. Extent to which the project strengthens resilience	Applicants must provide information on the expected risk impacts as indicated in Annex C section J for both before and after the project completion including quantifiable data for four indicators (expected number of lives lost; expected percentage of people affected including displaced, ill and injured; expected percentage of local GDP loss; and expected percentage of population without essential services). This quantifiable data for before and after the project will provide the basis to assess the improved resilience provided by the projects. Strong proposals demonstrate a substantial improvement to the asset resilience, in order to decrease socio-economic impacts on the population(s) exposed to a natural hazard risk.
3. Return on Investment (ROI)	The DMAF awards merit to projects that result in an ROI higher than 2:1. The ROI ratio measures the estimated disaster losses avoided within the asset life cycle. Details included in Annex C section D.5. Strong proposals demonstrate the capacity of the asset to reduce or avoid losses due to future natural disaster(s).

CONTINUED...

4. Project rationale	Applicants must provide an investment rationale which could include the options considered for their investment decision such as: 'do nothing'/ status quo, innovation/natural infrastructure, ROI, and GHG reduction. Additionally, Applicants must describe why the proposed project is the best and most appropriate option of addressing the natural hazard risk. Strong proposals demonstrate that the proposed project is the most effective infrastructure solution to the socio-economic impacts of the main natural hazard risk.
5. Promote the use of innovation	Applicants are required to provide details on how innovation is considered as part of their project including natural infrastructure, innovative technologies and/or global best practices in the asset design, operations, and management processes to better cope with a particular natural hazard risk and the risks posed by the increasing exposure to severe climate events. The DMAF awards merit to projects that offer effective solutions through unique innovative ideas to advance the DMAF objectives as indicated in section 1. Strong proposals consider innovative solutions that are proven to be effective in reducing the socio-economic impacts of the main natural hazard risk.
6. Project risk transfer management measures	Applicants must demonstrate that the proposed project comprehensively addresses the broad impacts of the hazard risk. An example of poor risk transfer management would be the construction of new dikes along a river to protect a segment of the floodplain that will confine the river, raise water levels upstream and increase the velocity (and therefore erosive power) of the river downstream. The new dike may reduce the hazard in the segment of river immediately adjacent to the structure, but will transfer risk to upstream and downstream communities. In this particular example, the objective of overall risk reduction will not be achieved. Strong proposals consider infrastructure solutions that address comprehensively and effectively the upstream and downstream impacts of the natural hazard risk.

CONTINUED...

7. Alignment with relevant plans, strategies and frameworks approved by the Municipal/ Provincial/ Territorial/Regional /National Government	DMAF projects are required to align with existing Municipal/Provincial/ Regional/Territorial/National plans, strategies, and frameworks as well as legislation and regulations more broadly. Projects that are non-compliant with legislation and regulations will not be considered. INFC will seek confirmation from Provinces and Territories on the required compliance. Additionally, there is merit in projects that advance the objectives of or are aligned with climate adaptation and mitigation plans, strategies, frameworks, policies, related asset management plans and land-use plans, etc., as this demonstrates strategic and coordinated action across levels of government. Strong proposals advance approved national and provincial/territorial/ Municipal adaptation and mitigation plans, strategies, and/or frameworks.
8. Public and Indigenous Engagement	Applicants must demonstrate that they have engaged or will engage with the province(s) or territory(ies) in which the project is situated, affected communities including Indigenous communities and the general public, external subject matter experts and/or academia, for profit and not-for-profit stakeholders. Strong proposals will provide details on engagement activities with relevant stakeholders during the project planning and design phases.
9. Risks associated with project management and implementation	Applicants must demonstrate the potential risks they could encounter during the project implementation. Strong proposals outline key risks and related mitigation strategies.
10. Project Benefits	The DMAF awards merit to projects that offer additional benefits to Canadians, such as addressing multiple hazards, and providing environmental value and/or protecting valuable cultural assets. For example, in order to limit critical infrastructure development in a floodplain, a DMAF project acquires flood-prone land to create an interconnected network of green space through land use and natural infrastructure solutions such as wetland restoration. The restored wetland will absorb, filter, and store rainwater. It could also provide additional benefits, such as: enhance the aesthetic value of space, improve air quality and contribute to public health. Strong proposals will offer infrastructure solutions that provide additional benefits to the community such as cultural and environmental value.

ANNEX A
DEFINITIONS

The aftermath of the 2015 forest fire in Jasper National Park in Alberta where over 5000 hectares of forest land were destroyed.

Adaptation

Adaptation refers to adjustments in ecological, social, or economic systems in response to actual or expected climatic stimuli and their effects or impacts. It refers to changes in processes, practices, and structures to moderate potential damages or to benefit from opportunities associated with climate change.

Actions / measures that reduce the negative impacts of climate change, while taking advantage of potential new opportunities.

Asset Dependency

One-directional reliance of an asset, system, network, or collection thereof, within and/or across sectors, on input, interaction, or other requirement from other sources in order to function properly.

Asset Interdependency

Mutual, shared or reciprocal Dependencies.

Source: PS

Co-benefits

The positive effects that a policy or measure with one objective might have on other objectives, irrespective of the net effect on overall social welfare. Co-benefits are often subject to uncertainty and depend on local circumstances and implementation practices, among other factors. Co-benefits may also be referred to as ancillary benefits.

Climate Change

Climate change refers to a statistically significant variation in either the mean state of the climate or in its variability, persisting for an extended period (typically decades or longer).

Sources: Intergovernmental Panel on Climate Change (IPCC)

Cultural Value

Cultural heritage assets that have been recognized as such by the community and/or any order of government.

Critical Infrastructure

Critical infrastructure refers to processes, systems, facilities, technologies, networks, assets and services essential to the health, safety, security or economic well-being of Canadians and the effective functioning of government.

Disaster

A serious disruption of the functioning of a community or a society at any scale due to hazardous events interacting with conditions of exposure, vulnerability and capacity, leading to one or more of the following: human, material, economic and environmental losses and impacts.

Source: United Nations International Strategy for Disaster Reduction (UNISDR)

Disaster Mitigation

A measure taken to reduce the negative impact of a disaster in order to protect lives, property, and the environment and reduce economic disruption.

Disaster Risk

The potential loss of life, injury, or destroyed or damaged assets which could occur to a system, society or a community in a specific period of time, determined probabilistically as a function of hazard, exposure, vulnerability and capacity.

Source: UNISDR

Disaster Risk Reduction

Disaster risk reduction is aimed at preventing new and reducing existing disaster risk and managing residual risk, all of which contribute to strengthening resilience and therefore to the achievement of sustainable development.

Source: UNISDR

Environmental Value

The value or worth a natural environment provides to a community or society that depends on that environment in one or more ways.

Essential Services

Essential services are those that contribute to the health, safety, security or economic well-being of Canadians and the effective functioning of government (e.g., communications, transportation networks, water supply, and reliable energy supply).

In the context of DMAF, these assets could include but are not limited to roads, bridges, public transit, power system, safety, and water and wastewater systems.

Exposure

A measure of the spatiotemporal extent (amount of space and time) that a person or asset is in the hazard area.

Source: UNISDR

Extreme Weather Events

Extreme weather includes unexpected, unusual, unpredictable severe or unseasonal weather; weather at the extremes of the historical distribution—(e.g., the range that has been seen in the past).

Source: IFWG State of Play Report (Natural Resources Canada Adaptation Platform)

Hazard

A potentially damaging physical event, phenomenon or human activity that may cause the loss of life or injury, property damage, social and economic disruption or environmental degradation.

Hazard Scenarios

Descriptions of what could happen in different circumstances/locations—including the potential hazard, the geographic location, the likelihood, the vulnerabilities, and the potential impacts.

Impacts

Refers primarily to the effects of one or more hazards on natural and human systems. Impacts generally refer to effects on lives, livelihoods, health status, ecosystems, economic, social, and cultural assets, services (including environmental), and infrastructure due to the interaction of one or more hazard events occurring within a specific time period and the vulnerability of an exposed society or system.

Source: IPCC

Indigenous

Refers to "Aboriginal" in the context of the meaning assigned by the definition *aboriginal peoples of Canada* in subsection 35(2) of the *Constitution Act, 1982*. An "Indigenous group" refers to a group, community or people that hold rights recognized and affirmed by section 35 of the *Constitution Act, 1982*.

Innovation

Solutions and technology, including the use of natural infrastructure, that result in better ways to manage increasing risks including those related to climate change.

Likelihood

The chance of an event or an incident happening, whether defined, measured or determined objectively or subjectively.

Multi-hazards

Refers to the multiple, different major hazards for a particular location.

Natural Hazard

A source of potential harm originating from a hydro-meteorological, environmental, geological or biological event. Examples include tornadoes, floods, glacial melt, extreme weather, wildland fires, earthquakes, tsunamis, etc. Each hazard is characterized by its location, intensity or magnitude, frequency and probability. (UNISDR, 2017)

Source: PS All Hazard Risk Assessment Guide (glossary)

Natural Infrastructure

Natural Infrastructure refers to the use of naturally occurring resources or engineered use of natural resources, to provide adaptation or mitigation services to the gradual and/or sudden impacts of climate change or natural hazards.

Pan-Canadian Framework (PCF) on Clean Growth and Climate Change

The Pan-Canadian Framework on Clean Growth and Climate Change is the plan developed with the provinces and territories and in consultation with Indigenous peoples to meet our emissions reduction targets, grow the economy, and build resilience to a changing climate. This plan includes a pan-Canadian approach to pricing carbon pollution, and measures to achieve reductions across all sectors of the economy. It aims to drive innovation and growth by increasing technology development and adoption to ensure Canadian businesses are competitive in the global low-carbon economy. It also includes actions to advance climate change adaptation and build resilience to climate impacts across the country.

Public Use or Benefit

Privately or publicly owned infrastructure that provides services essential to the health, safety, security or economic well-being of Canadians and the effective functioning of government.

Recovery and Replacement Cost

The cost eligible for disaster relief assistance from provincial and territorial governments.

Resilience

Resilience refers to the ability of a system, community or society exposed to hazards to resist, absorb, accommodate to, adapt to, transform and recover from the effects of a hazard in a timely and efficient manner, including through the preservation and restoration of its essential basic structures and functions through risk management.

Source: Sendai Framework and the UNISDR 2016

Risk

The potential loss of life, injury, or destroyed or damaged assets which could occur to a system, society or a community in a specific period of time, determined probabilistically as a function of hazard, exposure, vulnerability and capacity.

Source: UNISDR 2017

Risk Assessment

The overall process of risk identification, risk analysis and risk evaluation.

Risk Transfer

The process of formally or informally shifting the financial consequences of particular risks from one party to another.

Source: UNISDR

Return on Mitigation/Adaptation Investment (ROI)

A measurement of the estimated disaster losses avoided within the asset life cycle related to the DMAF project eligible expenditures.

Structural Assets

Includes man-made facilities such as dams, dikes, and other structures. Structural mitigation assets enable cities to be built along waterways and coastal areas.

Vulnerability

A condition or set of conditions determined by physical, social, economic and enviornmental factors or processes that increases the susceptibility of an asset or a community to the impact of hazards.

Flooded and frozen pond and forest in Prince-Edward-Island.

ANNEX B
DMAF EXPRESSION OF INTEREST FORM GUIDANCE

IMPORTANT INFORMATION:
All fields in the Application Form are mandatory. Incomplete applications will not be assessed.

A. RECIPIENT IDENTIFICATION

A.1. Lead applicant organization

Under section **A.1.a**, the Applicant must provide the full legal name of the applicant organization. This can include the province, territory, municipality, regional government, or other eligible entity that is applying to receive funds to deliver the project(s).

Under section **A.1.b**, Applicants are required to provide their mailing address.

Under section **A.1.c**, in cases where multiple Applicants are collaborating to submit a bundled project, it is expected that one Applicant will be responsible for the application on behalf of the other Applicants. The lead Applicant must provide its mandate, role in the project(s) and why it is best suited to undertake the project leadership role.

A.2. Applicant's primary and secondary contact information

Under **A.2.a**, Applicants must provide the name and title of the Applicant's primary contact. Under **A.2.b**, Applicants must provide the Applicant's secondary contact for the organization. Both contacts must be authorized to make decisions and representations on the project(s) including the mailing address, telephone number, and e-mail address. Under **A.2.c**, Applicants must provide the contacts for Environmental Assessment and Duty to Consult where it is different from **A.2.a** and **A.2.b**.

A.3. Lead Applicant Type

Applicants must choose the Recipient type of the lead organization. Check one only:

- Municipal
- Regional
- Provincial
- Territorial
- Indigenous Community
- Not-for-Profit Organization
- For-Profit Organization
- Post-secondary institution

IMPORTANT INFORMATION:
A partnership condition is required for post-secondary, for profit and not-for-profit organizations whose mandate is to improve Indigenous outcomes as per section 3.

A.4. Type of required partnership (for post-secondary, for-profit and not-for-profit organizations only)

Applicants must choose one of the following options:

- Municipal
- Provincial
- Territorial
- Indigenous communities
- Not-for-Profit

IMPORTANT INFORMATION:
This field applies only to for-profit organizations, not-for-profit organizations whose mandate is to improve Indigenous outcomes, and post-secondary institutions.

A.5. Project type

Applicants are required to specify whether the project is "Single" (single Applicant and/or location) or "Bundled" (multiple Applicants and/or locations).

A.6. Full legal names of other recipients (for bundled project only)

List of all Applicants included in the project application.

IMPORTANT INFORMATION:

All Recipients including the lead organization and others must be eligible as per section A.3 above.

A.7. Full legal names of the required partners (for post-secondary, for profit and not for profit organizations only)

Applicants must provide the full legal names of all partner organizations.

For example, a for-profit organization must establish a formal collaborative relationship through an agreement (e.g., Memorandum of Understanding (MOU)) with a municipality and/or province, and/or territory, and/or not-for-profit organization, and/or regional government, and/or Indigenous community.

IMPORTANT INFORMATION:

When used in reference to 1) for-profit organizations, 2) not-for-profit organizations whose mandate is to improve Indigenous outcomes, and 3) post-secondary institutions, the term "in collaboration" means DMAF eligible Recipients agree to work together (funding or in-kind) on a project or projects for their mutual interest.

B. PROJECT IDENTIFICATION

B.1. Project identifier

A unique alphanumeric value assigned by the Applicant. If the Applicant does not have a particular identifier for the project, INFC will generate a number.

B.2. Project title

A concise but meaningful description of the asset (structural and/or natural) to be built or enhanced and the hazard (s) to be addressed.

IMPORTANT INFORMATION:

Applicants must provide a description of the asset and the main natural hazard to be addressed (e.g., "Construction of a new floodwall (size) to retain recurrent river flooding for X, X, X municipalities located in floodplain in X province").

B.3. Project Description

A brief but meaningful description of the project, the scope of the project (including all major quantifiable components), and the expected project output(s).

IMPORTANT INFORMATION:

This information should be in plain language and suitable for public communications purposes.

B.4. Project Objectives

Applicants must outline the main project objectives and demonstrate alignment with the DMAF objectives.

B.5. Province(s) and/or territory(ies)

The province(s) or territory(ies) where the project would be located. If the project is in multiple jurisdictions, check all that apply.

B.6. Project location(s) (municipality/county/other)

Location of the project at the municipal level. If the project crosses different jurisdictions check all that apply.

B.7. Project civic address and gps location (geo-coordinates)

Under **B.7.a**, provide the civic address of the project (e.g., the address of the site where construction activity will occur, e.g., 180 Kent Street, Ottawa ON, K1P 0B6). For projects to be built over a large geographic area, use an address that represents the approximate center of the project, or the location where most of the construction will occur.

Under **B.7.b**, Applicants must provide the geo-coordinates including the latitude and longitude in the degrees, minutes, seconds format, (e.g., 45°25'04.9"N 75°42'05.5"W). Geo-coordinates will enable INFC to map investments for public information purposes.

C. PROJECT DETAILS

C.1 Nature of the project

Under section **C.1.a**, the DMAF Application Form provides three options, Applicants must check all that apply:

- New construction (new physical works)
- Rehabilitation (does not alter the purpose of existing infrastructure)
- Expansion (involves an increase e.g.,raising, lengthening or widening to the exterior dimensions or the production capacity of the infrastructure)

NOTE:
Each of these options may include natural infrastructure.

C.2. Project schedule

The project timelines must be within the program timelines (2018-2028). Under section **C.2.a**, Applicants are required to provide the estimated project site preparation date; under section **C.2.b**, the construction start date; and under section **C.2.c**, the estimated construction completion date.

C.3. Project results

List of the expected outcomes from the project(s), (e.g., "Structurally reinforced dike of 3 metres long by 2 metres high to handle X volume sea level increase over the next 50 years located on the northwest coast of the City of XXXX in the province of XXX.")

C.4. Key milestones schedule

Applicants are required to provide the schedule for key project milestones e.g., "Planning (Sept 2019 to Jan. 2020); Permit Approvals (Feb. to May 2020); Construction (Jun. 2020 to Sept. 2025)."

C.5. Project national significance

Projects will be assessed on their national significance, therefore under section **C.5.a**, Applicants must choose one or more of the following criteria that will apply to their investment:

1. Reduce impacts on critical infrastructure, including essential services, from impacts of climate change, disasters triggered by natural hazards, and extreme weather events;
2. Reduce the amount of critical infrastructure that is at high risk;
3. Reduce impacts on health and safety of Canadians;
4. Reduce significant disruptions in economic activity from impacts of climate change, disasters triggered by natural hazards, and extreme weather events;
5. Reduce costs of recovery and replacement (e.g., to the Government of Canada's Disaster Financial Assistance Arrangements (DFAA));and
6. Reduce impact on Canada's vulnerable regions, as identified in the PCF including Indigenous, northern, coastal, and remote communities.

Under section **C.5.b**, Applicants are required to provide a detailed description on how the proposed project will support the criteria selected.

C.6. Number of assets

Applicants must provide the number of proposed assets for funding under DMAF.

IMPORTANT INFORMATION:

C.7 to C.11 applies to each asset. Besides the asset number, Applicants must provide the name of each asset (e.g., new sea wall, bridge seismic reinforcement) (50 words maximum per asset name).

C.7. Type of assets

Under the DMAF, eligible infrastructure investments will support public infrastructure, defined as tangible capital assets, including natural infrastructure, primarily for public use or benefit.

Please indicate the type of asset being constructed or modified, Applicants need to choose one or both of the following options:

- Structural
- Natural

EXAMPLES:

- Structural: This would include projects such as the enhancement of a bridge to increase its structural capacity to withstand earthquakes. A sea wall and a retention basin would also be considered structural assets.
- Natural: A natural wildfire barrier and setback levees would all be considered natural infrastructure assets.

C.8. Asset lifespan

The lifespan of an asset is an estimation of the length of time the asset can reasonably be used to generate a benefit to the community. Useful lifespan of an asset depends upon the asset's age, the frequency of its use, the climate related impacts and the asset's maintenance policy. Additional factors that affect an asset's useful life include anticipated technological improvements, changes in laws/ regulations and economic changes.

For existing assets, Applicants should specify any life extension to be achieved through the DMAF investment.

C.9. Is the asset considered critical infrastructure?

Applicants must indicate whether the asset is a critical infrastructure, (e.g., provides essential services to Canadians). If "No", it is not necessary to respond to **C.10**.

C.10. Essential service(s) provided by the asset (IF response to C.9 is "yes")

Applicants must indicate the essential services provided by the proposed asset by choosing one or more of the following:

- Transportation Systems
- Power Systems
- Water Systems
- Wastewater Systems
- Stormwater Systems
- Safety
- Other

C.11. Asset ownership, use or benefit

Under section **C.11.a**, please indicate the type of asset ownership:

- Public
- Private
- Both

Under section **C.11.b**, certain conditions apply to assets that are privately owned. Applicants must choose one or more of the following uses or benefits:

- Benefits are direct and tangible to the community;
- Investments focus on essential services to Canadians (health, safety, security or economic);
- DMAF investments benefit all potential beneficiaries, and not particular individuals; and/or
- Public benefit surpasses private benefit.

IMPORTANT INFORMATION:

Applicants must ensure the assets are eligible under DMAF.

C.12. Project alignment with strategic mitigation and adaptation planning

Applicants are required to identify whether the project advances, aligns with or does not contradict existing and relevant plans, strategies and frameworks. These can include mitigation and adaptation plans, asset management plans, particular hazard strategic plans, climate change strategy or framework, and land-use plans at the municipal, regional, provincial/territorial, and national/federal levels. Please check related requirements under section K.5.

IMPORTANT INFORMATION:

- "Advance" means the project contributes to the achievement of the objectives of a specific plan, strategy and/or framework (e.g., "The FireSmart initiative advances the objectives of the Canadian Wildfires Strategy as it has been identified as an element of this strategy.")
- "Align" means the project is consistent with the objectives of a specific plan, strategy and/or framework, even though it may not contribute directly to the achievement of its objectives (e.g., the development of a specific fire prevention standard may align with the Canadian Wildfires Strategy but not be identified as a key element of the strategy).

Under section **C.12**, Applicants can choose one or more of the following types of documents to demonstrate the proposed project's alignment with existing planning initiatives:

- Legislation/Regulation
- Strategies
- Guidelines
- Frameworks
- Land-Use Plans
- Asset Management Plans
- Others

For each type of document, Applicants must provide details from **C.12a** to **C12.d**.

Under section **C.12.a**, Applicants must indicate the level of support the proposed project will provide to each of the options selected under **C.12**.

- Advances
- Aligns
- Does not contradict

Under section **C.12.b**, Applicants must indicate the order of government to which the documents selected under **C.12.a** belong to:

- Federal
- Provincial/Territorial
- Municipal/Regional

For each relevant document, Applicants must provide:

- Under section **C.12.c**, the title of the document
- Under section **C.12.d**, the web link(s) for each document (if available)
  - If a link is not available, Applicants must upload the documents

C.13. Public and Indigenous Engagement/ Support

This section requires Applicants to provide details on the level of consultation and engagement that has taken place or will take place during the planning and design phases.

Under section **C.13.a.1**, Applicants must confirm whether they have engaged or will engage with relevant stakeholders such as provinces/territories, Indigenous communities, affected jurisdictions (including potential risk transfer impacts outside the province or territory), and the general public during the planning and/or design phase of the proposed project. Applicants should refer to related requirements in section K.3. Under section C.13.a.2, Applicants must provide details on stakeholder and engagement activities.

Details of Indigenous engagement must be provided, such as:

- Under section **C.13.b**, a list of Indigenous groups notified. Applicants should refer to related requirements in section K.4.
- Under section **C.13.c.1**, confirmation of the interest of Indigenous groups in the project, and under section **C.13.c.2**, concerns or information gaps expressed by Indigenous groups, including details of particular concerns or information gaps
- Under section **C.13.d.1**, a confirmation that any outstanding concerns, issues or information gaps have been addressed and, if "no", Applicants must provide an explanation as to why they are outstanding under section **C.13.d.2.**

IMPORTANT INFORMATION:
C.13.f.1 and C.13f.2 must be answered at the Full Application Step II.

Under section **C.13.f.1**, Applicants must provide details on the engagement activities conducted during project planning and design with other relevant stakeholders including the general public, subject matter experts and/or academia, for-profit and not-for-profit organizations.

Under section **C.13.f.2**, Applicants must provide details of particular concerns raised by any of the groups indicated in **C.13.f.1**, as well as the means used to engage these groups including, but not limited to letters of support, consultation, and/or informal discussions.

C.14. Has the applicant considered a revenue model for this project?

A revenue model implies that the proposed project will be able to generate income (e.g., user fees, rentals). This information will be useful to the CIB (see section 11).

Street flooded under a viaduct in Laval-on-the-Lake Quebec, in May 2017.

D. PROJECT FINANCIALS

D.1. Total eligible cost

- Estimated Total Eligible Cost: provide an estimate of the total (e.g., all federal and non-federal) eligible cost for the project
- Estimated Total Federal Eligible Cost: provide an estimate of the total federal eligible cost for the project)
- Estimated Total non-Federal Eligible Cost: provide an estimate of the total non-federal eligible cost for the project

D.2. Project cost share

Under section **D.2.a**, Applicants must provide information on the federal cost-share funding. Under the DMAF, the federal cost-sharing and stacking limits of total eligible project costs are as follows:

- Up to 50% for provinces;
- Up to 40% for municipalities and not-for profit organizations in provinces;
- Up to 75% for, and in, territories;
- Up to 75% for Indigenous Recipients in provinces and territories (see **Note 1**); and
- Up to 25% for for-profit private sector Recipients.

Note 1:
Indigenous Recipients can access additional funding from any applicable federal source to a maximum federal contribution of 100% from all sources.

Under sections **D.2.b.** and **D.2.c**, Applicants must provide details for other sources of funding.

D.3. Cash Flow

Applicants must provide a breakdown of the cash flow per fiscal year (the federal fiscal year is from April 1 to March 31). The breakdown must be based on when expenditures will be submitted to Canada for reimbursement, not when they will be incurred. For example, if expenditures will be incurred in February 2019, but will not be claimed for reimbursement until April 2020, they would be listed in the 2020-21 fiscal year.

D.4. Class estimates

Under section **D.4.a**, Applicants must choose one of the following four options:

- **Class D:** estimates at the "Conceptual Design" stage. Contingency within 20% to 30%.
- **Class C:** estimates at the "Preliminary Design" stage, and may be referred to as pre-tendering estimates. Contingency within 15% to 20%.
- **Class B:** estimates made at the "Detailed Design" stage, when the project is ready for tendering. Contingency within 10% to 15%.
- **Class A:** estimates made after bids for a project have been received, evaluated, verified, and a contract has been awarded. Contingency within 5% to 10%.

Under section **D.4.b**, Applicants must indicate the percentage of project financial contingency included in the project estimates that are related to the total eligible expenditures.

EOI application attestation:

The EOI Application must be signed by an authorized senior official such as: Chief Financial Officer (CFO), Chief Administrative Officer (CAO), Chief Executive Officer (CEO), Certified Planner, and/or a Certified Engineer.

ANNEX C
DMAF FULL APPLICATION FORM GUIDANCE

Applicants whose projects pass the screening and eligibility assessment criteria (Step I) will be advised by INFC that they may proceed with the Full Application (Step II).

Project details submitted in parts A1 to D4 of the EOI Application will be available for Applicants during assessment of the Full Application; Applicants do not need to repeat the same information.

IMPORTANT INFORMATION:
Applicants must indicate whether information provided under the EOI Application has changed, and provide details of any changes to INFC. Major changes could affect the eligibility of the project.

D.5. Expected ROI ratio

The ROI is measured by the projected climate and disaster related losses avoided. An ROI ratio for the DMAF of 2:1 means that for every dollar spent under DMAF at least two dollars are anticipated to be saved in future natural disaster losses.

Under **D.5.a.**, Applicants must provide their project ROI and the formula used. The methodology outlined below is recommended for comparative purposes across all applications.

The following elements frame the ROI estimation approach:

- estimated quantifiable socio-economic and environmental damages (see Annex D for guidance);
- frequency of the main natural hazard events is based on its expected likelihood (e.g., once in 10 years, once in 20 years, once in 100 years);
- estimated damages on a yearly basis;
- number of years of the remaining lifespan of the funded asset including any life extension from DMAF investments; and
- DMAF project investment (total eligible cost).

Under section **D.5.b**, Applicants must provide each element of the formula including each amount:

- Estimated cost of damages in a yearly basis=Total estimated cost of damages/ Frequency of the main natural hazard events (once in X years)
- Cost of damages during the asset life cycle=estimated damages in a yearly basis*number of years of the remaining life span of the funded assets
- ROI=Cost of damages during the asset life cycle/DMAF project total eligible cost

The example below provides guidance on the ROI methodology developed for DMAF projects, however, Applicants can use other robust methodologies that consider losses/savings over the life cycle of the proposed asset related to the total eligible project cost. In either case, Applicants are required to provide the formula used for the ROI estimation.

EXAMPLE:
If a natural hazard is expected once every 10 years with estimated cost of damages of $100 million and the total eligible cost is $50 million:

$100 million estimated cost of damages/10 years

= $10 million yearly * 40 years (remaining asset life span including an extension from the DMAF investments)

= $400 million cost of potential damages over the life span of the asset / $50M project investment

= 8:1 (ROI)

E. PROJECT PLANNING

E.1. Project rationale

Applicants must provide a rationale for the selection of the proposed project to mitigate or to adapt to the identified natural hazards risk(s). This could include outlining options considered such as "do nothing/ status-quo", ROI, innovation, structural versus natural infrastructure, performance capacity, low carbon, implementation timing, scalability, capital cost, operations and maintenance cost, and feasibility.

Applicants must also provide details on how the proposed project would respond to the estimated risk impacts and why it is the best means of addressing that risk. (Please refer to section J).

E.2. Innovation (if applicable)

Applicants to the DMAF are encouraged to adopt innovative solutions such as natural infrastructure that could result in better ways to manage the increasing risks of natural hazards including those related to climate change.

Natural infrastructure could be innovative by design, operations and/or management process (e.g., strategically designed and managed wetlands could absorb pollutants before they flow into waterways, and protect downstream water supplies by directing more clean water to cities, thus controlling water flows and preventing sediment buildup that would otherwise choke streams and rivers).

Conventional grey infrastructure could offer innovative solutions to mitigate the impact of natural disasters such as pervious surfaces which make transportation more resilient by decreasing ponding and runoff during rainstorms.

E.2.a. Applicants must choose one of more of the following options:

- Design
- Functionality
- Process
- Other
- None

E.2.b. Applicants must provide details on how the innovative solution enables the project to meet its objectives.

E.3. Is the proposed asset included in an Asset Management Plan?

Applicants must confirm whether the proposed asset(s) is or will be included in an asset management plan.

E.4. Land acquisition

Under section **E.4.a**, Applicants must confirm if land acquisition is necessary and under section **E.4.b.**, Applicants must provide the date when it is expected to be secured.

Land acquisition costs are eligible under the DMAF only for natural infrastructure.

IMPORTANT INFORMATION:

In order to ensure that land acquisition is related to natural infrastructure only, proponents will be required to meet the information requirements indicated in section 5.

Under section **E.4.c.1**, indicate the project land ownership including federal, provincial/territorial, municipal, private and other. In case of multiple ownership, check all that apply. Under section **E.4.c.2**, in case of federal ownership, indicate the federal owner/ administrator by choosing from the seven options:

- Indian Reserve Lands – Northern Affairs Canada's (INAC)
- Indian Reserve Lands – First Nation
- National Park or Protected Area – Parks Canada
- Federal Agricultural lands – Prairie Farm Rehabilitation Administration
- Federal Airport lands – Airport Authority
- Federal Port lands – Port Authority
- Other (please specify)

Under section **E.4.c.3**, in case of "Other", Applicants must provide name of the organization, (e.g., the National Capital Commission or the Department of National Defence).

Under section **E.4.d**, Applicants must confirm if land acquisition is the sole project component.

E.5. Project benefits

Applicants must indicate if the proposed project offers additional benefits, Applicants must choose one or more of the following options: co-benefits, multi-hazard solution, GHG reduction, environmental and cultural value. For each option selected, Applicants must detail the expected additional benefit(s).

F. PROJECT MANAGEMENT

F.1. Project risk transfer management

Applicants must identify risks in the immediate area of the project, and must ensure that the proposed project does not transfer the risk to a neighbouring area or community (e.g., downstream effects of a flood protection project). Applicants must also provide a description of any risk transfer management strategies, guidelines or measures that will be adopted during the design and implementation of the proposed project.

F.2. Sole source contract

Under section **F.2.a**, Applicants must indicate if sole source procurement will be used.

If yes under section **F.2.b**, indicate who will be conducting the work, the amount of the contract, and the nature of the work under each sole source contract, for example:

> Name of the Company/Consultant/$40,000,000/ Project Supervision

Under section **F.2.c**, Applicants must explain why sole source contracting will be used (e.g., specific and unique expertise and/or particular technology to address an important issue).

F.3. Project risks and related mitigation measures

DMAF projects can be complex. They may involve the use of innovative technologies; require proponents to coordinate activities with multiple Recipients; assess and address different type of hazards; and manage varying availability of consultants and supplies, among other challenges.

Applicants must detail the expected risks to the project as well as identify measures to mitigate their impacts.

G. LEGAL, REGULATORY AND OTHER REQUIREMENTS

G.1. Legal, Regulatory and other Requirements that apply to the Project

Applicants must identify any legal, regulatory and/or other requirements that apply to the project, and demonstrate how the project will adhere to all applicable federal and provincial legislation. Additionally, Applicants should identify any particular standards that will be applied to address a specific hazard(s).

G.2. Environmental Assessment requirements under a Modern Treaty /Northern Regime

Under section **G.2.a**, Applicants must confirm if the project is subject to the environmental assessment requirements under a Modern Treaty and/or Northern Regime.

Under section **G.2.b**, Applicants must confirm if the project is designated according to the *Canadian Environmental Assessment Act, 2012* related to physical activities at either of two levels:

1) The project involves the construction, operation, decommissioning or abandonment of the following infrastructure:
   a) Electrical transmission lines
   b) Electrical generating facility
   c) Structure for the diversion of water including dam, dyke or reservoir
   d) Canal, lock or structure to control water level
2) If any part of the project or activities are proposed within a wildlife area or migratory bird sanctuary.

If the project is designated under section **G.2.b**, Applicants must indicate in section **G.2.c** whether a project description has been provided to the Canadian Environmental Assessment Agency (CEAA) according to Section 8(1) of the Act.

G.3. Environmental impacts

Under section **G.3.a**, Applicants must indicate whether the project requires vegetation clearing. If yes, under section **G.3.b**, indicate the type of area(s) where vegetation will be cleared by selecting one or more of the following:

- Along a roadside
- Forested area
- Wetland
- Developed area
- Undeveloped area

Details are to be provided under section **G.3.b.2**.

Under section **G.3.c**, indicate if the project involves water by selecting one or more of the options provided:

- In water
- In a wetland
- Over/under water
- That could cause impacts to water
- Within 30 meters of a water body
- N/A

G.4. Other environmental impacts

Additionally, under section **G.4.a**, Applicants must indicate if the project is expected to have other environmental impacts. If yes, Applicants must provide details under section **G.4.b**, (e.g., excess noise or dust, or impacts on land access, archaeological, cultural, or ceremonial sites).

G.5. Contaminated sites

Under **G.5.a**, Applicants must indicate if the project is located partly or entirely on land that may be contaminated by previous activities. If yes, under **G.5.b**, Applicants must provide the type of environmental assessment(s) that has been undertaken. Please check related requirements under section K.1.

G.6. Other government requirements and involvement

Under **G.6.a**, Applicants must state whether the project requires a provincial environmental assessment.

Under **G.6.b**, Applicants must confirm whether another order of government has a legal duty to consult Indigenous groups in relation to the project.

G.7. Permits required for this project

Under **G.7.a**, provide the list of all provincial or territorial environmental permits that may be required for the project.

Under **G.7.b**, provide the name of other federal departments/agencies that require or may require the proponent to obtain an environmental permit, authorization or license for the project.

Under **G.7.c**, indicate the status of the construction permit required for the project. This information will enable INFC to understand the project readiness status.

G.8. Description of the high standards and/or best practices to address the main natural hazard

Applicants must identify any particular high standards (such as the Canadian Standards Association (CSA) and International Organization for Standardisation (ISO)), or best practices that will be applied to address a particular hazard(s).

G.9. Net increase or net reduction in GHG emissions after the project completion

A Climate Lens - GHG Mitigation Assessment following the ISO 14064-2 specifications will provide meaningful insight into the degree to which the project is able to reduce GHG emissions and encourage improved investment options that are consistent with shared federal, provincial, and territorial objectives articulated in the PCF. This includes the broader commitment to reduce Canada's GHG emissions by 30 percent below 2005 levels by 2030.

Based on the GHG assessment, Applicants must choose one of the GHG net reduction or increase ranges provided in the Application Form.

- Increasing greater than 20%
- Increasing between 10% and 20%
- Increasing between 0% and 10%
- Reducing between 0% and 10%
- Reducing between 10% and 20%
- Reducing greater than 20%
- Not available at this time

G.10. Accessibility standards

Under **G.10.a**, Applicants must indicate if the standards belong to the federal/national, provincial-territorial, municipal government, other, none and, under **G.10.b**, the title of the applicable standards (e.g., CAN/CSA-B651-04).

G.11. Energy efficiency requirements

Under **G.11.a**, Applicants must choose one or more of the following seven options to indicate the energy efficiency standard they propose to meet with their project (e.g., asset design and operations):

- PCF standards
- Energy efficiency regulations
- Energy Code
- National Building Code
- Provincial/Territorial codes
- Other (such as LEED)
- None

If "Other" is selected, Applicants must give details in **G.11.b**.

G.12. Public sensitivities

G.12.a requires Applicants to indicate whether there are any concerns related to public or media perception of the project, or any investment priority changes to consider. If yes, details are to be provided in section **G.12.b**.

Bridge across the Elbow River in Calgary, Alberta in 2013.

H. MAIN NATURAL HAZARD

The Hazard Risk Assessment (details in Annex E)

Applicants are required to confirm the data source and type for hazard risk indicators as per section H.1.

For the main hazard in an affected area, Applicants must provide **two risk assessments:**

1. **Current** Risk Assessment (e.g., the identified hazard impacts on the identified area, before the DMAF project is completed); and
2. **Future** Risk Assessment (e.g., the identified hazard impacts on the identified area, **after** the DMAF project is completed to demonstrate the expected improvement in resilience after project completion).

Applicants must demonstrate how the proposed project will reduce the identified natural hazard risks on the identified area. Consideration of climate change impacts and the asset vulnerabilities must also be included in each of the two risk assessments.

H.1. Data type and sources?

Under section **H.1.b**, Applicants must provide the data sources for the following indicators:

IMPORTANT INFORMATION:

These data relate to the indicators used under sections I, and J.

- Main hazard likelihood as indicated in section I
- Loss of lives and missing people as indicated in section J.1
- Directly affected people as indicated in section J.2
- Local GDP losses as indicated in section J.3
- Population without essential services as indicated in section J.4

Data sources must be provided following this template:

Author-Creator/Title/Publication Date/Identifier or Web link

Author/Creator - This could either be the personal name of the researcher, or the institution that collected the data.

Title - Include the full title as it appears in the record for the dataset.

Publication date - Most datasets include a publication date.

Identifier and/or Web Link - Most published datasets should have some sort of a unique identifier and a URL address.

EXAMPLES:

Statistics Canada/CANSIM-381-0036/Q42017/ web link

Chiotti, Q. and Lavender, B/Impacts to Adaptation: Canada in a Changing Climate /2007/web link

Under **H.1.a**, Applicants must choose the primary data source type including historical (past events), and projected (future events in consideration to climate change impacts within the asset lifespan).

Additionally under **H.1.b**., Applicants must choose if the primary data is qualitative (e.g., Indigenous Traditional Knowledge, interviews, focus groups) and/or quantitative data (surveys, modelling, studies, specific indicators) using the best available science.

H.2. Main natural hazard

Applicants must indicate the main natural hazard the project(s) is/are addressing such as flood, hurricane, tsunami, earthquake, wildland/urban interface fires, sea level rise, drought, erosion, or permafrost thaw. Additional hazards the project is addressing should be indicated as project benefits in section E.5.

IMPORTANT INFORMATION:
Human-caused or malicious hazards are not eligible under DMAF.

H.3. Hazard details

Applicants must provide a detailed description of the hazard, including:

- **Context:** describe the threats of concern and how they may affect the community.
- **Type of** natural hazard**:** *climatological* (e.g., extreme temperatures, drought and wildfires); *geophysical* (e.g., earthquakes, landslides, tsunamis); *hydrological* (e.g., avalanches and floods); *meteorological* such as (hurricanes and storms/wave surges).
- **Magnitude rate** (e.g., the Richter Scale) or **intensity scale** (e.g., Saffir-Simpson wind scale for hurricanes).
- **Speed of onset:** slow-onset hazards (e.g., drought, sea level rise, and coastal erosion) and rapid-onset hazards (e.g., floods, wildland fires, and earthquakes).
- **Duration:** seasons or years, days or weeks, minutes or hours.

H.4. Total area exposed

Applicants must provide an estimate of the area in square metres, square kilometres or hectares that would be impacted by the hazard.

H.5. Asset's vulnerabilities to the main natural hazard (for existing assets only)

H.5.a requires Applicants to identify key vulnerabilities to existing asset(s).

Applicants must select all the options that apply (where the information is available) including location, structure (including cumulative impacts of natural hazards), materials, age, dependencies (physical, cyber, geographic and logical), interdependencies (between assets that could produce a cascading effect), performance, compliance, accessibility, monitoring, other.

Under **H.5.b**, Applicants must provide details on how the consequences of these vulnerabilities are factored into the expected impacts (section J).

H.6. Current risk management capacity (for existing assets only)

Applicants must choose one or more options concerning the asset risk management capacity, including strategies (e.g., Access/stability of the asset site, built-in redundancies and lifelines back-up, warning systems) and controls that enable them to identify, evaluate, and control the expected risks. This will ensure effective and efficient asset operations that could minimize potential infrastructure failures and related interruptions in essential services.

H.7. Name of community(ies) at risk

Identify the community or communities at risk, using the legal name of each community.

H.8. Total population at risk

Applicants must provide the total population at risk (e.g., 500,000 people).

H.9. Affected Area – geographical boundaries

Provide the geo-coordinates of the area at risk, expressed in the degrees, minutes, seconds format (e.g., Latitude boundaries: 42°10'00" N to 83°01'11"N and Longitude boundaries: 53°10'01" W to 141°01'10"W).

H.10. Measures adopted to improve the asset resilience

Provide a description of the structural and/or management measures adopted to improve the resilience of the asset towards the main natural hazard.

I. LIKELIHOOD

I.1. Likelihood of occurrence

Applicants must indicate the likelihood (taking into account current and future climate change impacts) of the specified natural hazard by selecting one of the following:

- Once in 10 years or less
- Once in 10-30 years
- Once in 30-100 years
- Once in 100-200 years
- Once in 200 years or more

IMPORTANT INFORMATION:

For slow onset hazards not triggered by a specific event (e.g., sea level rise, erosion), Applicants must choose the timeframe for the likelihood based on the impacts they propose to address.

Flooded area around the Stampede Grounds in Calgary, Alberta.

J. IMPACTS (BEFORE AND AFTER THE PROJECT)

The expected impacts should include consideration of magnitude or intensity of the main natural hazard of concern, the exposure and vulnerability of the population and the asset, as well as the capacity of the community to cope with the expected impacts. The impacts should be calculated before and after project completion.

Applicants are expected to incorporate disaster risk reduction and adaptation measures into the proposed project to better position communities to reduce and manage disaster impacts more broadly.

J.1. Loss of life/missing people

Choose one of four options:

- Greater than 30 lives lost or people missing
- Greater than or equal to 10 and lower than or equal to 30
- Less than 10
- Unknown

J.2. Percentage of people directly affected

This refers to the percentage of people who may be affected (e.g., displaced, ill, injured as a result of the specified hazard risk, expressed as a percentage of the population in the affected area). For most disasters triggered by natural hazards, the number of people affected is significantly higher than the number of lives lost or missing people. Applicants must choose one of the following four options:

- Greater than 15%
- Greater than or equal to 5% and lower than or equal to 15%
- Less than 5%
- Unknown

J.3. Percentage of local Gross Domestic Product (GDP) loss

The DMAF measures direct economic loss attributed to disasters in relation to the local GDP. The GDP measures economic activity that generates income through wages, profits, or the use of capital. It does not measure direct losses to wealth or assets, such as homes or vehicles, nor does it measure the impacts to critical infrastructure or private capital, but is nonetheless an important way to gauge local economic impact.

Applicants are required to estimate the expected local GDP loss based on total cost of the estimated damages (total estimated damages/local GDP 2018). The GDP is available through Statistics Canada's quarterly GDP figures at the census metropolitan area (CMA) level as well as 9 non-CMA regions within the country. For municipalities not included from these two Statistics Canada data sets, Applicants could use alternative indicators to measure the economic impact such as provincial GDP or loss of property value (%) through changes in municipal asset inventory (total estimated damages/municipal asset inventory 2018).

Applicants must choose one of the following four options:

- Greater than 5%
- Greater than or equal to 2% and lower than or equal to 5%
- Lower than 2%
- Unknown

J.4. Percentage of population without essential services

One of the DMAF objectives is to protect communities from critical infrastructure failures and related interruptions in essential services. Applicants are required to estimate the impact on critical infrastructure that provide essential services to their communities, taking into consideration elements indicated in section H.5 and section H.6. Applicants must indicate the percentage of the population in the affected area that could be without essential services by choosing one of the following four options:

- Greater than 20%
- Greater than or equal to 2% and lower than or equal to 20%
- Less than 2%
- Unknown

K. REQUIRED DOCUMENTS

K.1. Environmental assessment reports

In the case of contaminated sites, Applicants must provide a copy of the assessment reports in .pdf format including (if applicable):

- Phase I
- Phase II
- Phase III
- Other

K.2. Project location map

Applicants must provide a map of the project location in .KML format. (Instructions on the use of .KML files are provided in Annex I.)

K.3. Indigenous concern tracking table (consultation records)

Applicants must provide records of consultations with Indigenous groups. If a legal duty to consult with and accommodate, where appropriate, Indigenous groups arises, Applicants must follow the template included in Annex G. The file must be submitted to INFC in Word format.

K.4. Indigenous communications log (consultation record)

If applicable, Applicants must provide an Indigenous Communications Log, any letters of support and a sample of a notification letter to Indigenous groups (see Annex H).

K.5. Mitigation and adaptation plans, strategies and frameworks

If available, Applicants must submit adaptation and mitigation related plans, strategies and frameworks, legislation, regulations, policies at the Municipal, Provincial/ Territorial, Regional and/or National levels in pdf format.

K.6. Land adquisition attestation

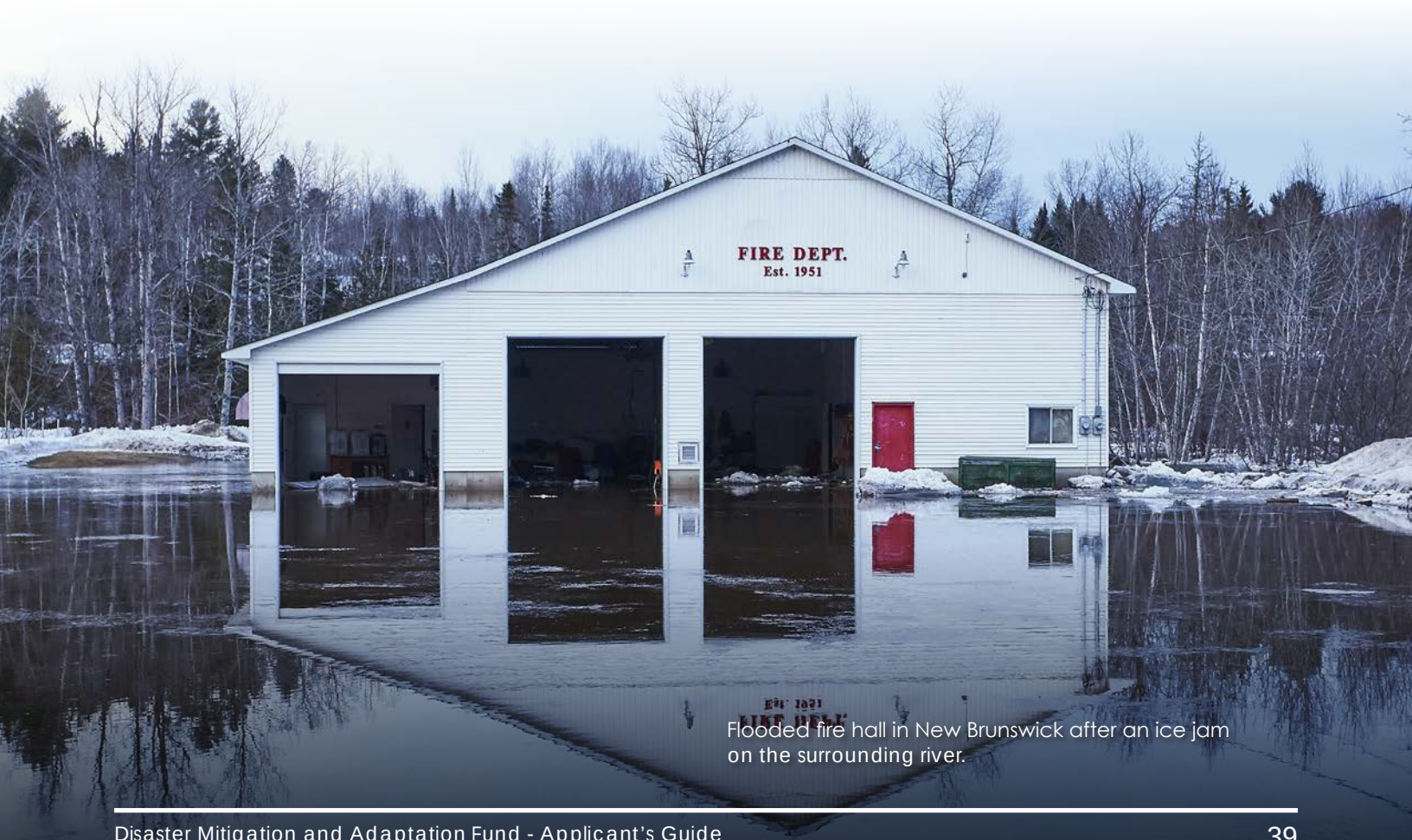
For DMAF projects that include land acquisition, DMAF applicants must provide an attestation sign by a senior official including the options indicated below (Full Application Attestation) (see Annex J).

K.7. GHG Assessment

The DMAF project should include a GHG assessment that follows ISO 14064-2 and it must be validated by a qualified engineer or a GHG Accountant certified under ISO 14064-3 or ISO 14065.

FULL APPLICATION ATTESTATION:

The Full Application needs to be signed by an authorized senior official such as: Chief Financial Officer (CFO), Chief Administrative Officer (CAO), Chief Executive Officer (CEO), Certified Planner, and/or a Certified Engineer.



Flooded fire hall in New Brunswick after an ice jam on the surrounding river.

ANNEX D
ESTIMATED SOCIO-ECONOMIC, ENVIRONMENTAL AND HERITAGE/CULTURAL DAMAGES

What are the damages/losses that your infrastructure project could prevent?

Damages and losses caused by natural disaster can include direct, indirect, tangible and intangible costs. An estimation of the amount of damage/loss to be addressed by the proposed infrastructure solution during its useful life cycle is essential to calculating the ROI.

Applicants must consider the kinds and extent of damages that apply to their projects in current dollars as of the year of the application:

Economic

- Public Infrastructure and utilities damages (e.g., bridges, roads, highways, ports, airports, water and wastewater systems)
- Essential service interruption (e.g., power, transportation, water supply, communications)
- Commercial and institutional building and structure damages
- Housing damages
- Business losses
- Local GDP losses
- Agriculture damages and losses (e.g., livestock, crops and pastures/land)
- Emergency response cost

Social

- Deaths and injury cost
- Displacement cost
- Employment, retention, hiring losses
- Health cost (e.g., chronic diseases, mental health, drugs and alcohol)
- Community well-being losses
- Productive capacity losses
- Homelessness cost
- Violence and crime cost
- Water, soil and air pollution cost

Environmental

Natural disasters could produce mixed outcomes for the environment: benefits to some parts of the natural system and losses to others; both should be considered in estimating the net impact.

- Bio-diversity losses
- Natural ecosystems and related impact to wildlife (e.g., damages to plants, forests, wetlands, ground water, soils)

Heritage and Cultural

These can be difficult to calculate. Applicants may wish to consult national, provincial and/or municipal inventories to obtain estimates of the dollar value assigned to these types of assets.

- Archeological and historical site losses
- Cultural and historical asset losses

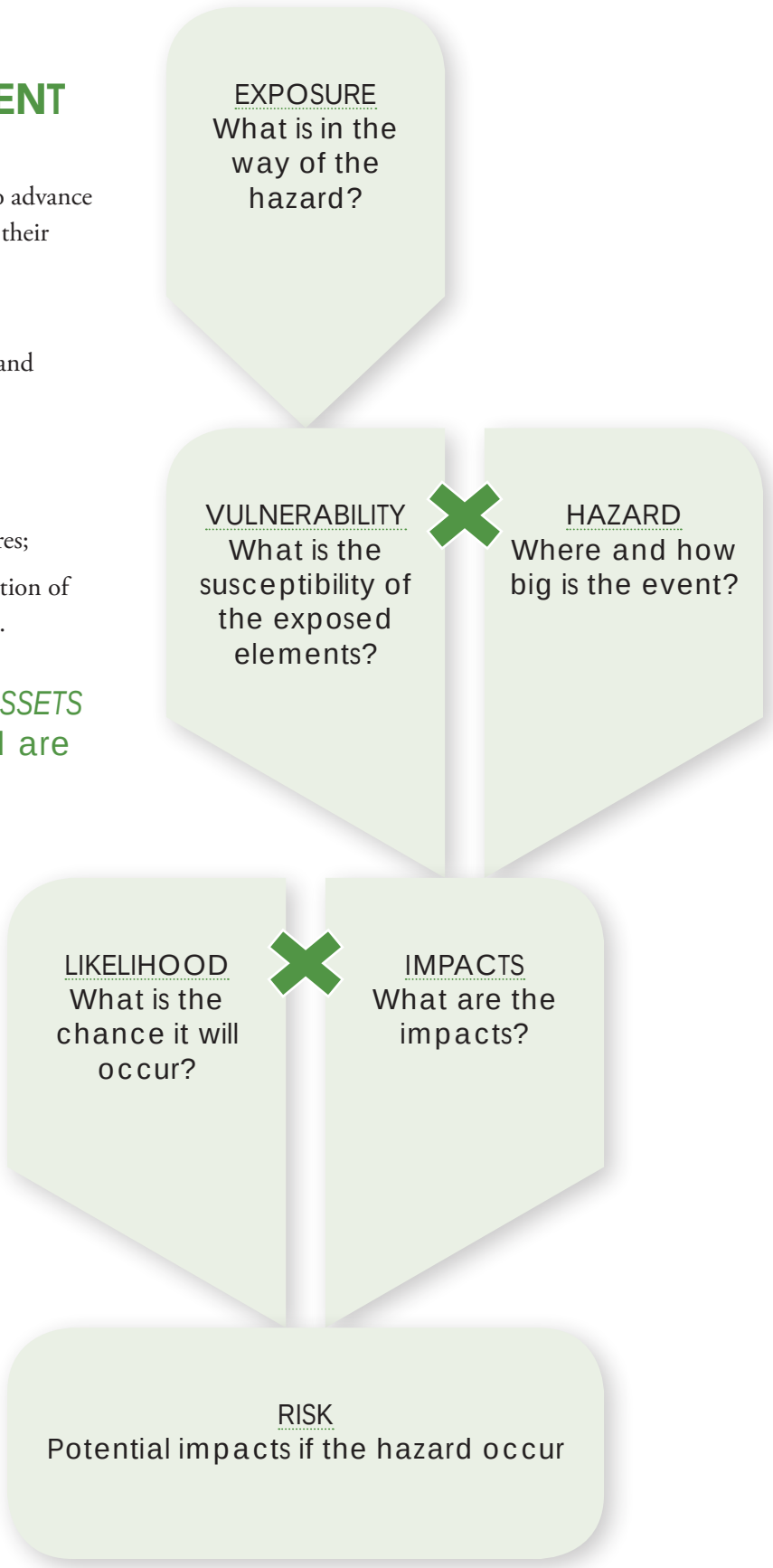
ANNEX E
HAZARD RISK ASSESSMENT

The DMAF aims to encourage communities to advance their risk management objectives and increase their resilience.

The full process of risk management includes:

- assessing and understanding natural hazard and related risk;
- stakeholder and community engagement;
- evaluating options;
- implementing mitigation/adaptation measures;
- monitoring the strategy (including re-evaluation of risk and planning for any unmitigated risks).

Risk exists when *PEOPLE OR ASSETS* are exposed to a hazard and are vulnerable to that hazard



1. **Assessing and Understanding Hazard(s) taking into consideration the current and future climate change impacts and related risks**

Natural hazards exist due to geographical and meteorological processes. Moreover, climate change makes natural hazards even more unpredictable in the long-term.

A risk assessment provides communities with essential information about which MITIGATION/ADAPTATION *INVESTMENTS* will produce the greatest economic and societal benefits. It allows a community to combine the knowledge of the natural hazard likelihood (in consideration of climate change impacts within the lifespan of the asset) with the vulnerability of the people and assets (structures and systems) exposed to the natural hazard(s) and assess the potential impacts.

The natural hazard likelihood is determined by modelling the extent, intensity, and likelihood of occurrence (hazard scenarios).

Under the DMAF, impacts are determined by socio-economic indicators (details in section J).

2. **Stakeholder and Community Engagement**

Effective investment decisions involve assessing the community's understanding of and tolerance for living with the potential risks, enabling the community itself to participate in deciding whether and what action should be taken. The DMAF encourages Applicants to engage with key stakeholders to promote these discussions early in the planning and design stages.

3. **Evaluating Options**

In order to increase effective action, communities in Canada must manage both existing and anticipated risks. Existing risks may be managed by protection (e.g., structural), accommodation (e.g., retrofitting and warning systems) or managed retreat (e.g., property acquisition). New risks may be best avoided by not exposing people or assets to the natural hazard (e.g., through land-use planning).

4. **Implementing Measures**

Risk reduction measures are put in place. These include any project investments under DMAF.

5. **Monitoring the Strategy**

Risk reduction measures should be monitored over the life of the asset to ensure risk levels continue to be mitigated as designed. Due to the unpredictable nature of climate change, it is advisable to re-assess risks periodically to identify any new variables such as changes to population or climate. It is difficult to completely eliminate risk.

The DMAF encourages proactive risk management planning to improve Canadian communities' resilience in order to limit the impacts of recurring disasters.

IMPORTANT INFORMATION:

Involving the community throughout the entire risk management process—from natural hazard identification through monitoring and assessment of results—promotes trust and ensures informed decision-making. Informed stakeholders help to create an environment of shared responsibility for improving community resilience.

ANNEX F
PROJECT BUNDLING REQUIREMENTS

The DMAF was created to provide funding for large-scale infrastructure projects that provide mitigation and/or adaptation benefits to at-risk communities. As such, the minimum threshold for any DMAF project is $20 million in total eligible costs.

Eligible Recipients may submit a bundled DMAF project application that includes more than one mitigation / adaptation investment (e.g., a project comprising several sub-projects with a total value of more than $20 million in eligible cost).

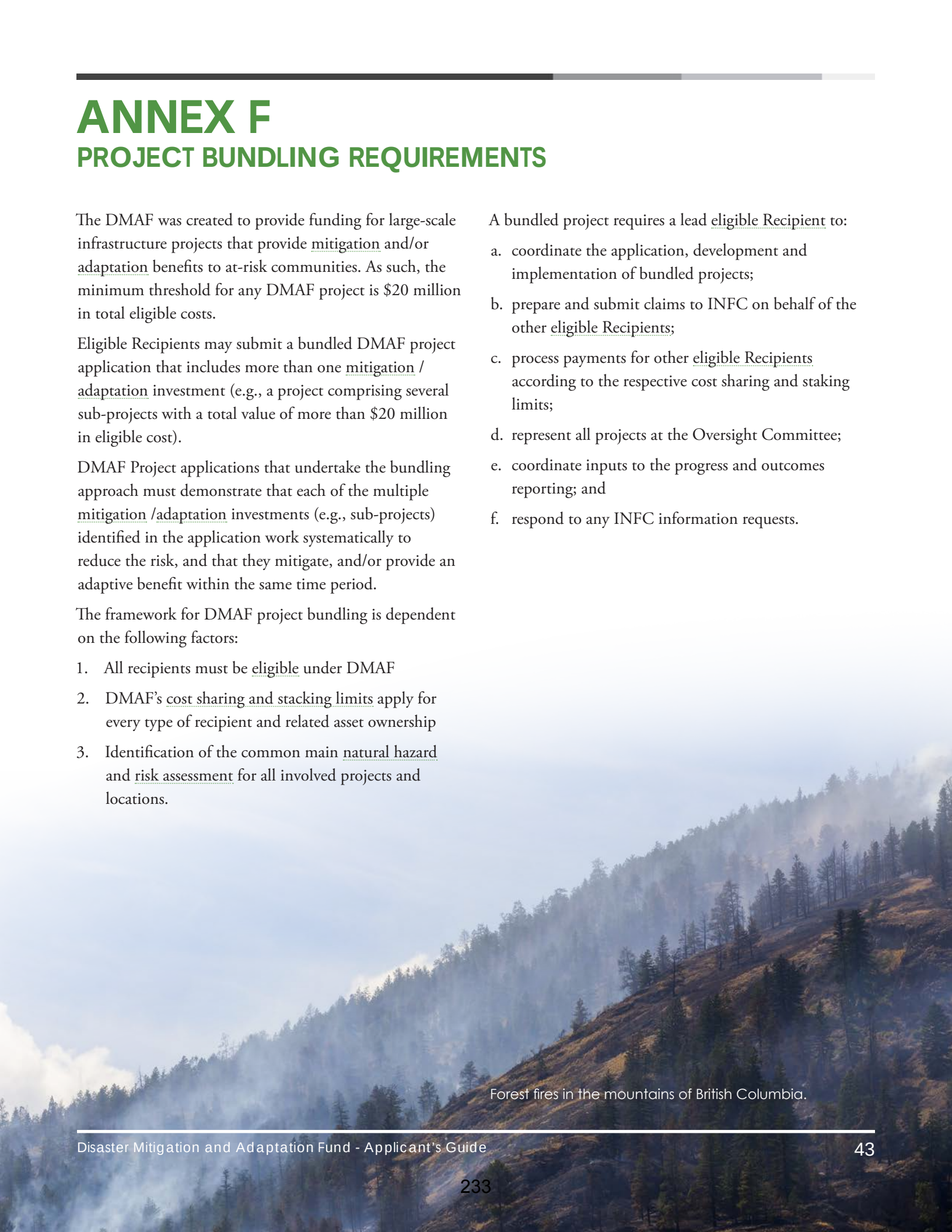
DMAF Project applications that undertake the bundling approach must demonstrate that each of the multiple mitigation /adaptation investments (e.g., sub-projects) identified in the application work systematically to reduce the risk, and that they mitigate, and/or provide an adaptive benefit within the same time period.

The framework for DMAF project bundling is dependent on the following factors:

1. All recipients must be eligible under DMAF
2. DMAF's cost sharing and stacking limits apply for every type of recipient and related asset ownership
3. Identification of the common main natural hazard and risk assessment for all involved projects and locations.

A bundled project requires a lead eligible Recipient to:

a. coordinate the application, development and implementation of bundled projects;
b. prepare and submit claims to INFC on behalf of the other eligible Recipients;
c. process payments for other eligible Recipients according to the respective cost sharing and staking limits;
d. represent all projects at the Oversight Committee;
e. coordinate inputs to the progress and outcomes reporting; and
f. respond to any INFC information requests.



Forest fires in the mountains of British Columbia.

ANNEX G
INDIGENOUS CONCERN TRACKING TABLE

Indigenous Group	Indicate the name of the group
#	1
Comment/ Concern/ Question Received	List all comments/ concerns/ questions from Indigenous groups. **NOTE: include detail of any further communication with the Indigenous group regarding content included in this entry, and the date(s) of the communication from the Indigenous group.**
Accommodation Suggested by Indigenous Group	
Response	Text here should describe how the concern is addressed by the response, or explain why the concern does not need to be addressed.
Accommodation (if applicable) proposed by proponent	Please include the text of the mitigation measure or accommodation measure that was implemented to address the identified issue/concern.
Issue Status[1]	Examples: • Issue resolved and no further action required • Issue unresolved or irresolvable • Issue ongoing and when/how it will be dealt with (e.g., regulatory decision, through environmental management plan, etc.)

1. For issue status, consider creating a legend with symbols for each possible status, e.g. √ for issue resolved, X for irresolvable, O for ongoing.

ANNEX H

INDIGENOUS COMMUNICATIONS LOG

Date	From	To	Indigenous Group Contact Details	Medium (e.g., email, letter, phone call)[2]	Communication Description	Nature of Concern(s)	Follow-up required? (yes/no)
dd/mm/yyyy	Proponent Name	Indigenous group Name	Contact Person Name Title (Chief) Mailing Address Phone Number Email	Letter	E.g. Requested a map showing the official limits of Indigenous reserves in proximity to location X	Fishing rights	Yes
dd/mm/yyyy	Proponent Name	Indigenous group Name	Contact Person Name Title (Chief) Mailing Address Phone Number Email	Phone call	E.g. Follow-up phone call to Indigenous group requesting a map showing the official limits of Indigenous reserves in proximity to location X be sent to the proponent.	Fishing rights	Yes
dd/mm/yyyy	Indigenous Group Name	Proponent Name	Contact Person Name Title (Chief) Mailing Address Phone Number Email	Email	E.g. Map was sent to proponent on xx/xx/xxxx date.	Fishing rights	No

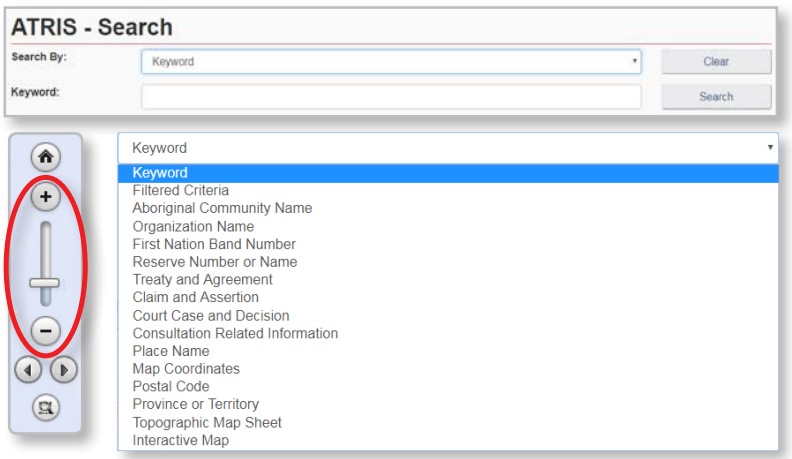
2. The proponent should ensure that any letters of support are sent to INFC for our files, including a sample of outgoing letters to Indigenous groups from the Applicants. INFC could require all correspondence with Indigenous communities/groups. To ensure transparency, Applicants should clearly communicate to Indigenous groups that information gathered during community engagement will form a component of the project submission to government; therefore, the engagement is not 'off the record', also termed without prejudice.

ANNEX I
HOW TO CREATE A .KML FILE

Applicants must provide their project location in one single format as a .KML file as described in section K.2. This simple file type is designed specifically for the visualization of geographic data, and it is compatible with the work we need to perform and provides an accurate and detailed representation of the project location.

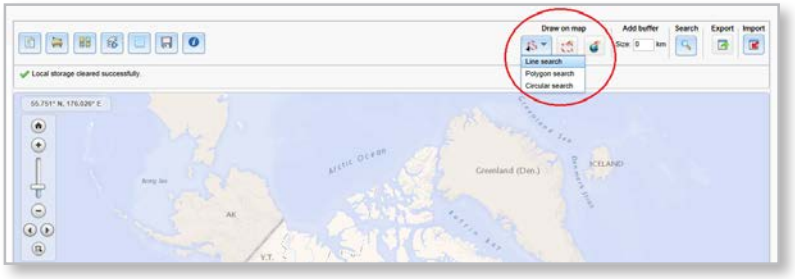
Using a .KML allows a variety of point, polygon, and line data to be represented spatially with detail and consistency. A .KML file can be created easily by anyone using INAC publicly available Indigenous & Treaty Rights Information System (ATRIS) web-based application or Google Earth.

Using ATRIS:

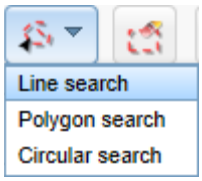
1. **Navigate to INAC's** publicly available ATRIS web-based application using this link:	http://sidait-atris.aadnc-aandc.gc.ca/atris_online/Content/Search.aspx
2. **Navigate to the project location in the map viewer**, either by clicking, dragging, and scrolling to zoom, or using the various search options available in the "Search By:" drop down menu.	

3. **Draw the project on the map** in the exact location using the "Draw on map" tools located in the top right of the ATRIS interface. Applicants may draw as many components of varying types (point*, line, polygon) as necessary to be saved as one single .KML file.

***ATRIS users will not be able to create a "point" geometry type in GIS terms, but the "Circular Search" option allows users to create circular polygons able to mimic points in terms of scale.**



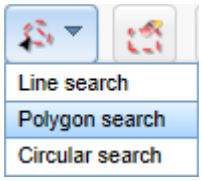
Drawing tools



Linear project components

Click as many times as necessary to create a line that represents the project feature. Double click to complete.

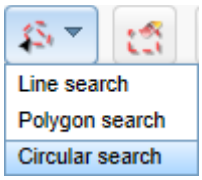
Examples include: roads, sewer lines, railways, pipelines, trails, transmission lines, etc.



Polygon project components

Click as many times as necessary to create a closed polygon that represents the project feature. Double click to complete.

Examples include: building footprints, vegetation cuts, sewer/ wastewater lagoons, etc.

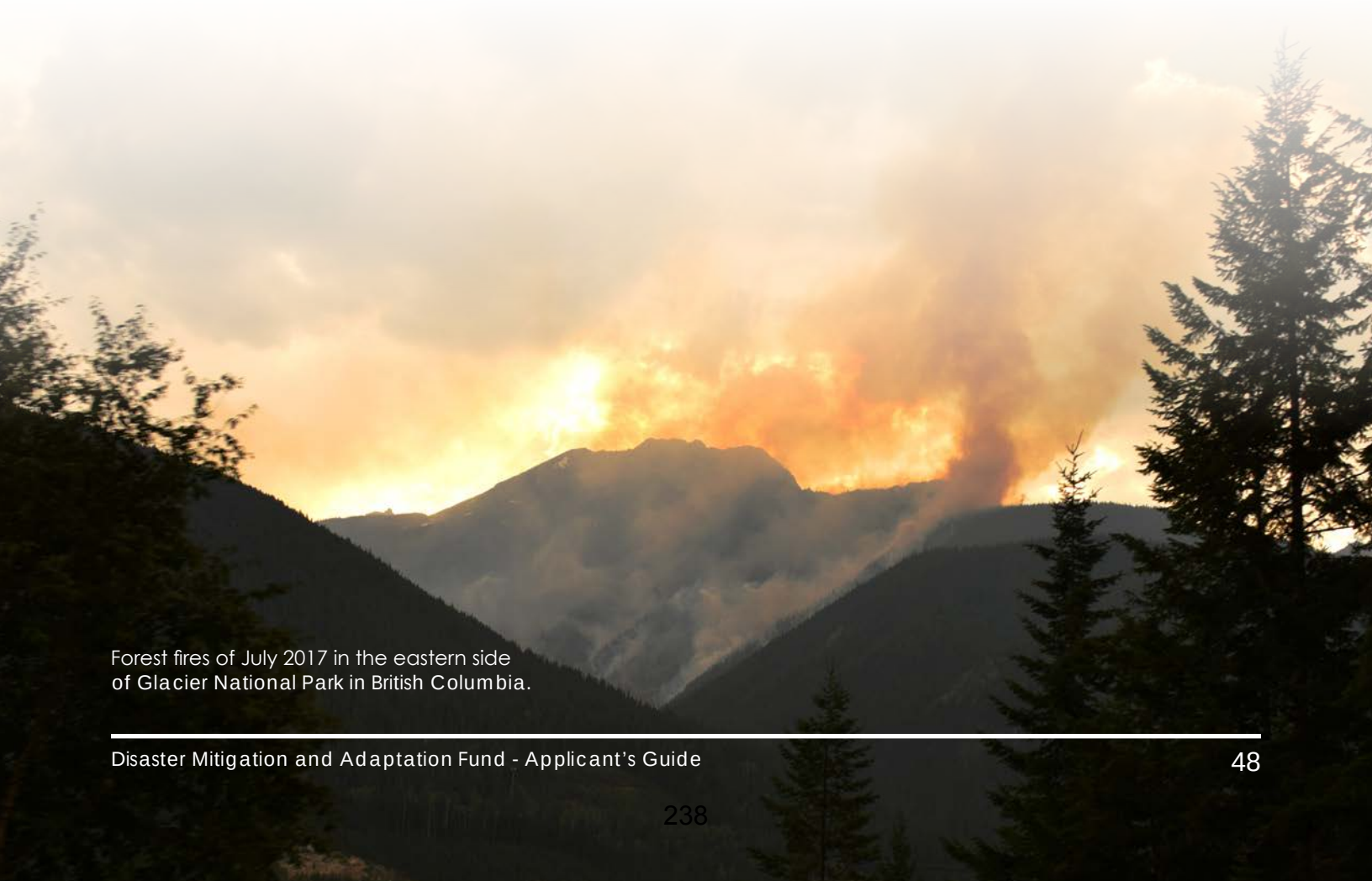


Point or circular project components

Click on the map to automatically create a circle. To create a smaller circle similar to a point, zoom in as close as possible on the map before clicking. Alternatively, click and drag, then release to draw a circular project feature yourself.

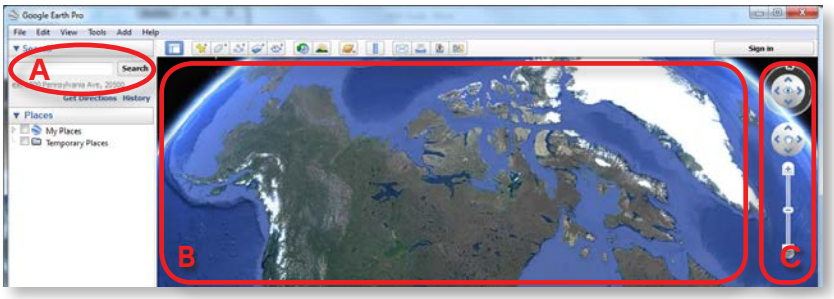
Examples include: wells, outfalls, culverts, etc.

Erase		**Erase by Extent:** Click and drag to create a shape around what needs to be deleted. Anything intersecting the box will be deleted when the mouse is released.
		Global Erase: This will erase everything on the map. Click OK when prompted to clear the map viewer and start fresh.
Export the file		The .KML file will download as 'SearchAreas.kml' (unless you have specified otherwise) to the location your browser is configured to save downloads to. The file name can be changed to something that reflects the project name before sending it to INFC. Once saved, the .KML file is now ready to be uploaded or sent via email.
Questions?	Should you need any further assistance with ATRIS, please visit the following link to find more information about ATRIS training webinars: https://www.aadnc-aandc.gc.ca/eng/1100100014686/1100100014687#sec1_1	



Forest fires of July 2017 in the eastern side of Glacier National Park in British Columbia.

Using Google Earth:

1. **Installation**	https://www.google.com/earth/desktop/
2. **Navigate to the project location** using one or more of the following options:	 A. Typing an address or coordinates in the search bar B. Clicking, dragging, and scrolling in the map viewer C. Using the navigation tools
3. **Draw the project on the map** in the exact location using the placemark, polygon, and path tools (pictured below). Applicants may draw as many components of varying types (point, line, polygon) as necessary.	

Aftermath on New Brunswick roads after floods.

Drawing Tools

Placemark: point project components.

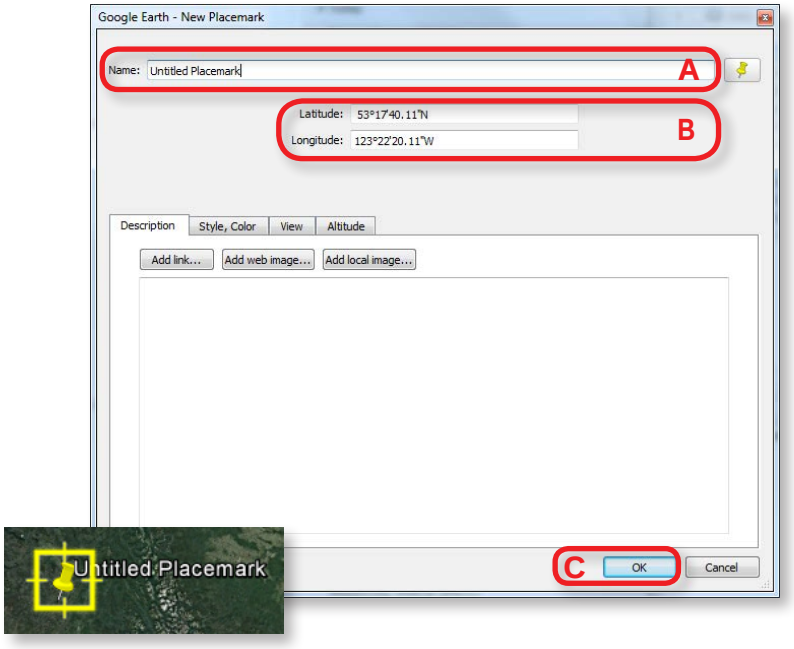
Clicking this button will add a placemark to the map and bring up a corresponding dialogue box (see below).

Examples include: wells, outfalls, culverts, etc.

A. Applicants can move the placemark by clicking and dragging it to the desired location, or entering the desired latitude and longitude coordinates in the dialogue box (a).

B. Applicants can rename the placemark by changing the entry in the 'Name' field of the dialogue box (b).

C. Click "OK" when finished (c).

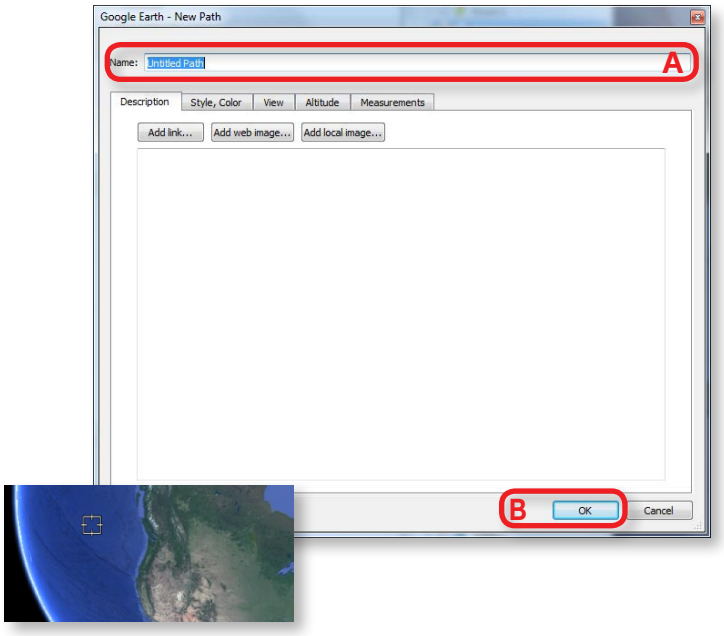


Polygon: project components that consist of an area of any shape.

Clicking this button will bring up a dialogue box and a crosshair cursor (see below). Click as many times as necessary to create a closed polygon that represents the project feature.

A. Applicants can rename the polygon by changing the entry in the 'Name' field of the dialogue box (a).

B. Click 'OK' when finished (b).



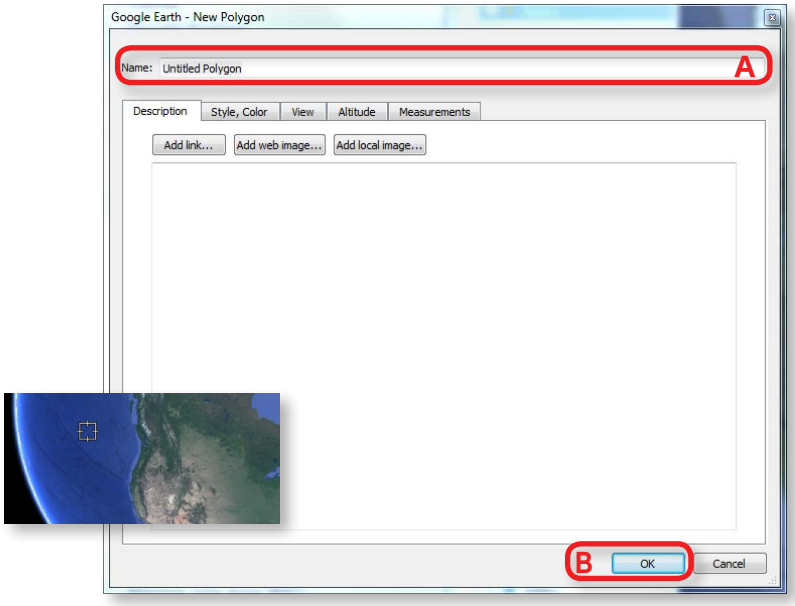
Path: linear project components.

Clicking this button will bring up a dialogue box and a crosshair cursor (see below). Click as many times as necessary to create a line that represents the project feature.

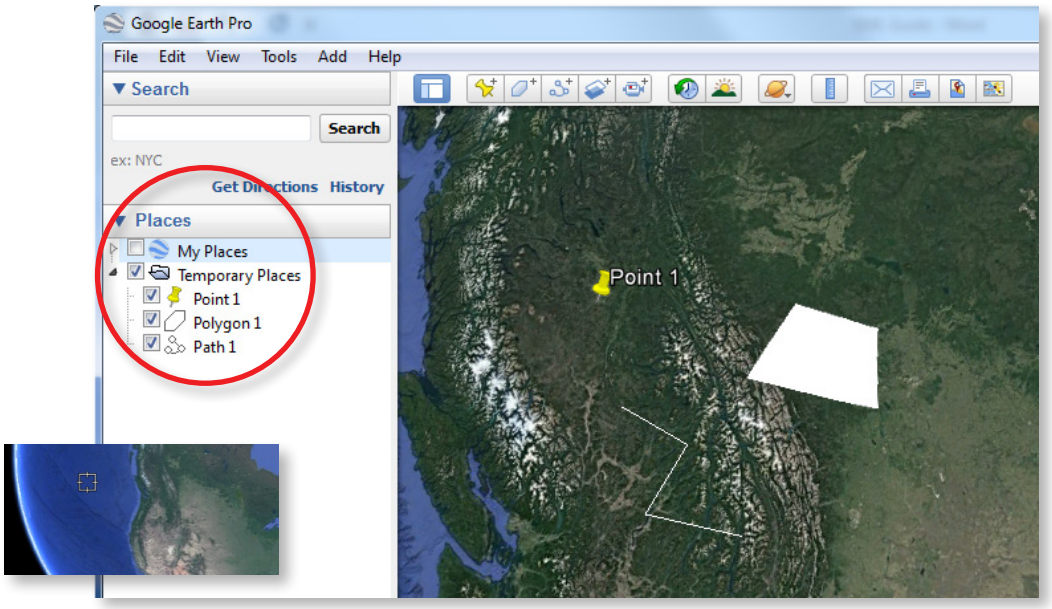
Examples include: roads, sewer lines, railways, pipelines, trails, transmission lines, etc.

A. Applicants can rename the polygon by changing the entry in the 'Name' field of the dialogue box (a).

B. Click 'OK' when finished (b).

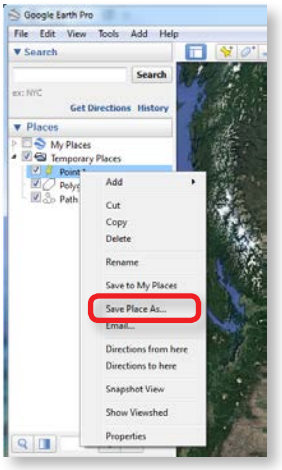


All drawn components will appear in the 'Places' sidebar under the 'Temporary Places' folder.



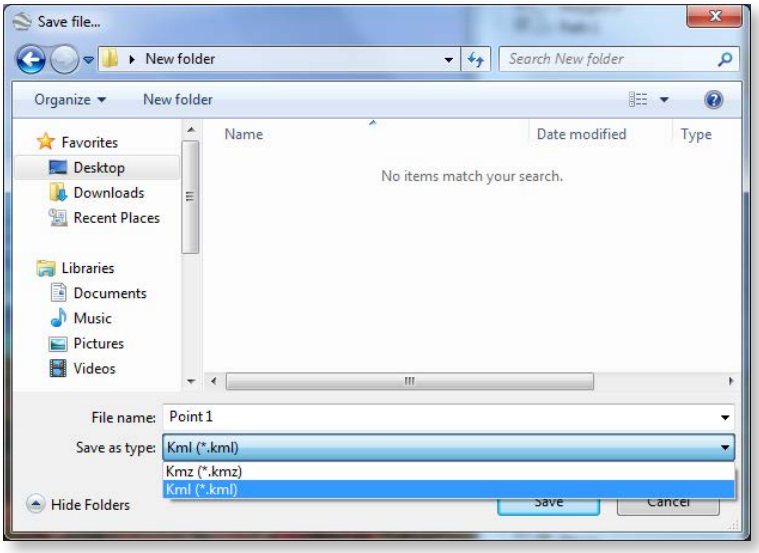
Export to .kml format

IMPORTANT INFORMATION:
If there are multiple shapes, it is necessary to export them individually as separate .KML files.



- Right click on the component in the 'Places' sidebar and click 'Save Place As…'.
- Change the file type from .KMZ to .KML using the 'Save as type:' drop down menu. Choose the location where to save the file in the file browser. Applicants will need to locate it later on to send it to INFC.

Click 'Save' when finished. Applicants are now ready to upload or email the file to INFC.



Repeat Step 4 for as many project components as created if there is more than one.

ANNEX J
LAND ACQUISITION - LETTER OF ATTESTATION

<Date>

Infrastructure Canada
Program Operations
180 Kent St. Suite 1100
Ottawa, ON K1P 0B6

To Whom It May Concern,

I hereby attest that land acquisition is required as an integral aspect of the <title of the project> DMAF project.

The lot (s) is/are located in x province, x municipality or other level of government, parcel number <and section, if any>, property identifier <if any, lot, part lot or other unit, size in metes or hectares and lot boundaries>.

Land represents x percent of the total eligible cost of this project. Land acquisition is required for/to <add details and justification>.

I also attest that the land will be used exclusively as natural infrastructure and it will remain protected in perpetuity by a provincial or territorial or municipal or Indigenous government <as indicated in X document> approved and signed by <X order of government authority>.

A professional appraisal was conducted on this <date> by <x firm>, according to this report, the price of the land described is below or at the fair market value.

I declare that the above statement is true and accurate to the best of my knowledge.

_____

Signature

Name:

Title:

ANNEX K
GHG ASSESSMENT REQUIREMENTS

THE CLIMATE LENS

The Climate Lens is a horizontal requirement applicable to Infrastructure Canada's Investing in Canada Infrastructure Program (ICIP), Disaster Mitigation and Adaptation Fund (DMAF) and Smart Cities Challenge. It has two components:

- the GHG mitigation assessment, which will measure the anticipated GHG emissions impact of an infrastructure project, and
- the climate change resilience assessment, which will employ a risk management approach to anticipate, prevent, withstand, respond to, and recover from a climate change related disruption or impact.

Under the Disaster Mitigation and Adaptation Fund, the Climate Lens is being applied after a project successfully completes the Expression of Interest stage, and the resilience assessment component is incorporated into the application process for all projects.

GHG MITIGATION ASSESSMENTS UNDER THE CLIMATE LENS

The objective of the GHG mitigation assessment is to encourage improved choices by project planners consistent with shared federal, provincial, and territorial objectives articulated in the Pan-Canadian Framework for Clean Growth and Climate Change—including a commitment to reduce Canada's GHG emissions by 30% below 2005 levels by 2030.

To respond to the requirements of the Climate Lens, all applicants to the DMAF are required to submit a project-level GHG mitigation assessment. This assessment will demonstrate the project's impact on emissions relative to a business-as-usual / baseline scenario over the asset's full useful life.

For approved projects, assessment costs are retroactively eligible for federal cost-sharing.

IMPORTANT NOTE FOR DMAF APPLICANTS:

- New, modified or reinforced assets could integrate solutions to reduce GHG emissions. DMAF awards merit to project that reduce GHG emissions.
- Climate change must be factored in the GHG estimates
- Natural infrastructure could reduce GHG emissions by absorbing and storing carbon dioxide in tree biomass, understory vegetation, and soils, it could also mitigate the impacts of extreme heat.

Ministry of Infrastructure

Infrastructure Policy Division

777 Bay Street, 4th Floor, Suite 425
Toronto, Ontario M5G 2E5

Ministère de l'Infrastructure

Division des politiques infrastructurelles

777, rue Bay, 4 étage, Suite 425
Toronto (Ontario) M5G 2E5

Ontario

JUL 05 2019

Dear Municipal Official:

The Ministry of Infrastructure, the Ministry of Municipal Affairs and Housing, and the Ministry of Natural Resources and Forestry would like to offer support as your community works to address the impacts of the major flooding in your region.

As you may know, the federal government will accept applications under the Disaster Mitigation and Adaptation Fund (DMAF) for areas of the province impacted by flooding in Spring 2019. A previous intake of the DMAF closed in January 2019, however, projects supporting efforts for flood mitigation in your region may now be submitted to Infrastructure Canada (INFC) through a limited expedited intake. We anticipate projects should be submitted in the near future to best allow for timely federal approval.

The Disaster Mitigation and Adaptation Fund (DMAF) is a $2 billion national program administered by the federal government and cost-shared with recipients. Funding is intended to strengthen climate resilience through investments in large-scale public infrastructure projects including natural infrastructure. The minimum total project cost is $20 million. More information about the Disaster Mitigation and Adaptation Fund can be found at: https://www.infrastructure.gc.ca/dmaf-faac/dmaf-guide-faac-eng.html.

Eligible projects must meet the federal program guidelines and also address Ontario's natural hazard policies in the Provincial Policy Statement (2014) and relevant natural hazard technical guidelines issued by the Ministry of Natural Resources and Forestry (MNRF).

We are aware that the $20 million project threshold may present challenges for your community and are exploring bundling opportunities. If your community has a smaller project to put forward that does not meet the federal threshold, but focuses on addressing riverine or lake related flooding, please submit your project to the Province and we will review for potential bundling opportunities with projects from other communities. Should you need assistance in completing your applications, or would like to explore bundling opportunities, please immediately reach out to your local Municipal Services Office who would be pleased to assist you.

.../2

Ontario has a long history of managing flooding—focusing on prevention—by regulating development and advancing the use of non-structural measures to mitigate the effects of flooding, while supporting the appropriate application of small-scale structural methods for flood mitigation. As we look toward further planning and mitigation methods for reducing impacts triggered by natural hazards and extreme weather, we would like to encourage you to consider applying to the DMAF.

Sincerely,

for

Adam Redish
Assistant Deputy Minister
Infrastructure Policy Division
Ministry of Infrastructure

Marcia Wallace
Assistant Deputy Minister
Municipal Services Division
Ministry of Municipal Affairs and Housing

Craig Brown
Assistant Deputy Minister
Policy Division
Ministry of Natural Resources and Forestry

Attachment: Municipal Services Offices Contact Information

Ministry of Municipal Affairs and Housing
Municipal Services Offices

Municipal Services Office	Contact
Central Municipal Services Office General Inquiry: 416-585-6226 or 1-800-668-0230	Diane Ploss diane.ploss@ontario.ca 416-585-6381
Eastern Municipal Services Office General Inquiry: 613-545-2100 or 1-800-267-9438	Lisa Harvey lisa.harvey@ontario.ca 613-545-2120 Kent Fitzhugh kent.fitzhugh@ontario.ca 613-545-2124
Northern Municipal Services Office General Inquiry: 705-564-0120 or 1-800-461-1193	Jason Innis Jason.Innis@ontario.ca 705-564-6857
Western Municipal Services Office General Inquiry: 519-873-4020 or 1-800-265-4736	Tim Ryall tim.ryall@ontario.ca 519-873-4030 Megan Flaherty megan.flaherty@ontario.ca 519-873-4037

The Corporation of the
Town of Tecumseh

Public Works & Environmental Services

To: Mayor and Members of Council

From: Phil Bartnik, Director Public Works & Environmental Services

Date to Council: July 23, 2019

Report Number: PWES-2019-03

Subject: Rail Safety Improvement Program – Infrastructure, Technology and Research Funding (RSIP-ITR)
VIA Rail Crossing at Lesperance Road (Chatham Mile 99.31)

Recommendations

It is recommended:

That Administration **be authorized** to submit an application to the federal government for funding under the Rail Safety Improvement Program – Infrastructure, Technology and Research Funding (RSIP-ITR) for the VIA Rail Crossing at Lesperance Road (Chatham Mile 99.31).

And that Administration **be authorized** to complete any business case(s), application(s), and/or to provide all information/documentation as required in order to constitute the application to RSIP-ITR;

And further that the Treasurer **be authorized** to sign any required documents necessary to complete the application to RSIP-ITR;

And furthermore that the Mayor and Clerk **be authorized** to sign any documents/agreements (if required) for the application to RSIP-ITR, in a form satisfactory to the Town's Solicitor, financial content satisfactory to the Town's Treasurer and technical content to the Town's Engineer.

Background

Transport Canada's Rail Safety Improvement Program (RSIP) provides grant and contribution funding to improve rail safety and reduce injuries and fatalities related to rail transportation. The program funds:

- Safety improvements to existing rail lines;
- Technology, research and studies;
- Closure of grade crossings;
- Initiatives to raise awareness about rail safety issues across Canada.

Projects submitted by municipalities are eligible for up to 80% federal funding, with a maximum grant amount payable being $500,000.

The full details of the RSIP-ITR are contained within Attachment No.1 to this report.

VIA Rail 2015 Inspection

On November 28, 2014, Transport Canada established new regulations on grade crossings that stated that a railway company must assure the conformity of grade crossings within seven years of the new regulations coming into force. VIA Rail Canada initiated an immediate inspection of all grade crossings over its entire network.

Article 12 of the new regulation also stipulates that the road authority must provide the railway company, in writing, certain information regarding each grade crossing under its authority within two years (by 2016).

VIA Rail Canada inspected all grade crossings over its entire network and identified two rail crossings in the Town of Tecumseh – Lesperance Road north of Tecumseh Road (Mile: 99.31), and Tecumseh Road just west of Lacasse Blvd (Mile: 99.13).

Dillon Consulting was retained by the Town to assist with the required documentation and design parameters required by the railway as outlined in their initial letter. The Town undertook the work and Dillon Consulting replied to VIA Rail Canada on March 10, 2016 with our initial response of immediately requested information. A teleconference was held with representatives from the Town, Dillon Consulting and VIA Rail Canada on March 15, 2016 in which it was confirmed that the Town was currently proceeding with the planning and design of the Tecumseh Road Community Improvement Plan improvements.

A second submission with all required information was provided to VIA Rail Canada on April 28, 2016. In this letter, the Town outlined the Tecumseh Road CIP Plan in which work was likely to include improvements to one of the identified crossings.

The Manager of Roads and Fleet provided VIA Rail Canada with the requested information, including but not limited to the following:

- The precise location of the grade crossing (name of the road and GPS coordinates);
- The number of traffic lanes that cross the crossing surface;

- The average annual daily traffic;
- The road crossing design speed;
- The width of each traffic lane;
- The Stopping Sight Distance; and
- The average gradient of the road approach.

VIA Rail Canada provided the results of the crossing inspections to the Town in a letter dated June 27, 2017. In it, they identified minor improvements that were required such as faded road paint, and consideration for additional safety features.

The major item that came from the inspection was that, at the crossing inspection at Mile 99.31, VIA Rail Canada determined that the gradient for the road approach exceeds the maximum gradient of 2% within 8 m of the nearest rail and 5% for 10 m beyond. The Town, as the local road authority, was therefore required to regrade the approach prior to 2021. Failure to do so may lead Transport Canada to impose measures to address the required improvements.

On July 11, 2019, Public Works and Environmental Services were informed of potential funding available from Transport Canada to assist in financing the regrade of the rail crossing at Mile 99.31.

Transport Canada is accepting applications for infrastructure, technology and research (ITR) projects for 2020-2021 funding. The deadline for applications is August 1, 2019.

Comments

Tecumseh Road CIP – Streetscape Plan and Design

At the December 8, 2015 Regular Meeting of Council, Council approved the recommendations (Motion RCM-419/15) of PWES Report No. 63/15 titled “2016-2020 Public Works & Environmental Services Capital Works Plan” that authorized Administration to proceed with the 2016 capital works projects including the Tecumseh Road CIP Streetscape Plan & Final Design.

The project was divided into a multi-phase project due to the complexity of the works and associated costs. The limits of Phase 1 consist of Tecumseh Road (St. Anne Street to VIA Rail) and Lesperance Road (St. Denis Street to Arbour Street), and the proposed works consisted of road reconstruction, streetscape features, and sanitary and watermain replacements.

The proposed road design included provisions to re-grade Lesperance Road north of VIA Rail to ensure the works addressed the gradient deficiencies identified by VIA Rail Canada as part of their 2015 inspections of the grade crossing.

With Transport Canada’s deadline of addressing the identified deficiencies at the grade crossings by 2021, Administration had planned to include these works into the PWES Capital

Works Plan as a stand-alone project, to be designed in 2020 with construction commencing in 2021.

Consultations

Financial Services
Dillon Consulting Limited

Financial Implications

Should the application for funding be successful, the following financial implications arise if the grant application is approved:

Total net eligible project costs:	$1.6 M (estimated)
Requested federal funding (80%, max $0.5M):	$0.5 M
Amount to be funded by Town:	**$1.1 M (estimated)**

Additional review will be undertaken to determine final funding sources but initial consideration would be to fund the Town's share of the project from the Road Lifecycle Reserve.

Link to Strategic Priorities

Applicable	2019-22 Strategic Priorities
☐	Make the Town of Tecumseh an even better place to live, work and invest through a shared vision for our residents and newcomers.
☒	Ensure that Tecumseh's current and future growth is built upon the principles of sustainability and strategic decision-making.
☐	Integrate the principles of health and wellness into all of Tecumseh's plans and priorities.
☒	Steward the Town's "continuous improvement" approach to municipal service delivery to residents and businesses.
☐	Demonstrate the Town's leadership role in the community by promoting good governance and community engagement, by bringing together organizations serving the Town and the region to pursue common goals.

Communications

Not applicable ☒

Website ☐ Social Media ☐ News Release ☐ Local Newspaper ☐

This report has been reviewed by Senior Administration as indicated below and recommended for submission by the Chief Administrative Officer.

Prepared by:

Cheryl Curran, BES
Clerk I Administrative Clerk

Reviewed by:

Kirby McArdle, P.Eng.
Manager Roads & Fleet

Reviewed by:

Phil Bartnik, P.Eng.
Director Public Works & Environmental Services

Reviewed by:

Tom Kitsos, CPA, CMA, BComm
Director Financial Services & Chief Financial Officer

Recommended by:

Margaret Misek-Evans, MCIP, RPP
Chief Administrative Officer

Attachment Number	**Attachment Name**
1	RSIP-ITR Applicant's Guide

Government of Canada Gouvernement du Canada

RSIP-ITR Applicant's Guide

From Transport Canada

> We are currently accepting applications for infrastructure, technology and research (ITR) projects to be funded in 2020-21. The deadline for applications is **August 1, 2019.**

Transport Canada's Rail Safety Improvement Program (RSIP) provides grant and contribution funding to improve rail safety and reduce injuries and fatalities related to rail transportation. The program funds:

- Safety improvements to existing rail lines
- Technology, research and studies
- Closure of grade crossings
- Initiatives to raise awareness about rail safety issues across Canada

This program builds on Transport Canada's Grade Crossing Improvement, Grade Crossing Closure and Operation Lifesaver Programs.

This guide applies only to the ITR component of RSIP.

On this page

- Program description
- Eligible recipients

- Eligible projects
- Eligible expenditures
- Ineligible expenditures
- Available funding
- Selection criteria
- Notification
- Service standards
- Funding agreements
- How to apply

1. Program description

As part of a suite of initiatives under RSIP, the ITR component provides funding to support activities that address the immediate needs of communities related to rail safety.

Eligible activities for funding under the ITR component, for federally and provincially regulated rail lines:

- Support measures to improve public safety at rail property and rail lines
- Support research, testing and development of technology that can enhance the safety of rail line infrastructure

2. Eligible recipients

Eligible recipients include:

- provinces and territories
- Indigenous communities, groups and organizations
- municipalities and local and regional governments

- road and transit authorities
- Crown Corporations (including VIA Rail)
- for-profit organizations (such as railway operators, railway owners)
- not-for-profit organizations, including academia
- individuals

3. Eligible projects

3.1 Eligible project categories

Safety enhancements and infrastructure that will improvepublic safety at rail property and rail lines. Activities may include: replacement of incandescent lights with LEDs, installation of flashing lights, bells, gates, inter-connection with crossing warning system, roadway and intersection improvements (such as adding sidewalks, construction of diversion road), construction of full pedestrian overpasses, grade separation of railway crossings and other infrastructure that will improve safety.Work beyond what is necessary to improve safety is not eligible for funding under RSIP.

Technology: Safety improvements through the implementation of Intelligent Transportation System (ITS) or other innovative technologies such as new detection technologies, onboard data recorders and communication protocols.

Research or studies: Research or studies related to enhancing safety of rail lines such as blocked crossings, restricting pedestrian access outside designated areas, aspects related to infrastructure, equipment, etc.

Closure of a crossing: Closure of a private or public crossing where a safety concern has been identified. However, the closure must not result in a creation of a trespassing situation nor should it create a safety concern at other crossings. Grants for closures will only be paid to an individual or road authority, as defined in Section 4 of the *Railway Safety Act*, who has the right to the existing crossing.

Safety enhancement work, crossing closures or relocation of public crossings in the interest of safety must be on a line of a federally or provincially regulated railway and must have been in existence for at least three years.

3.2 Identifying projects

Potential projects are most often identified through:

- an online application from an eligible recipient
- an inspection by a Transport Canada railway safety inspector, through regular monitoring or as a result of a complaint concerning rail safety or a collision
- a recommendation following a collision, including recommendations made by the Transportation Safety Board of Canada

Once an infrastructure project has been brought to Transport Canada's attention, a railway safety inspector may meet on-site with road and railway officials and any other involved authorities to assist in assessing safety issues and to review the proposed work. The aim of this assessment is to ensure that safety issues are correctly identified and understood, and to examine the

alternatives. Interim safety measures may be taken by the road authority or the railway company while waiting for implementation of the proposed work.

If there are any concerns regarding the safety of rail lines or on rail property, road authorities and railway companies are encouraged to contact Transport Canada Rail Safety.

3.3 Eligible project duration and approvals

- Projects could be single-year or two-year projects, as determined by the project-scope and agreed upon in the funding agreement
- Although expenditures are eligible as of the application date, no reimbursements will be made until the project has been approved and a funding agreement is signed
- **RSIP cannot issue advanced payments**
    - Therefore, applicants must demonstrate that they have sufficient funding available throughout the proposed project's life-cycle (including start-up) to ensure successful completion
- Applicants must identify the source of all project funding in their application, such as in-kind, third party
- Letters from partner organizations that confirm financial support should be attached to the application

4. Eligible expenditures

Eligible expenditures include:

- Staff salaries and benefits
- Purchase and lease of capital assets, technology, equipment and supplies
- Professional services, including accounting, translation, audit and consulting
- Planning, design and evaluation
- Engineering and environmental reviews and follow-up measures
- Expenditures related to construction and rehabilitation of assets (including fees paid to general contractors and labourers, materials, licenses, permits and the rental of construction machinery and equipment)
- Licenses and permits
- Expenditures for aboriginal consultations, specifically project-related consultation activities pursuant to the crown's legal duty to consult
- Administrative expenditures, including general administration expenditures, rent, insurance, office equipment rental and membership fees
- Travel expenditures (including the cost of accommodations, vehicle rental and kilometric rates, bus, train, airplane or taxi fares, allowances for meals and incidentals);travel and per diem expenses cannot be more than the rates and allowances determined in the travel directive of the national joint council
- Other costs that are, in the opinion of Transport Canada, considered to be direct, reasonable and incremental for the

successful implementation of the project and have been approved in writing prior to being incurred

Eligible expenditures can be cash-equivalent expenditures associated with in-kind contributions. These expenditures may be reimbursed so long as the following three criteria are met:

- The associated costs are deemed as eligible expenditures and have been approved by Transport Canada
- The associated costs are not a donation received from a third party
- The associated costs are related to goods, services or other support that would otherwise be purchased and paid for by the recipient as essential for the project

In-kind contributions received from a third party are considered donations and may form part of the total eligible expenditures of the project, **but they are not reimbursable**.

5. Ineligible expenditures

Certain expenditures are not eligible for funding and therefore will not be considered in the calculation of the total eligible expenditures of the proposed project, including:

- Costs incurred before the application date or after the final claim date
- Excess overhead charges
- Cost overruns that cause the federal contribution to exceed the amount outlined in the funding agreement
- Maintenance costs

- Expenditures for provincial sales tax and goods and services tax, or the harmonized sales tax where applicable, for which the recipient is eligible for a rebate, and any other costs eligible for rebates
- Purchase of land and/or buildings, related real estate fees and vehicles
- Leasing of land, buildings, equipment and other facilities, except for equipment directly related to the completion of the project
- Financing charges and interest payments on loans
- Expenditures that have been reimbursed from other sources of funding, federal statutes or funding programs

6. Available funding

6.1 Basis of payment

Application information will be used by Transport Canada to determine whether a grant or contribution is appropriate. In general, payment will be made in the form of a contribution with the exception of small-scale or low-risk projects which may be paid as grants. Payment for grade crossing closure will always be made in the form of a grant.

Contribution payments will be made based on one or a combination of the following:

- Reimbursement of eligible expenditures
- Achievement of pre-determined performance expectations or milestones as detailed in the funding agreements

Grants will be paid as a lump sum, subject to the recipient demonstrating that projects or activities to enhance the safety have been completed in accordance with the terms and conditions of the funding agreement.

6.2 Percentage payable

The percentage of funding to be provided will be based on the type of recipient, as follows:

- **Via Rail and for-profit organizations**: up to 50% of total eligible expenditures for any one project
- **All other recipients**: up to 80 % of total eligible expenditures for any one project

Projects submitted by not-for-profit organizations, including municipalities, are eligible for up to 80% federal funding. However, for the elements of the projects where the work is the responsibility of the railway company, they are only eligible for up to 50%. For example, elements that are located within the railway company's right-of-way or that remain under the ownership of the railway will receive up to 50% federal contribution for eligible costs.

6.3 Maximum amount payable

For grade crossing closures, the maximum **grant** amount payable is $25,000 for a public crossing and $6,000 for a private crossing.

For other categories:

- The maximum **contribution** amount payable per recipient shall not exceed $10,000,000 per fiscal year

- The maximum **grant** amount payable shall not exceed $500,000

7. Selection criteria

7.1 Mandatory selection criteria

Applications will be assessed by Transport Canada to determine if they meet the following mandatory selection criteria:

- Relevance of the project: how closely the proposed project corresponds to the RSIP objectives and eligible activities
- Quality of the Application: the degree to which the planned activities, schedule, budget, targeted results, roles and responsibilities are clear, realistic and consistent with the proposed project's objectives
- Value for the money: the degree to which the project represents an appropriate use of public funds towards achieving the broader objectives of the program

7.2 Project-specific selection criteria

Depending on the type of project to be funded, the following criteria will be used to assess funding requests and ensure that funded projects are supportive of the program's overall objectives:

- Safety priority ranking based on the following criteria:
  - Historical collision data
  - Train and traffic volumes
  - Train and traffic speeds
  - Crossing configuration
  - Number of tracks and lanes

    - Existing crossing protection
    - Recommendations received from site inspections
- The project leverages participation from other public and private entities
- Applicant's relevant experience and capacity

Due to the limited amount of available funds in a given year, the applications received under the RSIP-ITR component are prioritized and the funds are allocated based on risk and identified safety issues, as well as the potential for the project to reduce collisions (fatalities, injuries and property damage). All applications that do not receive funding in any given year are placed on our RSIP-ITR Pending List and will be re-evaluated and prioritized against other projects the following year. If a project is not selected within two fiscal years, applicants should resubmit their application to confirm their interest and update project scope and cost.

8. Notification

After Transport Canada has evaluated all applications and the Minister has approved the recommended list, we will inform applicants if they have been selected for funding or not. Transport Canada reserves the right to accept or reject any application.

9. Service standards

In an effort to continually improve service and conduct a transparent process, the RSIP has established the following service standards:

- Provide applicants with written acknowledgement of the receipt of their application within **10 business days** of the application deadline date
- Issue payments within **20 business days** following the notification to the recipient that the requirements outlined in the funding agreement have been fulfilled

If the program cannot meet the above standards, we will advise recipients in a timely manner.

10. Funding agreements

We will use application information to determine whether a grant or contribution is appropriate.

A **contribution** is funding that is based on performance conditions. Contribution funding must be accounted for to ensure that it is being used for the intended purpose. Reporting is required on a monthly basis in order to track progress, how the funds are being used and how the project contributes to the RSIP objectives. A contribution is subject to audit by Transport Canada.

A **grant** is funding that is based on an applicant meeting certain eligibility criteria that support the goals of the program. A grant is provided after eligibility criteria have been met and does not need to be accounted for. Grant funding is not normally audited by the department, however the recipient may be required to report on results achieved.

Factors that may be considered by Transport Canada to assess whether to use grant or contribution funding include:

- Recipient's management capacity or experience with similar projects
- Project complexity
- Public sensitivity

10.1 Project risk assessment

Transport Canada will conduct a project risk assessment for all approved projects prior to signing a funding agreement. This ensures that funding agreement requirements correspond to the project's risk levels, and the recipient's capacity to deliver results. The project risk assessment will determine:

- How often the recipient must report project progress
- Financial documentation the recipient must submit with payment claims
- How often we will make site visits or contact the recipient
- Audit requirements (all funding agreements indicate the Government of Canada's right to audit)

The risk assessment will be based on, but not limited to, the information provided in the application.

10.2 Project scope and agreement

The application will form the foundation to define the project scope, mandatory legal documentation, clauses, terms and conditions, performance measurements and payment structure in the formal funding agreement. Once the funding agreement is signed, no change to the scope of the project (including budget, structure, timelines, etc.) is possible without written agreement between the

recipient and Transport Canada. The recipient will be responsible for costs associated with work performed outside of the approved scope of a project.

10.3 Regulatory requirements

Please note, Subsection 8(1) of the *Railway Safety Act* requires that a Notice of Railway Works be given at least 60 days prior to the start of certain types of projects as specified in the *Notice of Railway Works Regulations*. The types of projects **where notice is required** include:

- The construction or alteration of a line of railway involving the acquisition of land in addition to land on which an existing line of railway is situated
- The construction or alteration in a municipality of railway bridges and culverts having an overall span greater than six meters and railway tunnels
- The construction or alteration of structures located above or below a line of railway by a party other than a railway company, but excluding a mine or an oil or gas well
- The construction or alteration of road crossings for public use, including the installation or alteration of road crossing warning systems, but excluding the installation or alteration of road crossing signs
- The construction or alteration of any line works that may affect drainage on land adjoining the land on which a line of railway is situated

In accordance with section 5 (1) of the Notice of Railway Works Regulations, a Notice of Railway works must be given to:

- In the case of a railway company proposing to construct or alter line works, **notice must be given to the municipality, or municipalities**, in which the line works will be or are located and to any owner of land immediately abutting land on which the line works are situated
- In the case of any party proposing to construct a road crossing, excluding the installation of a road crossing warning system, notice must be given to the following:
  - The railway company whose line is to be crossed
  - The municipality in which the crossing works are to be located
  - The authority having responsibility for the road in question
  - Any owner of land immediately abutting land on which the crossing works are situated

Please note that a copy of the Notice of Railway Works **must also be sent to** the Director of the regional Railway Safety Directorate office that has jurisdiction over the railway at the location of the proposed works.

In accordance with Section 4 (c) of the Notice of Railway Works Regulations, the content of the Notice of Railway Works must include:

- A drawing showing the location of the proposed works
- A description of the proposed works with general plans, including elevations of proposed structures
- A description of any impact that the proposed works may have on the safety of persons and property

- The proposed date of commencement and the projected time for completion of the proposed works

Section 11 of the *Railway Safety Act* requires that a professional engineer must be responsible for the engineering work.

For crossing closure, as stated in Section 12.1 of the *Railway Safety Act*, the key requirement of the agreement is that the person's rights relating to the crossing are extinguished (the agreement will be filed with the Canadian Transportation Agency)

Pursuant to the *Canadian Environmental Assessment Act*, an environmental assessment of a project may have to be completed, in accordance with Transport Canada instructions, prior to the commencement of any project-related works and prior to Transport Canada providing financial assistance

10.4 Reporting requirements

Reporting requirements will be established in the funding agreement based on the type of project submitted, and may include financial claims, list of invoices, progress reports, annual reports and a final report, among other elements.

Progress reports

- Recipients may be required to submit progress reports on a monthly, quarterly, semi-annually (or annually for two-year agreements), as identified in the funding agreement
- Progress reports will identify the progress achieved during the reporting period, and accompany financial claims

Annual reports

- For two-year projects, the recipient may be required to produce annual reports
- These reports will include but may not be limited to the following:
  - A detailed description of the project's progress, major achievements during the year and an update on how the project is moving forward and how it relates to the project's initial objectives and final results
  - Updated data on performance indicators indicated in funding agreement compared to the start of the project
    - The recipient will ensure that appropriate data collection processes are in place to enable the capture and reporting of the performance indicators used to measure the achievement of the project's outcomes
  - Annual reporting on the recipient's eligible expenditures incurred and based on the breakdown of the eligible expenditures claimed, in accordance with the funding agreement budget
  - Highlights of communications activities of the project during the reporting period
  - Issues, areas of concern or risk factors that may affect completion, the schedule or the budget of the project, as per original plans and the proposed mitigation strategies to correct the situation

Final reports

- When the project is complete, recipients may be required to submit a final report as established in the funding agreement
- In those instance, Transport Canada must receive the final report before it will pay the final expense claim
- Along with the information required in the Annual Report, recipients may be asked to include:
  - An overall assessment and analysis of the objectives met, outcomes achieved, and lessons learned
  - Examples of any promotional items produced during the project
  - Any surveys, analyses, reports and/or research and raw data associated to the project

10.5 Payment requirements

Recipients can only submit claims for reimbursement of expenditures incurred that are identified in the funding agreement.

The recipient is responsible for notifying Transport Canada when the work is complete. This must be done within 30 days of completion. The recipient is also responsible for submitting a detailed invoice listing to Transport Canada that includes all third-party invoices as back-up to support the costs being claimed. Only those costs eligible under the program can be claimed on the invoice. In addition, upon submitting the invoice, the recipient must disclose the amount of funding expected to be received from all other government sources (federal, provincial, territorial or municipal).

For railway work, prior to payment of the invoice, a Transport Canada inspector may visit the site location and perform a detailed audit of the costs on the invoice. At this stage, a joint inspection with Transport Canada and the involved authorities may be required. Should the inspector require further information in order to process the invoice, the authorities will be notified and given two weeks to provide the information required.

10.6 Stacking Limits

The maximum level of total Canadian government funding (municipal, provincial, territorial and federal) authorized by the RSIP terms and conditions cannot exceed one hundred percent (100%) of total eligible expenditures.

Please note that the remaining portion of your project may be funded by another Canadian government funding program; however, it is important to refer to the stacking limits of the other program. In the event of different stacking limits between programs**, the more restrictive (lower) stacking limit takes precedence.**

10.7 Other funding agreement clauses

All recipients must respect the spirit and intent of the *Official Languages Act* when delivering a project funded under the RSIP. Linguistic requirements may apply to projects depending on their scope (national, regional or local), or on the specificity of the

regions and targeted audiences of projects. Transport Canada will work with successful recipients to determine how this will apply to their projects.

11. How to apply

Section 11.1 explains how to submit your online application, section 11.2 explain how to get your GCKey, and section 11.3 (Annex A & B) contains all the necessary information to make an application. To facilitate a more efficient and effective application process, Transport Canada has introduced a new online application portal to be used for all applications.

Each application must be submitted through the online application portal and should include all the necessary information stated in either Annex A, B, or C depending on which type of application you are submitting. This will minimize the possibility of omissions or errors and facilitate the evaluation process. If you have any questions or concerns please contact: tc.rsipitr-pasfitr.tc@tc.gc.ca

Note: The application portal has optimal functionality with the following browsers; Safari, Firefox, Chrome or Edge

11.1 Submitting your application package

Applications must be received by **August 1, 2019** at 11:59pm (EST).Applications received after this date will not be considered for funding.

All applications should be submitted through the online application portal. If the portal cannot be used for any reason you may contact us at tc.rsipitr-pasfitr@tc.gc.ca and we will provide an alternate application option.

These alternate forms can either be submitted electronically to tc.rsipitr-pasfitr.tc@tc.gc.ca or **couriered** to the address posted below; an electronic application package **must be in MS Word, MS Excel or PDF format**.

ATTN: Director, Transportation Infrastructure Program (AHSE)
C/o Program Officer
Transport Canada
Place de Ville, Tower C, 19th Floor
330 Sparks St
Ottawa ON K1A 0N5

Note: After an application has been submitted through the portal, **it cannot be withdrawn or deleted by the applicant** - please only submit once you have reviewed and are certain you are ready.

Please select the online application portal and you will be brought to the GCKEY website. After creating your GCKey (instructions below) you will be automatically redirected to the application form.

11.2 How to Obtain a GCKey

A GCKey is a unique electronic credential provided by the Government of Canada that allows you to communicate securely with online enabled Government programs and services.

1. Click on 'Continue to gckey' to proceed to the registration page
2. Read and accept the gckey Terms and Conditions of Use
3. Create a username and password
4. Applicants will be required to create three security questions

The submitted application is tied to the GCKey of the individual who submitted it; the submitted application can only be accessed by that specific GCKey.

For more information and FAQs about GCKey, please visit the GCKey information page.

Once on the main application page you will be presented with the four following application types to select from:

1. Infrastructure and Grade Crossing Improvements
2. Technology, Research, and Study Projects
3. Grade Crossing Closures (Public/Private)
4. Public Education and Awareness (E&A) Across Canada

Please select the application type you wish to proceed with. Please note that you may only have one version of each type of application at one time. If two of the same application need to be submitted for any reason you must finish the first before proceeding to start the second.

Once the application opens, all the information that needs to be provided, as shown in either Annex A, B, or C will be ready to be entered into each section. The form on the online portal can be saved and returned to at any time using the 'Save' function at the bottom of the web page. This allows for applicants to work on the

form out of order, or in more than one sitting. It should also be noted that pressing the **previous** or **next** buttons on each page also saves the current state of your application.

Once finished filling out the application, there will be a review page at the very end. Please review all the details of your submission before submitting - **there is no way to re-enter and edit the application once it is submitted.**

The review page of the application form is a summary of all the information provided in the application. To print a PDF copy of this screen for your internal review, you must use your web browser's 'print to PDF' function. This can usually be found in the window that opens when you select print in your browser. Look through the available printers, select your print to pdf device, and press print. A PDF should be generated and open on your screen.

After you have reviewed your application and are satisfied with its contents please proceed to the **Submit** page and press the **Submit Application** button at the bottom.

Upon submitting, an auto generated email will be sent to you to confirm the receipt of your submission. The email will contain a hyperlink to your application, it is advised that you review your application again at this stage to ensure all of what was entered was correctly submitted. This link will also be used in the future to view the details of your submission. Alternatively, if you want to review without using the link you can return to the web portal and click on the **My Submissions** tab to view all your applications. When in this

tab you will see all of the applications you ever submitted through this portal, to view one simply select the **Preview** button under the application submission date.

After an application has been submitted, it cannot be withdrawn or deleted by the applicant. If changes are required, the applicant must resubmit a new, completed application form. Applicants must contact and notify Transport Canada at tc.rsipitr-pasfitr.tc@tc.gc.ca if a resubmission is required, or if they have decided to withdraw their submitted expression of interest from the application process.

Electronic Mailing Address

Any questions or concerns can be directed to: tc.rsipitr-pasfitr.tc@tc.gc.ca

TO MAINTAIN THE TRANSPARENCY AND FAIRNESS OF THE SELECTION PROCESS, NO EXTENSIONS WILL BE GRANTED.

Transport Canada will confirm receipt of application packages.

Note: For document uploads in the online portal, if there is more than one file being submitted, please zip the files together and submit the archive (zip) file.

11.3 Annexes

Annex A: Infrastructure and Grade Crossing Improvements

Your application submission must include the following:

a. Applicant Information
    i. Legal name of the organization

ii. Mailing address for all correspondence
iii. City, province, and postal code in which the project will take place
iv. The category of organization as listed below:
    - Provinces and territories, including provincially and territorially-owned entities
    - Municipalities, including local and regional governments and municipally-owned entities
    - Indigenous governments, tribal councils, and other forms of regional government, national or regional Indigenous organizations or development corporations
    - Public sector organizations
    - Federal crown corporations or agencies
    - For-profit private sector organizations
    - Not-for-profit private sector organizations
    - Canada port authorities
    - Universities and colleges

b. Project Details
    i. Applicant name (the person who is submitting the application - not the organization legal name)
    ii. Project title
    iii. Full description (maximum 2000 characters)
    iv. Planned start and end date
    v. Explanation of past experience with similar government funded projects, if applicable (maximum 2000 characters)

c. Project contacts - up to three with a minimum of one.
    i. First and last name

ii. Job Title
iii. Telephone number (999-999-9999)
iv. Email

d. Worksite details (information for some of these fields can be found here in the open data portal)
   i. Rail mile marker
   ii. Project start point or location (GPS coordinates)
      - Latitude and Longitude
   iii. Project end point or location (GPS coordinates)
      - Latitude and Longitude
   iv. TC Number
   v. Rail subdivision
   vi. Rail authority name
   vii. Road name
   viii. City/town/municipality - Closest municipality
   ix. Province
   x. Describe existing protection (maximum 2000 characters)
   xi. Picture of current crossing or proposed infrastructure site (to upload multiple files, store them in a single archive file) (maximum size 20MB)
   xii. Is the project located in or in close proximity to any of the following: National Parks, National Park Reserves, National Historic Sites, or Historic Canals? (Y/N)
   xiii. Does the crossing extend outside of the existing roadway or railway right-of-ways? (Y/N)

e. Upgrade options - Please select at least one option
   i. Tech/Lighting

- Upgrade to LED (provide number)
- New or additional street lighting
- Intelligent transportation system (ITS) project

ii. Crossing protection

- Flashing lights and bells (FLB)
- Flashing lights, bells and gates (FLBG)
- New gates
- New pedestrian crossing
- Upgrade to existing pedestrian crossing
- Upgrade or modification to existing active warning system (i.e constant warning times, interconnection, etc.)

iii. Signage

- Improved signage at crossing (i.e. standard railway crossing sign, stop sign, etc.)
- Improved signage along roadway (railway crossing ahead sign, advisory speed tab sign, etc.)

iv. Infrastructure improvement/civil work

- Improvement to road approach
- Improvement to crossing surface
- Median separation

v. Other

- Pedestrian overpass/underpass
- Access control solutions
- Other (please specify)

f. Environmental assessment details

i. Detailed summary of the local biophysical environment (2000 characters maximum)
ii. Other environmental assessment regimes (province/territory) (2000 characters maximum)
iii. Will the closure be within 30 meters of a body of water? (Y/N)
iv. Will the project result in the likely release of a polluting substance into a body of water? (Y/N)

g. Safety issues, improvements, and benefits
i. Collision history (2000 characters maximum)
ii. Public complaints (2000 characters maximum)
iii. Notices, orders, investigations, advisories, and information letters (2000 character maximum)
iv. Other identified safety issues (2000 characters maximum)
v. Direct and indirect benefits (collision, derailment, fatalities, property damage, and risk taking behavior prevention) (2000 characters maximum)
vi. Safety improvements for the proposed work (2000 character maximum)
vii. Other safety improvements (2000 characters maximum)

h. Rail details
i. Has the rail line been in existence for a minimum of 3 years? (Y/N)
ii. Was the rail authority consulted regarding the proposed project? (Y/N)
iii. Sharing costs with the rail authority? (Y/N)
iv. Agreement reached with rail authority? (Y/N)

v. Rail consultation outcome (2000 characters maximum)

i. Road details
   i. Was the road authority consulted regarding the proposed project? (Y/N)
   ii. Sharing costs with the road authority? (Y/N)
   iii. Agreement reached with road authority? (Y/N)
   iv. Road authority consultation outcome (2000 characters maximum)
   v. Proof of consultation (file upload)
   vi. Road design speed (km/h)

j. Project cash flow (for information on this part please visit Section 6 in the RSIP E&A applicant's guide)
   i. Total project costs ($)
   ii. Total eligible project costs ($) (information on this can be found in Section 4 of the RSIP applicant's guide)
   iii. Total eligible project costs ($) (information on this can be found in Section 5 of the RSIP applicant's guide)
   iv. Total RSIP contribution ($)
   v. Total contributions from all organizations other than Transport Canada (including other federal funding programs):
      - Total contributions to project eligible costs ($)
      - Total contributions to project ineligible costs ($)
   vi. Project contributions, breakdown by each contributor other than Transport Canada (Maximum of 3 contributors)
      - Contributor name
      - Fiscal Year 1

1. Contribution to eligible costs ($)
2. Contribution to ineligible costs ($)

- Fiscal Year 2
  1. Contribution to eligible costs ($)
  2. Contribution to ineligible costs ($)

k. Supporting documents such as
   i. TSB investigation reports
   ii. Rail safety information letters
   iii. Rail safety advisories
   iv. Feasibility study/business case
   v. Design plans/drawings
   vi. Notice or a notice and order

Annex B: Technology, Research and Study Projects

Your application submission must include the following:

a. Applicant Information
   i. Legal name of the organization
   ii. Mailing address for all correspondence
   iii. City, province, and postal code in which the project will take place
   iv. The category of organization as listed below:
      - Provinces and territories, including provincially and territorially-owned entities
      - Municipalities, including local and regional governments and municipally-owned entities

- Indigenous governments, tribal councils, and other forms of regional government, national or regional Indigenous organizations or development corporations
- Public sector organizations
- Federal crown corporations or agencies
- For-profit private sector organizations
- Not-for-profit private sector organizations
- Canada port authorities
- Universities and colleges

b. Project Details
   i. Applicant name (the person who is submitting the application - not the organization legal name)
   ii. Project title
   iii. Full description (maximum 2000 characters)
   iv. Planned start and end date
   v. Explanation of past experience with similar government funded projects, if applicable (maximum 2000 characters)

c. Project contacts - up to three with a minimum of one.
   i. First and last name
   ii. Job Title
   iii. Telephone number (999-999-9999)
   iv. Email

d. Project cash flow (for information on this part please visit Section 6 in the RSIP E&A applicant's guide)
   i. Total project costs ($)
   ii. Total eligible project costs ($) (information on this can be found in Section 4 of the RSIP applicant's guide)

iii. Total eligible project costs ($) (information on this can be found in Section 5 of the RSIP applicant's guide)
iv. Total RSIP contribution ($)
v. Total contributions from all organizations other than Transport Canada (including other federal funding programs):
    - Total contributions to project eligible costs ($)
    - Total contributions to project ineligible costs ($)
vi. Project contributions, breakdown by each contributor other than Transport Canada (Maximum of 3 contributors)
    - Contributor name
    - Fiscal Year 1
        1. Contribution to eligible costs ($)
        2. Contribution to ineligible costs ($)
    - Fiscal Year 2
        1. Contribution to eligible costs ($)
        2. Contribution to ineligible costs ($)

e. Supporting documents such as
    i. TSB investigation reports
    ii. Rail safety information letters
    iii. Rail safety advisories
    iv. Feasibility study/business case
    v. Design plans/drawings
    vi. Notice or a notice and order

Date modified: 2019-07-05

The Corporation of the Town of Tecumseh

Public Works & Environmental Services

To: Mayor and Members of Council

From: Phil Bartnik, Director Public Works & Environmental Services

Date to Council: July 23, 2019

Report Number: PWES-2019-18

Subject: Subsequent Connection to a Municipal Drain – Colchester Townline Drain

Recommendations

It is recommended:

That the Report prepared by Gerard Rood, P. Eng. of Rood Engineering Inc., dated May 23, 2019, including Appendix REI-A and REI-B, for the connection of drainage works to the Colchester Townline Drain (Drain) for 7981 Howard Ave. (Report) **be received**;

And that the connection of drainage works for the parcel at 7981 Howard Ave. into the Colchester Townline Drain, **be approved** as set out in the Report;

And further that By-law No. 2019-56 being a by-law to approve the Report and amendments to the Engineer's assessments set out in By-law No. 78-32 be adopted;

And further that a copy of By-law No. 2019-56 be sent to the Town of Amherstburg and the affected landowner of 7981 Howard Ave.

Background

The purpose of this report is to provide information regarding a proposed land improvement in the Town of Amherstburg and to advise on their request to allow a subsequent connection to the Colchester Townline Drain.

The Town received correspondence on July 8, 2018, from the Town of Amherstburg regarding a proposed development of a heavy industrial commercial truck yard at 7981 Howard Ave., Amherstburg, proposing to outlet stormwater into the Drain within the Town of Tecumseh.

Included in the correspondence from the Town of Amherstburg were the Essex Region Conservation Authority (ERCA) and the County of Essex, as well as an application to the Town of Amherstburg for a Zoning By-Law Amendment and a Draft Stormwater Management Plan Report by Chall.Eng. Consulting Engineers, dated May 4, 2018.

The Town of Tecumseh provided a response to the Town of Amherstburg's Drainage Superintendent on July 16, 2018, providing options under the *Drainage Act* (Act) to allow a subsequent connection to a Municipal Drain. The Town also met with the affected parties to discuss the approval process to accomplish a subsequent connection based on the circumstances. It was also determined that the subject property already has an existing tile connection into the Drain, however, this property was never included in the Drain's watershed through a formal process under the Act.

On September 24, 2018, the Town of Amherstburg procured the services of Mr. Gerard Rood, P.Eng., of Rood Engineering Inc., to prepare a report for a subsequent connection to a Municipal Drain under Section 65(3) of the Act and re-affirmed the procurement by providing further details on December 17, 2018.

On May 24, 2019, the Town of Tecumseh received the Section 65 Report from Mr. Gerard Rood, P.Eng., dated May 23, 2019, which is attached to this Report as Attachment No. 1.

In addition to the above, the Town completed a desktop review of the current Drainage By-Law for the Colchester Townline No. 78-32 (By-law)) and it was determined that it is not usable and requires several apportionments due to various land divisions, as well as the change of land use of many parcels in the watershed. Therefore, the By-Law requires updating. The appointment of an Engineer is necessary in order for the Town to maintain the By-Law and use it to recover any assessments for the repair or maintenance in a manner that is fair to the community of landowners on the Drain.

Administration will put forth under a separate report to Council a request to appoint an Engineer to prepare a Section 78 report with an updated Schedule of Assessment and Plan and Profile of the Drain that would include any changes since 1978.

Comments

Legislation

Section 65 of the Act is included in Schedule A, which is attached to this report as Attachment No. 2.

Consideration by Council

Subject to the discretion of Council, the Subsequent Connection Report may be:

a. Denied if it appears that there are, or may be, errors in the Report or for any other reason the Report should be reconsidered; or

b. Approved by resolution and appended to the current By-Law for the Drain.

As a Section 78 Report will take some time to complete, approval of the Subsequent Connection Report will address the current immediate need to authorize the use of the Municipal Drain by the subsequently connected lands.

As indicated by the consulting Engineer, the parcel at 7981 Howard will not cause adverse effects to any lands on the Colchester Townline Drain provided that the stormwater release rate is restricted to the indicated rate in the Section 65 report, and therefore, Administration makes the recommendations noted above.

Consultations

Corporate Services & Clerk
Public Works & Environmental Services
Rood Engineering Inc.

Financial Implications

Following adoption of the Section 65 Report, under 65(12) of the Act, it is required that the imposed costs set out in the Report are applied as a credit to the account of the drainage works and shall only be used for the improvement, maintenance or repair of the whole or any part of the drainage works.

Link to Strategic Priorities

Applicable	2019-22 Strategic Priorities
☒	Make the Town of Tecumseh an even better place to live, work and invest through a shared vision for our residents and newcomers.
☒	Ensure that Tecumseh's current and future growth is built upon the principles of sustainability and strategic decision-making.
☐	Integrate the principles of health and wellness into all of Tecumseh's plans and priorities.
☒	Steward the Town's "continuous improvement" approach to municipal service delivery to residents and businesses.
☐	Demonstrate the Town's leadership role in the community by promoting good governance and community engagement, by bringing together organizations serving the Town and the region to pursue common goals.

Communications

Not applicable ☒

Website ☐ Social Media ☐ News Release ☐ Local Newspaper ☐

This report has been reviewed by Senior Administration as indicated below and recommended for submission by the Chief Administrative Officer.

Prepared by:

Sam Paglia, P.Eng.
Drainage Superintendent/Engineering Technologist

Reviewed by:

John Henderson, P.Eng.
Manager Engineering Services

Reviewed by:

Phil Bartnik, P.Eng.
Director Public Works & Environmental Services

Reviewed by:

Laura Moy, Dipl. M.M., CMMIII HR Professional
Director Corporate Services & Clerk

Reviewed by:

Tom Kitsos, CPA, CMA, BComm
Director Financial Services & Chief Financial Officer

Recommended by:

Margaret Misek-Evans, MCIP, RPP
Chief Administrative Officer

Attachment Number	Attachment Name
1	Section 65 Report
2	Applicable Sections of the Drainage Act

Report Approval Details

Document Title:	PWES-2019-18 - Subsequent Connection to a Municipal Drain.docx
Attachments:	- E09CO(10) - 2019-05-24 - CTLD - S65 Report.pdf - Schedule A - Drainage Act Excerpts.SP.docx
Final Approval Date:	Jul 12, 2019

This report and all of its attachments were approved and signed as outlined below:

No Signature found

John Henderson - Jul 10, 2019 - 2:48 PM

Phil Bartnik - Jul 10, 2019 - 3:02 PM

No Signature found

Tom Kitsos - Jul 10, 2019 - 7:00 PM

No Signature found

Laura Moy - Jul 11, 2019 - 10:05 AM

Ellen Preuschat - Jul 11, 2019 - 1:50 PM

Margaret Misek-Evans - Jul 12, 2019 - 9:52 AM

***R**ood*
***E**ngineering*
***I**nc.*

Consulting Engineers

May 23rd, 2019

Corporation of the Town of Amherstburg
512 Sandwich Street South
Amherstburg, Ontario
N9V 3R2

Attention: Shane McVitty, P.Eng., Drainage Superintendent

Dear Shane:

COLCHESTER TOWNLINE DRAIN – SECTION 65 (7981 HOWARD AVENUE)
Project REI2018D034
Town of Amherstburg, County of Essex

1.0 Authorization

In accordance with the confirmation received from the Town on September 24th, 2018, we have made all of the necessary investigations and determinations for the preparation of a report, in accordance with Section 65 of the "Drainage Act, R.S.O. 1990, Chapter D.17, as amended 2010". This report deals with a subsequent connection to the Colchester Townline Drain for the parcel owned by Joel Bezaire at 7981 Howard Avenue. This parcel is shown on the plans attached in **Appendix "REI-B"**.

Our appointment to deal with this request, where "If an owner of land that is not assessed for a drainage works subsequently connects the land with the drainage works for the purpose of drainage", is in accordance with and pursuant to Section 65.(3) of the "Drainage Act, R.S.O. 1990, Chapter D.17, as amended 2010". We have inserted herein a copy of Section 65 for reference purposes, labeled **Appendix "REI-A"**. We have therefore performed all of the necessary research, investigations, and review of all pertinent documentation, etcetera, for the carrying out of our study and we report thereon as follows.

2.0 Background

From plans and information provided by the Owner's engineering consultant and the Town, we have established those areas that are to be connected to the "Colchester Townline Drain". Work on the parcel included preparation and approval of storm water management reports prepared by others and these reports were submitted to the Town for review and approval of a new commercial development on the site.

We have also obtained reference information from the Town Drainage Department and Town of Tecumseh for the affected portion of the drain, including the current governing By-law 78-32, the September 15th, 1978 report with the Schedule of Assessment within same for the "Colchester

Townline Drain", which was prepared by Maurice Armstrong, P.Eng. We find that the lands affected by the proposed commercial development are approximately the east portion of the parcel area located across County Road 8 from the Drain as shown in the Armstrong report. Investigations have revealed that the parcel has had a tile drainage outlet for a considerable length of time, with no adverse impact to the Drain.

3.0 Existing Drainage Conditions

From our review of the input from the Town and the plans and storm water management design completed to date on behalf of Joel Bezaire (Townline Development Truck Parking Area), by Challeng Consulting Engineers, we were able to establish the overall parcel area affected by this study is 25 acres (10.1 hectares).

We reviewed the latest engineer's report on the "Colchester Townline Drain", which is the September 15th, 1978 report by Maurice Armstrong, P.Eng. From same we were able to determine that the area within the affected parcel is currently not assessed to the Drain, but it does utilize the "Colchester Townline Drain" as an outlet as noted above.

Based on the noted research and investigations, we have prepared plans included herein as **Appendix "REI-B"** which show:

1. the boundary of the affected Parcel 470-02400 at 7981 Howard Avenue
2. the proposed layout location for the commercial site
3. the proposed commercial construction

Parcel 470-02400 currently comprises approximately 18.897 hectares (46.69 acres) and the proposed development is on the easterly portion of the parcel. The parcel is presently draining the following affected area to the "Colchester Townline Drain" through the current tile outlet under County Road 8:

a) Parcel 470-02400 10.1 hectares (25.0 acres)

This is confirmed by the correspondence between the Owner and Town of Tecumseh staff.

4.0 Allowable Release Rates and Storm Water Management

The S.W.M. report documentation provided by the Owner's Consultant to the Town shows that storm water management (S.W.M.) practices are being utilized for the proposed commercial development on the parcel. Under no circumstance would the additional runoff volumes be permitted to drain into the "Colchester Townline Drain" unless storm water management is provided. The storm water management system will ensure that the allowable release rate into the

"Colchester Townline Drain" for the parcel does not exceed the 1:2 year storm pre-development runoff rate for the original area that was affected based on utilizing a 0.20 runoff coefficient and limiting the flow discharge rate to 112 litres per second (3.96cfs). No increase shall be permitted for the area currently using the drain, which area is to be officially connected through this report. Under no circumstance should the Town consider allowing the increased total flow volumes into the "Colchester Townline Drain" unless this condition is met. Proper storm water management facilities restricting the flows to the allowable release rate of 112lps will ensure that the subsequent flows will have no significant adverse effect on the capacity of the "Colchester Townline Drain".

Final storm water management reports have been prepared by Challeng Consulting for the proposed development taking the allowable release rate into consideration, and these were submitted to the Town and the Essex Region Conservation Authority (E.R.C.A.) for review by them. Approval from the Town and E.R.C.A. will be required before any development work proceeds.

The flows from the development parcel will generally outlet near the northwest corner of the parcel area to be developed for truck parking and will outlet to the "Colchester Townline Drain" through the existing tile drain outlet that extends under the roadway. We also find that the use of S.W.M. controls will reduce the peak flows in the drain and therefore the commercial development will not adversely impact on the downstream covered drain sections. Based on our findings, we believe that it is reasonable to allow for the increased total flow volumes from the proposed commercial lands, provided that the necessary storm water management provisions are made and maintained for the proposed commercial use and expansions.

5.0 Subsequent Connection Charges

We find that the area being drained to the "Colchester Townline Drain" from the affected parcel will be a newly affected area for the commercial development. Normally adding in a new parcel area would result in buy-in charges to the affected parcel for the additional area being brought into the drain based on the remaining life of the construction and any recent maintenance work carried out on the Municipal drain. For this project we find, from our investigations with the Town, that there are no recent maintenance charges so that only the original construction cost is a factor, and that the total area from the affected parcel now draining to the "Colchester Townline Drain" will be 10.1 hectares (25.0 acres) which is the area that is currently allowed into the drain for the parcel, although not previously formalized under a report pursuant to the Drainage Act. From the information received, we understand that there is no additional area that requires a subsequent connection to the drain and consequently charges are required to the affected parcel for the area already being brought into the drain. Based on the proposed allowable area of drainage, we find that the original total assessment should be $225.00 to reflect the current area going into the drain. However, using an estimated life expectancy of 50 years and adjusting for the Consumer Price Index between 1978 and 2018, we find that the buy in should be for 20% of the estimated cost or $45.00. When adjusted for inflation of 362.3%, we recommend that the buy in cost be $163.04. Due to the increase in flow volume created by the S.W.M. system, we also recommend that the Outlet Liability

be increased by a factor of 1.5, similar to that used for greenhouse developments with S.W.M. systems. The calculated total for buy-in becomes **$244.55**. This amount is to be collected and used towards future maintenance of the "Colchester Townline Drain" pursuant to Section 65 of the Drainage Act.

As noted above, the S.W.M. controls must restrict the outflow rate to the 1:2 year predevelopment rates from the proposed affected area of the parcel up to and including for the 1:100 year storm, and therefore no adverse impact on flow rates in the Drain will occur.

6.0 Assessment for Increased Flow Volumes

With implementation of a storm water management system limiting the outflows into the "Colchester Townline Drain" to the pre-development flow rate, as outlined above, the increased total flow volumes from the affected parcel would have no adverse effect on the capacity of the "Colchester Townline Drain". Therefore, based on the above conditions, we find that the "Colchester Townline Drain" has the ability to accept the additional total flow volumes from within the affected parcel, and we are therefore prepared to recommend the approval of this commercial development.

If the Town of Tecumseh is prepared to approve the increased total flow volumes from the lands of Townline Development Truck Parking Area into the "Colchester Townline Drain" at the controlled discharge rate, an update to the assessments is to be established by the engineer and the cost for same is to be charged entirely to the owner of the affected lands. Section 65.(3) of the "Drainage Act, R.S.O. 1990, Chapter D.17, as amended 2010" requires that "*where the nature or extent of the use of a drainage works by land assessed for the drainage works is subsequently altered, an engineer appointed by the Municipality for the purpose shall make an inspection and assess the land for a just proportion of the drainage works*".

From our investigations of the Town's drainage files, we have determined that the drainage works for which the affected parcel must be assessed for a just proportion is the "Colchester Townline Drain".

The Outlet Liability charge to the owner of the affected parcel should be based on the increased total flow volumes from the assessed portions to the "Colchester Townline Drain". This parcel should be added to the September 15th, 1978 Schedule of Assessment and be shown with a value of **$338.00** for Outlet Liability. Since the parcel is located across the road from the drain, we recommend that there be $0.00 Benefit assessment. The Total Values in the assessment schedule should be increased by the new Outlet Liability charge.

7.0 Assessment Adjustments for Increased Total Flow Volume

We find that the Parcel being added to the September 15th, 1978 report and assessment schedule should have its "Value of Outlet Liability" and "Total Value" amounts set to reflect the total flow

volume that will result from the existing and proposed commercial development affected areas on the parcel. The "Value of Benefit" for this parcel will be set at zero due to its location across the roadway from the drain.

8.0 Future Maintenance Charges

Based on our review of the proposed areas of development and hard surface areas that are to be created by the development of the site, we find that the following adjustments should be made to the September 15th, 1978 assessment schedule for the Outlet and Total Values:

Description	Acres (Ha.) Afft'd	Original Value of Outlet	Original Total Value	Updated Value of Outlet	Updated Total Value
Townline Development Truck Parking Area					
Parcel 470-02400	25.0 (10.1)	$0.00	$0.00	$ 338.00	$ 338.00
	UPDATED TOTAL AMHERSTBURG			**$ 338.00**	**$ 338.00**
	UPDATED TOTAL ASSESSMENT			**$44,755.50**	**$94,072.50**

In accordance with Section 65.(3) of the "Drainage Act, R.S.O. 1990, Chapter D.17, as amended 2010", we recommend that the values in the September 15th, 1978 Schedule of Assessment which is included within the current governing by-law be amended for the current affected parcel to show the updated values as noted above.

Therefore, in accordance with Section 65.(3) of the "Drainage Act, R.S.O. 1990, Chapter D.17, as amended 2010", we recommend that the above noted updated values be collected from the affected parcel by the Town of Amherstburg on a pro-rata basis only when there is future maintenance or repairs of the "Colchester Townline Drain", pursuant to the "Drainage Act, R.S.O. 1990, Chapter D.17, as amended 2010".

9.0 Summary and Recommendations

As already established herein, we have conducted a drainage study of the "Colchester Townline Drain" and have determined that the increased total flow volumes for Parcel 470-02400 from development as a commercial site, as shown on the plans within **Appendix "REI-B"**, shall not adversely affect the performance of said Municipal Drain as long as the Storm Water

Management Facilities limit the total release rate allowed into said drain to the 1:2 year pre-development runoff from the original affected lands of 112lps.

The pre-development runoff coefficient to be utilized shall be 0.20 for these lands and shall be confirmed in the Storm Water Management Reports submitted to the Town of Amherstburg and E.R.C.A. for their approval and confirm a maximum discharge rate of 112lps.

We have also established herein updated Value of Outlet Liability charges to be paid by the affected Parcel 470-02400, which is a representation of the increased total flow volumes from the developed site.

Based on all of the above, we would therefore recommend that the Town of Amherstburg approve the proposed commercial development of Parcel 470-02400 located at 7981 Howard Avenue into the "Colchester Townline Drain", as long as all of the above requirements and conditions are complied with. We further recommend that the costs for preparation of this report be assessed 100% to the affected Parcel 470-02400 that is being developed.

If you, or Council, have any questions regarding this "Changes in Assessment Report", please do not hesitate to contact us. It is our understanding that this report is to be approved at the earliest to allow for construction works to be carried out on the proposed commercial development as soon as all approvals are received.

We respectfully remain,

Yours truly,

***R**ood **E**ngineering **I**nc.*

Gerard Rood

Gerard Rood, P.Eng.

tm

Att.

APPENDIX “REI-A”

SPECIAL PROVISIONS

Changes in assessment

Subsequent subdivision of land

65. (1) If, after the final revision of an engineer's assessment of land for a drainage works, the land is divided by a change in ownership of any part, the clerk of the local municipality in which the land is situate shall instruct an engineer in writing to apportion the assessment among the parts into which the land was divided, taking into account the part of the land affected by the drainage works. 2010, c. 16, Sched. 1, s. 2 (26).

Agreement on share of assessment

(2) If the owners of the subdivided land mutually agree on the share of the drainage assessment that each should pay, they may enter into a written agreement and file it with the clerk of the local municipality and, if the agreement is approved by the council by resolution, no engineer need be instructed under subsection (1). 2010, c. 16, Sched. 1, s. 2 (26).

Subsequent connection to drainage works, etc.

(3) If an owner of land that is not assessed for a drainage works subsequently connects the land with the drainage works for the purpose of drainage, or if the nature or extent of the use of a drainage works by land assessed for the drainage works is subsequently altered, the clerk of the local municipality in which the land is situate shall instruct an engineer in writing to inspect the land and assess it for a just proportion of the drainage works, taking into account any compensation paid to the owner of the land in respect of the drainage works. 2010, c. 16, Sched. 1, s. 2 (26).

Subsequent disconnection from drainage works

(4) If an owner of land that is assessed for a drainage works subsequently disconnects the land from the drainage works, the clerk of the local municipality in which the land is situate shall instruct an engineer in writing to inspect the land and determine the amount by which the assessment of the land should change. 2010, c. 16, Sched. 1, s. 2 (26).

Restriction on connection or disconnection

(5) No person shall connect to or disconnect from drainage works without the approval of the council of the municipality. 2010, c. 16, Sched. 1, s. 2 (26).

Notice of instructions

(6) The clerk of the local municipality shall send a copy of the instructions mentioned in subsection (1), (3) or (4) to the owners of the affected lands as soon as reasonably possible. 2010, c. 16, Sched. 1, s. 2 (26).

Engineer's assessment

(7) An engineer who prepares an assessment pursuant to instructions received under subsection (1), (3) or (4) shall file the assessment with the clerk of the local municipality. 2010, c. 16, Sched. 1, s. 2 (26).

Notice of assessment

(8) The clerk of the local municipality shall attach the engineer's assessment to the original assessment and send a copy of both to the owners of the affected lands. 2010, c. 16, Sched. 1, s. 2 (26).

Assessment binding

(9) Subject to subsection (11), the engineer's assessment is binding on the assessed land. 2010, c. 16, Sched. 1, s. 2 (26).

Costs

(10) The costs of the assessment, including the fees of the engineer, shall be paid by the owners of the lands in the proportion fixed by the engineer or, on appeal, by the Tribunal, and subsection 61 (4) applies to these costs. 2010, c. 16, Sched. 1, s. 2 (26).

Appeal of assessment

(11) If the engineer's assessment is for an amount greater than $500, the owner of the land may appeal to the Tribunal within 40 days after the date the clerk sends a copy of the assessment to the owner. 2010, c. 16, Sched. 1, s. 2 (26).

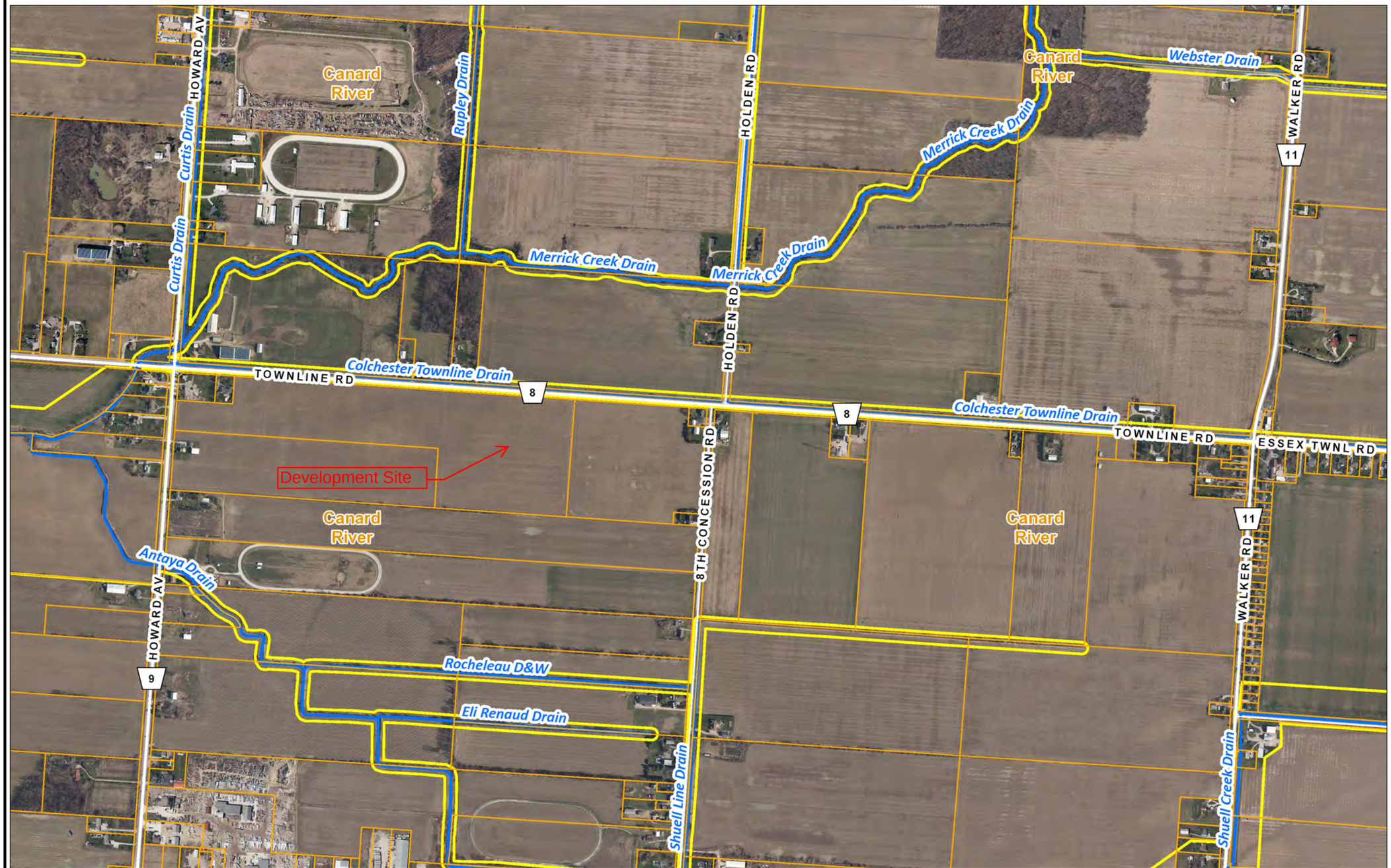
Use of amount collected

(12) Any amount collected under subsection (3) shall be credited to the account of the drainage works and shall be used only for the improvement, maintenance or repair of the whole or any part of the drainage works. 2010, c. 16, Sched. 1, s. 2 (26).

66. Repealed: 2010, c. 16, Sched. 1, s. 2 (26).

APPENDIX “REI-B”

Colchester Townline Drain



Essex Region Conservation Authority

Public Interactive Mapping

Legend

- Parcel Fabric
- 1:100 yr Flood Line
- Limit of Regulated Area
- Constructed Drains (LIO)
  - Open or Unknown
  - Closed/Tiled
- Subwatershed (Line)

Rood Engineering Inc.

Consulting Engineers
9 Nelson Street
Leamington, Ontario N8H 1G6
519-322-1621

2019-01-18

Location

0 222.25 444.5

Meters

1: 10,000 8/23/2018

ERCA Geomatics

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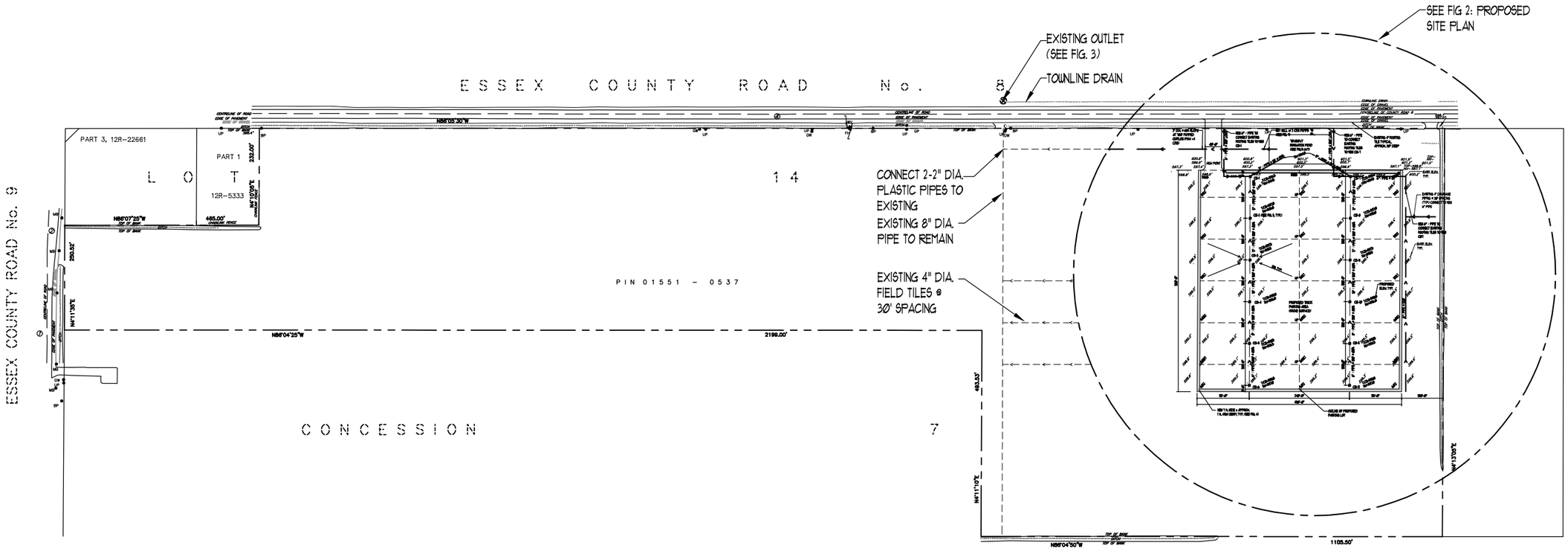
Notes

REI2018D034



BASE PLAN BY: CLARKE SURVEYORS INC.,
JOB # 34922-01, MARCH 22, 2018.

FIGURE 1: PROPOSED SITE PLAN

SCALE: N.T.S

N

FIELD VERIFY ALL DIMENSIONS

Chall.Eng. CONSULTING ENGINEERS
SUITE 342,
13300 TECUMSEH ROAD EAST,
WINDSOR, ONTARIO, N8N4R8
PHONE: 519-979-7333
FAX: 519-979-7331
CEC@CEC14.COM WWW.CEC14.COM

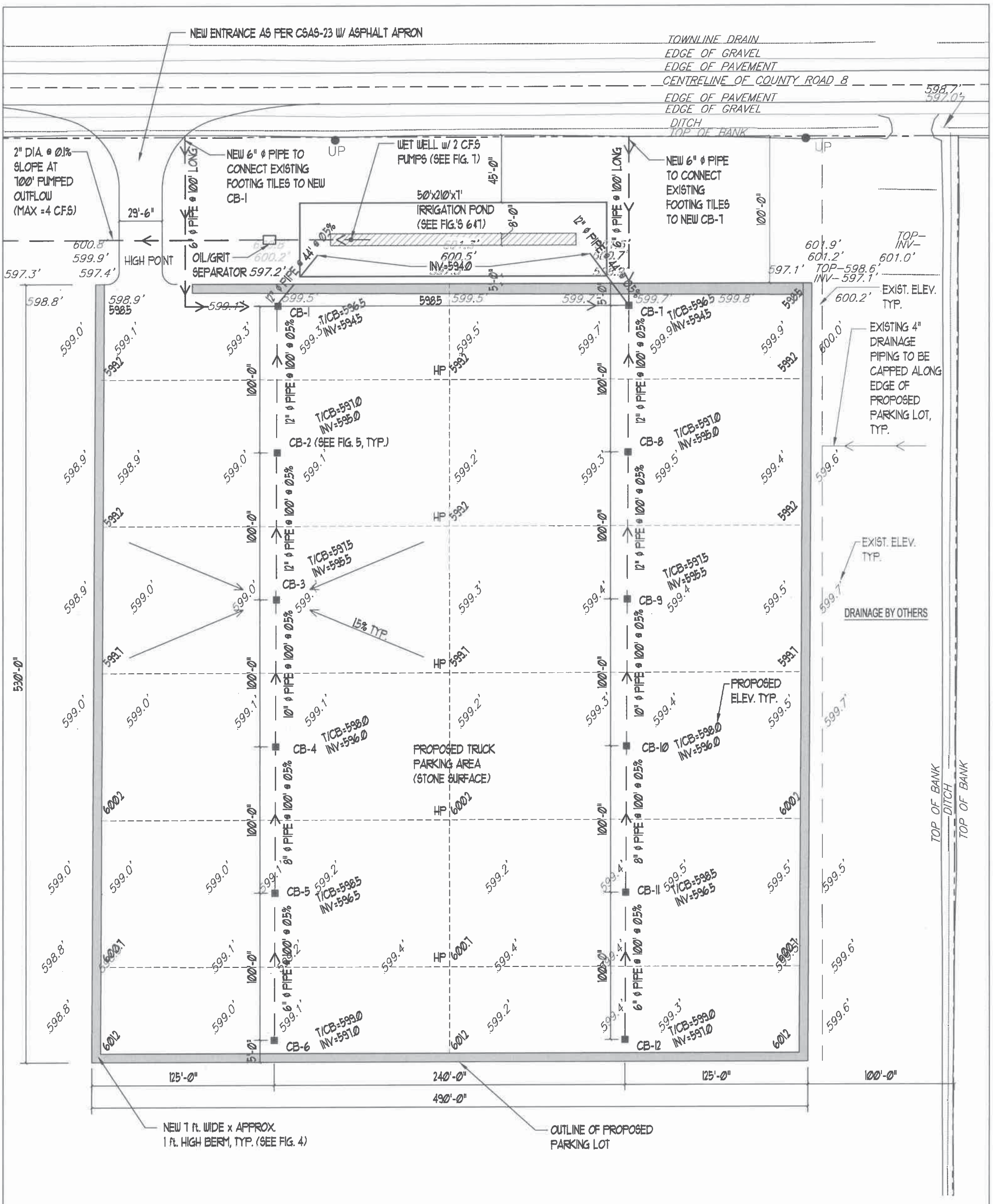
DWG. NO. S1
REV. NO.

PROPOSED SITE PLAN

ISSUED FOR:	DATE:
OWNER REVIEW	APR 10/18
OWNER REVIEW	DEC 10/18

PROJECT: BEZAIRE PROPERTY
7981 HOWARD AVENUE, AMHERSTBURG, ONTARIO

DATE: DECEMBER 10, 2018
PROJ. NO: 18014
SCALE: AS SHOWN



LEGEND

- ⊠ CB — NEW 2'x2'x6' HIGH CATCH BASIN WITH STEEL GRATE, 2" SUMP WITH GOS-GULLEY (CB-1 & CB-7 ONLY) TRAPS, AND 6'x6'x8" THK. CONC. PAD
- — — — DRAINAGE PIPE
- ○ UP — UTILITY POLE
- BERM
- — - — - — PROPERTY LINE
- 97.33ft — EXISTING ELEVATION
- **97.33ft** — **PROP. ELEVATION**
- TC — TOP OF COVER
- INV — PIPE INVERT

BASE PLAN BY: CLARKE SURVEYORS INC., JOB # 34922-01, MARCH 22, 2018.

ISSUED FOR:	DATE:
OWNER REVIEW	APR 19/18
DRAFT TO AMHERSTBURG	MAY 4/18
REVISION 1	MAY 16/18
REVISION 2	NOV 12/18
REVISION 3	APR 18/19
REVISION 4	MAY 13/19

FIGURE 2: PROPOSED SITE PLAN

SCALE: 1/64" = 1'-0"

NOTE: THIS DRAWING IS A PART OF SWM REPORT DATED NOV. 12, 2018

FIELD VERIFY ALL DIMENSIONS

PROJECT: BEZAIRE PROPERTY
7981 HOWARD AVENUE, AMHERSTBURG, ONTARIO

DATE: NOVEMBER 12, 2018 | PROJ. NO: 18014 | SCALE: AS SHOWN

PROPOSED SITE PLAN

DWG. NO. S2 | REV. NO. 4

Chall.Eng. CONSULTING ENGINEERS
SUITE 342, 13300 TECUMSEH ROAD EAST, WINDSOR, ONTARIO, N8N4R8
PHONE: 519-979-7333
FAX: 519-979-7331
CEC@CEC14.COM WWW.CEC14.COM

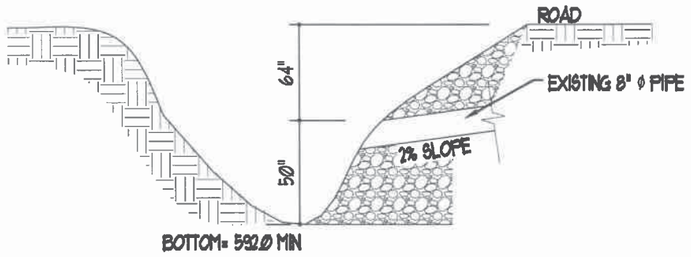


FIGURE 3: EXISTING OUTLET PIPE ELEVATION DETAIL

SCALE: 1/4" = 1'-0"

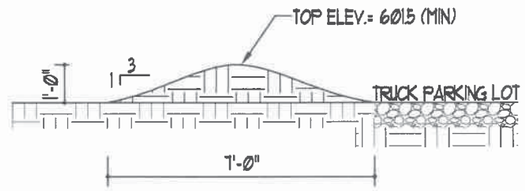


FIGURE 4: BERM WITH GRASS COVER

SCALE: 1/4" = 1'-0"

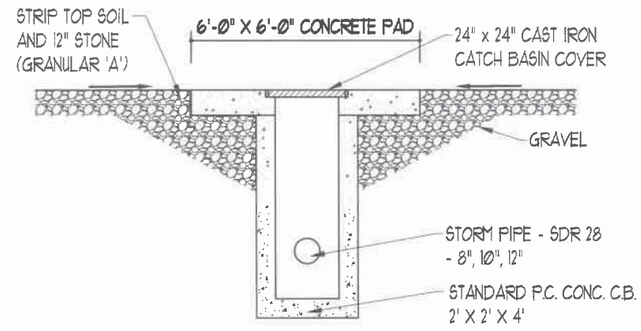


FIGURE 5: CATCH BASIN DETAIL

SCALE: 1/4" = 1'-0"

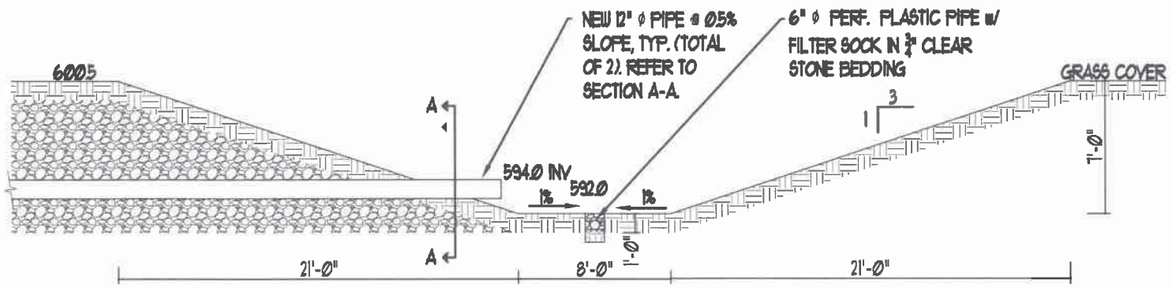
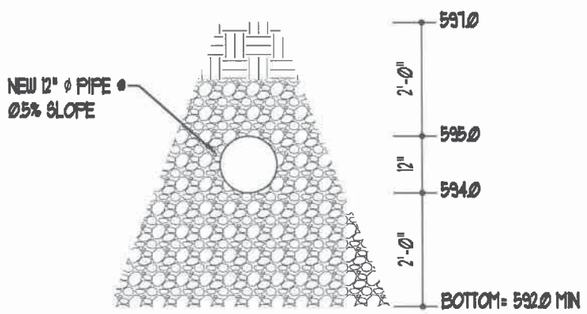


FIGURE 6: IRRIGATION POND DETAIL

SCALE: 1/8" = 1'-0"



SECTION A-A: PIPE DETAIL

SCALE: 3/8" = 1'-0"

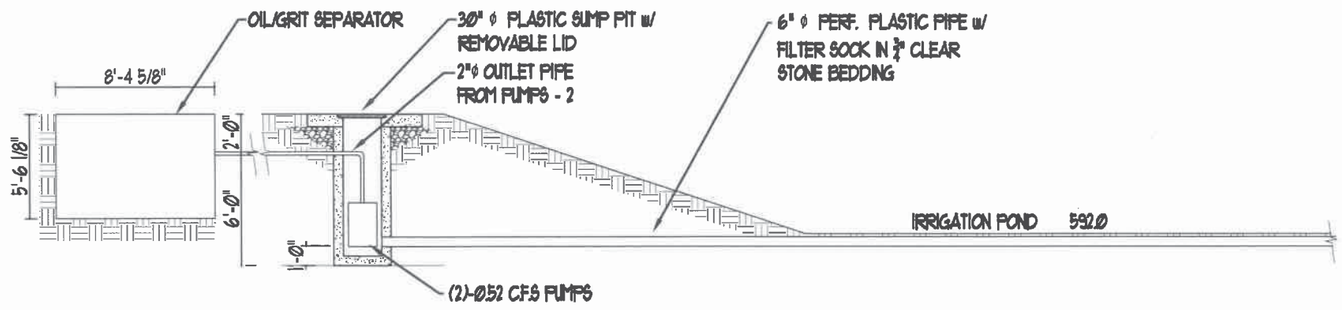


FIGURE 7: POND PUMP DETAIL

SCALE: 1/8" = 1'-0"

FIELD VERIFY ALL DIMENSIONS

SUITE 342,
13300 TECUMSEH ROAD EAST,
WINDSOR, ONTARIO, N8N4R8
PHONE: 519-979-7333
FAX: 519-979-7331
CEO@CEC14.COM WWW.CEC14.COM
ChaiLEng. CONSULTING ENGINEERS

DWG. NO. S3 | REV. NO. 3

PROPOSED SITE PLAN – DETAILS

ISSUED FOR:	DATE:
OWNER REVIEW	APR 19/18
DRAFT TO AMHERSTBURG	MAY 4/18
REVISION 1	NOV 12/18
REVISION 2	APR 18/19
REVISION 3	MAY 13/19

PROJECT: BEZAIRE PROPERTY
7981 HOWARD AVENUE, AMHERSTBURG, ONTARIO

DATE: NOVEMBER 12, 2018 | PROJ. NO: 18014 | SCALE: AS SHOWN

Drainage Act, R.S.O. 1990, c. D.17.

Section 6(1) – Notice that environmental appraisal is required

Upon receipt of a notice from the initiating municipality under subsection 5 (1), a local municipality, conservation authority or the Minister of Natural Resources, as the case may be, may send to the council of the initiating municipality within thirty days a notice that an environmental appraisal of the effects of the drainage works on the area is required, and the cost thereof shall be paid by the party who requested it.

Section 6(2) – Authorization for environmental appraisal

The council of the initiating municipality may obtain an environmental appraisal on its own initiative, the cost of which shall be paid by the municipality from its general funds.

Section 6(3) – Appeal

The party requesting the environmental appraisal or the council of the initiating municipality, as the case may be, within forty days of receiving the account therefor, may appeal to the Tribunal, and the Tribunal may confirm or vary the account as it considers proper.

Section 25(1) – Engineer may assess a block, etc.

The council of the local municipality may direct the engineer to assess as a block, a built-up area designated by the council, and the sum assessed therefor may be levied against all the rateable properties in the designated area proportionately on the basis of the assessed value of the land and buildings.

Section 25(2) – Assessments to be charged against public roads

Where the engineer makes a block assessment under subsection (1), the engineer shall designate the proportion of the assessment to be charged against the public roads in the designated area.

Section 26 – Increased cost, how borne

In addition to all other sums lawfully assessed against the property of a public utility or road authority under this Act, and despite the fact that the public utility or road authority is not otherwise assessable under this Act, the public utility or road authority shall be assessed for and shall pay all the increase of cost of such drainage works caused by the existence of the works of the public utility or road authority.

Section 41(1) – Notice of drainage works

Upon the filing of the engineer's report, the council of the initiating municipality, if it intends to proceed with the drainage works, shall, within thirty days of the filing of the report, cause the clerk of the initiating municipality to send a copy of the report and a notice stating,

(a) the date of the filing of the report;
(b) the name or other designation of the drainage works; and
(c) the date of the council meeting at which the report will be considered,

to,

(d) the owners, in the initiating municipality, as shown by the last revised assessment roll to be the owners of lands and roads assessed for the drainage works or for which compensation or other allowances have been provided in the report;
(e) the clerk of every other local municipality in which any land or road that is assessed for the drainage works or for which compensation or other allowances have been provided in the report is situate;
(f) the secretary-treasurer of each conservation authority that has jurisdiction over any land affected by the report;
(g) any railway company, public utility or road authority affected by the report, other than by way of assessment;
(h) the Minister of Natural Resources where land under his or her jurisdiction may be affected by the report; and
(i) the Director.

Section 42(2) – Clerk to notify persons assessed

The clerk of every other local municipality in which any land or road that is assessed for the drainage works or for which compensation or other allowances have been provided in the report is situate shall send within thirty days of the sending of the last notice under subsection (1) a copy of the report and notice to the owners, as shown by the last revised assessment roll to be the owners of the lands and roads in such municipality assessed for the drainage works, or for which compensation or other allowance has been provided in the report stating,

(a) the date of the filing of the report;
(b) the name or other designation of the drainage works; and
(c) the date of the council meeting of the initiating municipality at which the report will be considered.

Section 41(3) – Copy of report not required

Despite subsections (1) and (2), where a block assessment is made, the notice to the owners of the lands so assessed need not be accompanied by a copy of the report.

Section 41(3.1) – Same

Despite subsections (1) and (2), the council of a local municipality is not required to send a copy of the report to owners of lands and roads assessed for a sum of less than $100.

Section 42 – Consideration of report

The council of the initiating municipality at the meeting mentioned in section 41 shall consider the report, and, where the drainage works is requested on petition, shall give an opportunity to any person who has signed the petition to withdraw from it by filing a signed withdrawal with the clerk and shall also give those present owning lands within the area requiring drainage who have not signed the petition an opportunity to do so, and should any of the lands or roads owned by the municipality within the area requiring drainage as described in the petition be assessed, the council may by resolution authorize the head of the municipality to sign the petition for the municipality, and such signature counts as that of one person in favour of the petition.

Section 46(1) – Notice of court of revision to be sent to local municipalities and to owners

The council of the initiating municipality shall, within five days after the adoption of the report, send a copy of the provisional by-law, exclusive of the engineer's report, and a notice of the time and place of the first sitting of the court of revision to every other local municipality in which any land or road is assessed for the drainage works or for which allowance or compensation has been provided for in the report.

Section 46(2) – Idem

The council of the initiating municipality and of every local municipality to whom a copy of the provisional by-law is sent under subsection (1) shall, within thirty days after the adoption of the report, send a copy of the provisional by-law, exclusive of the engineer's report, and a notice of the time and place of the sitting of the court of revision to each person or body entitled to notice under section 41 and the notice shall inform each owner that the owner may appeal the owner's assessment to the court of revision by a notice given to the clerk of the initiating municipality not later than ten days prior to the first sitting of the court of revision.

Section 46(3) – Sittings of Court

The first sitting of the court of revision shall be held on a day not earlier than twenty nor later than thirty days from the date of completing the sending of the copies of the provisional by-law under subsection (2).

Section 57 – Referral back to engineer

The council of the initiating municipality, at any time before passing the by-law, if it appears that there are or may be errors in the report of the engineer or that for any other reason the report should be reconsidered, may refer the report back to the engineer for reconsideration, and the engineer shall thereupon reconsider the report and shall further report to the council, which report has the same effect and shall be dealt with in the same manner and the proceedings thereon shall be the same as upon the original report.

Section 58(1) – By-Law may be passed

Where the council of an initiating municipality has adopted a report for the construction of a drainage works after the time for appealing has expired and there are no appeals or after all appeals have been decided, the council may pass the provisional by-law to which the engineer's report was attached, thereby authorizing the construction of the drainage works, and work may be commenced ten days after the by-law is passed if no notice of intention to make application to quash the by-law has been filed with the clerk of the council.

Section 59(1) – Meeting to consider contract price

Where the contract price exceeds 133 per cent of the engineer's estimate of the contract price, the council of the initiating municipality shall call a meeting in the manner prescribed by section 41, and sections 42 and 43 apply with necessary modifications.

Section 65 - Changes in assessment

Section 65(1) - Subsequent subdivision of land

If, after the final revision of an engineer's assessment of land for a drainage works, the land is divided by a change in ownership of any part, the clerk of the local municipality in which the land is situate shall instruct an engineer in writing to apportion the assessment among the parts into which the land was divided, taking into account the part of the land affected by the drainage works. 2010, c. 16, Sched. 1, s. 2 (26).
Agreement on share of assessment

Section 65 (2) – Agreement on share of assessment

If the owners of the subdivided land mutually agree on the share of the drainage assessment that each should pay, they may enter into a written agreement and file it with the clerk of the local municipality and, if the agreement is approved by the council by resolution, no engineer need be instructed under subsection (1). 2010, c. 16, Sched. 1, s. 2 (26).

Section 65(3) – Subsequent connection to drainage works, etc.

If an owner of land that is not assessed for a drainage works subsequently connects the land with the drainage works for the purpose of drainage, or if the nature or extent of the use of a drainage works by land assessed for the drainage works is subsequently altered, the clerk of the local municipality in which the land is situate shall instruct an engineer in writing to inspect the land and assess it for a just proportion of the drainage works, taking into account any compensation paid to the owner of the land in respect of the drainage works. 2010, c. 16, Sched. 1, s. 2 (26).

Section 65(4) – Subsequent disconnection from drainage works

If an owner of land that is assessed for a drainage works subsequently disconnects the land from the drainage works, the clerk of the local municipality in which the land is situate shall instruct an engineer in writing to inspect the land and determine the amount by which the assessment of the land should change. 2010, c. 16, Sched. 1, s. 2 (26).

Section 65(5) - Restriction on connection or disconnection

No person shall connect to or disconnect from drainage works without the approval of the council of the municipality. 2010, c. 16, Sched. 1, s. 2 (26).

Section 65(6) - Notice of instructions

The clerk of the local municipality shall send a copy of the instructions mentioned in subsection (1), (3) or (4) to the owners of the affected lands as soon as reasonably possible. 2010, c. 16, Sched. 1, s. 2 (26).

Section 65(7) - Engineer's assessment

An engineer who prepares an assessment pursuant to instructions received under subsection (1), (3) or (4) shall file the assessment with the clerk of the local municipality. 2010, c. 16, Sched. 1, s. 2 (26).

Section 65(8) - Notice of assessment

The clerk of the local municipality shall attach the engineer's assessment to the original assessment and send a copy of both to the owners of the affected lands. 2010, c. 16, Sched. 1, s. 2 (26).

Section 65(9) - Assessment binding

Subject to subsection (11), the engineer's assessment is binding on the assessed land. 2010, c. 16, Sched. 1, s. 2 (26).

Section 65(10) - Costs

The costs of the assessment, including the fees of the engineer, shall be paid by the owners of the lands in the proportion fixed by the engineer or, on appeal, by the Tribunal, and subsection 61 (4) applies to these costs. 2010, c. 16, Sched. 1, s. 2 (26).

Section 65(11) - Appeal of assessment

If the engineer's assessment is for an amount greater than $500, the owner of the land may appeal to the Tribunal within 40 days after the date the clerk sends a copy of the assessment to the owner. 2010, c. 16, Sched. 1, s. 2 (26).

Section 65(12) - Use of amount collected

Any amount collected under subsection (3) shall be credited to the account of the drainage works and shall be used only for the improvement, maintenance or repair of the whole or any part of the drainage works. 2010, c. 16, Sched. 1, s. 2 (26).

Section 76(1) - Varying original assessments for maintenance

The Council of any local municipality liable for contribution to a drainage works in connection with which conditions have changed or circumstances have arisen such as to justify a variation of the assessment for maintenance and repair of the drainage works may make an application to the Tribunal, of which notice has been given to the head of every other municipality affected by the drainage works, for permission to procure a report of an engineer to vary the assessment, and, in the event of such permission being given, such council may appoint an engineer for such purpose and may adopt the report but, if all the lands and roads assessed or intended to be assessed lie within the limits of one local municipality, the council of that municipality may procure and adopt such report without such permission.

Section 76(2) – Proceedings on report of engineer

The proceedings upon such report, excepting appeals, shall be the same, as nearly as may be, as upon the report for construction of the drainage works.

Section 76(3) – Appeal from report of engineer

Any council served with a copy of such report may, within 45 days of such service, appeal to

the Tribunal from the finding of the engineer as to the portion of the cost of the drainage works for which the municipality is liable.

Section 76(4) – Appeal from assessment

Any owner of land assessed for maintenance or repair may appeal from the assessment in the report on the grounds and in the manner provided by Section 52 in the case of the construction of the drainage works.

Section 76(5) – Basis of future assessments

An assessment determined under this section shall thereafter, until it is further varied, form the basis of any assessment for maintenance or repair of the drainage works affected thereby.

Section 78(1) – Improving, upon examination and report of engineer

If a drainage works has been constructed under a by-law passed under this Act or any predecessor of this Act, and the council of the municipality that is responsible for maintaining and repairing the drainage works considers it appropriate to undertake one or more of the projects listed in subsection (1.1) for the better use, maintenance or repair of the drainage works or of lands or roads, the municipality may undertake and complete the project in accordance with the report of an engineer appointed by it without the petition required in section 4.

Section 78(1.1) – Projects

The projects referred to in subsections (1) are:

1. Changing the course of the drainage works.
2. Making a new outlet for the whole or any part of the drainage works.
3. Construction a tile drain under the bed of the whole or any part of the drainage works.
4. Constructing, reconstructing or extending embankments, walls, dykes, dams, reservoirs, bridges, pumping stations or other protective works in connection with the drainage works.
5. Otherwise improving, extending to an outlet or altering the drainage works.
6. Covering all or part of the drainage works.
7. Consolidating two or more drainage works.

Section 78(2) – Notice to conservation authority

An engineer shall not be appointed under subsection (1) until thirty days after a notice advising of the proposed drainage works has been sent to the secretary-treasurer of each conservation authority that has jurisdiction over any of the lands that would be affected.

Section 78(3) – Powers and duties of engineer

The engineer has all the powers and shall perform all the duties of an engineer appointed with respect to the construction of a drainage works under this Act.

Section 78(4) – Proceedings

All proceedings, including appeals, under this section shall be the same as on a report for the construction of a drainage works.

The Corporation of the Town of Tecumseh

Public Works & Environmental Services

To: Mayor and Members of Council

From: Phil Bartnik, Director Public Works & Environmental Services

Date to Council: July 23, 2019

Report Number: PWES-2019-31

Subject: Sylvestre Drive Sanitary Sewer Extension
Municipal Class Environmental Assessment, Schedule B
Filing the Notice of Study Completion

Recommendations

It is recommended:

That the Public Works & Environmental Services Report PWES-2019-31 Sylvestre Drive Sanitary Sewer Extension, Municipal Class Environmental Assessment Schedule B, Filing the Notice of Study Completion **be received**;

And that the Notice of Study Completion **be advertised** in the local newspaper and the Town's social media accounts to initiate the mandatory 30-day public review period.

Background

At the December 12, 2017 Regular Council Meeting, Council approved the recommendations (Motion RCM-441/17) of PWES Report No. 57/17 titled "2018-2022 Public Works & Environmental Services Capital Works Plan" that authorized Administration to proceed with the completion of the Municipal Class Environmental Assessment and the detailed design for the sanitary sewer extension on Sylvestre Drive.

Comments

Administration had identified the need for road repairs to a section of Sylvestre Drive as early as 2014 in the annual PWES 5-year Capital Works Plan. In keeping with the Town's practice to consolidate infrastructure improvement projects to achieve efficiencies, it was identified that,

along with the road repairs, the sanitary sewer should also be extended and the storm sewers replaced within that same section of road.

The installation of the sanitary sewers to service the properties identified within the study area is in keeping with Town's Water & Wastewater Master Plan, the Provincial Policy Statement, the County of Essex's Official Plan, and the Town's Official Plan to provide full municipal services to those properties within designated Settlement Areas.

Municipal Class Environmental Assessment

The *Ontario Environmental Assessment (EA) Act* recognized that certain municipal undertakings occur frequently, are small in scale, have a generally predictable range of effects or have a relatively minor environmental significance. To ensure that a degree of standardization in the infrastructure planning process is followed throughout the Province, the EA Act contemplated the use of the Class Environmental Assessment (Class EA) procedure for projects which require approval under the Act but which are not considered to be major environmental works. The Municipal Engineers Association (MEA) document titled Municipal Class Environmental Assessment (October 2000 as amended in 2007, 2011 and 2015), describes the procedure for undertaking a Class EA for municipal projects.

Projects undertaken by municipalities vary in their environmental impact, and are classified within the Class EA document in terms of Schedules:

- **Schedule A** projects are limited in scale, have minimal adverse environmental effects and include a number of municipal maintenance and operational activities. These projects are preapproved and may proceed to implementation without following the full Class EA planning process. Schedule A projects generally include normal or emergency operational and maintenance activities.

- **Schedule A+** projects are similar to Schedule A projects in that they are considered pre-approved; however, the public is to be advised prior to project implementation.

- **Schedule B** projects have potential for some adverse environmental effects. The proponent is required to undertake a screening process, involving mandatory contact with directly affected public and relevant review agencies, to ensure that they are aware of the project and that their concerns are addressed. If there are no outstanding concerns, then the proponent may proceed to implementation. Schedule B projects generally include improvements and minor expansions to existing facilities.

- **Schedule C** projects have the potential for significant environmental effects and must proceed under the full planning and documentation procedures specified in the Municipal Class EA document. Schedule C projects require that an Environmental Study Report (ESR) be prepared and filed for review by the public and review agencies. Schedule C projects generally include the construction of new facilities and major expansions to existing facilities.

The main elements of the Class EA planning process are incorporated in the following five phases, and further depicted on Attachment No.3:

Phase 1: Identify the problem or opportunity.

Phase 2: Identification and evaluation of alternative solutions to determine a preferred solution.

Phase 3: Examination of alternative methods of implementation of the preferred solution.

Phase 4: Documentation of the planning, design and consultation process.

Phase 5: Implementation and monitoring.

The Municipal Class EA process includes an appeal period of 30-days for the public to review the EA document once it has been completed. The proponent is encouraged to work in cooperation with any member of the public who may have a concern to determine the preferred means of addressing a problem. If the concerns of the project cannot be resolved through discussions with the proponent, the member of the public may request the Minister of the Environment to require the proponent to comply with Part II of the EA Act before proceeding with the proposed undertaking. If no request is received by the Minister or delegate, the proponent is free to proceed with the implementation and construction.

Categorization of the Project under the Municipal Class EA

The Municipal Class EA document identifies a number of Schedule B activities for Wastewater Management Projects, one of which is defined as:

- Establish, extend or enlarge a sewage collection system and all works necessary to connect the system to an existing sewage outlet where such facilities are not in an existing road allowance or an existing utility corridor.

The Sylvestre Drive Sanitary Sewer Extension project had identified the need for an easement to service those properties fronting County Road 19 within the study area. This was due in part of the number of utilities, watermain and the municipal drain located within the County Road 19 right-of-way. Upon review of the Municipal Class EA document, this project has been categorized as a Schedule B, and as such is confined to Phases 1 of 2 of the process.

Overview of the Alternatives & Identification of the Preferred Alternative

Three Alternatives were considered or the extension of sanitary sewers to service a portion of the Sylvestre Industrial Park area. Each of these alternatives required a private property easement to service the properties fronting County Road 19 (Manning Road). These Alternatives consisted of the following:

- Alternative A

  This alternative would require an additional easement along the east/west property line to outlet four (4) properties to the Sylvestre Drive existing sewer. A second sewer would be placed along Sylvestre Drive to service those properties fronting Sylvestre. The total length of sewer required would be 970 metres.

- Alternative B

  The five (5) properties fronting County Road 19 would be serviced by (private) individual grinder pump stations connected to the mainline sewer via a small low pressure header sewer. The properties along Sylvestre Drive would be serviced via a gravity main. The total length of sewer is 350 metres and the low pressure sewer header is 280 metres.

- Alternative C

  All properties would be serviced by a gravity sewer system. A pre-fabricated pump/lift station would be located at the intersection of Sylvestre Drive and County Road 19 to service the properties along County Road 19. A total of 630 metres of gravity sewer main would be required in addition to the pump/lift station.

All Alternatives were evaluated against criteria derived by the Consulting Engineer, which consisted of: Engineering Considerations, Cultural & Socio-Economic Environment, Natural Environment and Cost. The Table containing the Evaluation of Alternative Solutions is located on Pages 16 and 17 of Attachment No. 4 of this report.

Ultimately, Alternative C was selected as the Preferred Alternative and is depicted in Attachment No. 3 of this report.

Public Consultation

The public consultation throughout the study satisfied the requirements of the Municipal Class EA. These included:

1. Notice of Study Commencement

   The Notice of Study Commencement was mailed on March 13, 2018 to the study contact list, which consists of interested property owners, stakeholders, indigenous communities, and regulatory agencies. It was also published in the March 16 and 23, 2018 editions of the Shoreline and placed on the Town's website and social media accounts.

2. Indigenous Communities Consultation Engagement

   The Indigenous Communities identified as potentially interested in the study included Walpole Island, Caldwell, Aamjiwnaang, Chippewas of the Thames, Chippewas of Kettle & Stony Point, and Moravian of the Thames (Delaware Nation), Metis Nation of

Ontario and Southern First Nations Secretariat. The Notice of Project Commencement was sent to the Indigenous Communities along with cover letters. Correspondence was only received from the Chippewas of the Thames First Nation.

3. Direct Property Owner Consultation

   Additional consultation and meetings were held with the property owners within the study area. Servicing alternatives and sewer alignments were reviewed, along with the identification of the preferred alternative. These meetings were held April 18, 2018 and April 16, 2019.

Next Steps

The Notice of Study Completion will be published in the local newspaper and on the Town's website and social media accounts, and will also be mailed to landowners, stakeholders and regulatory authorities on the contact list for the Municipal Class EA.

A copy of the Notice of Completion will also be included as a Communication Item at the following regularly scheduled meeting of Council following publication.

A hard copy of the Municipal Class EA, Schedule B Project File will be made available at Town Hall through the Clerk's Office during the 30-day review period, along with a digital copy being made available on the Town's website.

Following the 30-day review period, and considering that all of the comments received have been addressed and that no Part II Orders were submitted to the Minister of the Environment, Conservation and Parks, Administration will bring forward a separate report to Council to have the Municipal Class EA, Schedule B Project File formally adopted.

Construction will be incorporated into the Public Works & Environmental Services 5-year Capital Works Plan, which will be subject to Council approval, and may be scheduled as early as 2020.

Consultations

Planning & Building Services
Dillon Consulting Limited

Financial Implications

There are no financial implications associated with this report.

Administration intends to bring forward a separate report to Council in fall 2019 to proceed with the passing of a Part XII by-law (*Municipal Act*, s.391) for the full cost recovery of the wastewater infrastructure expenditures to those benefitting properties. This is in keeping with the Town's past policy and practice for the installation of new wastewater infrastructure.

Link to Strategic Priorities

Applicable	2019-22 Strategic Priorities
☐	Make the Town of Tecumseh an even better place to live, work and invest through a shared vision for our residents and newcomers.
☒	Ensure that Tecumseh's current and future growth is built upon the principles of sustainability and strategic decision-making.
☐	Integrate the principles of health and wellness into all of Tecumseh's plans and priorities.
☒	Steward the Town's "continuous improvement" approach to municipal service delivery to residents and businesses.
☒	Demonstrate the Town's leadership role in the community by promoting good governance and community engagement, by bringing together organizations serving the Town and the region to pursue common goals.

Communications

Not applicable ☒

Website ☐ Social Media ☐ News Release ☐ Local Newspaper ☐

This report has been reviewed by Senior Administration as indicated below and recommended for submission by the Chief Administrative Officer.

Prepared by:

Phil Bartnik, P.Eng.
Director Public Works & Environmental Services

Reviewed by:

Brian Hillman, MA, MCIP, RPP
Director Planning & Building Services

Recommended by:

Margaret Misek-Evans, MCIP, RPP
Chief Administrative Officer

Attachment Number	**Attachment Name**
1	Study Area
2	Municipal Class EA Planning and Design Process (Flow Chart)
3	Alternative C (Preferred Alternative)
4	Sylvestre Sanitary Sewer, Class Environmental Assessment, Schedule B Project File Report, June 2019

SYLVESTRE DRIVE

DESRO DRIVE

COUNTY ROAD 22

JAMSYL DRIVE

TOWN OF TECUMSEH

TOWN OF LAKESHORE

SYLVESTRE DRIVE

SYLVESTRE DRIVE

MANNING ROAD (COUNTY ROAD 19)

LEGEND

- STUDY AREA
- EXISTING SANITARY SEWER
- PS EXISTING SANITARY PUMP STATION

DILLON CONSULTING

Town of Tecumseh Ontario, Canada

Dillon Project No.: 17-6843

DATE: OCTOBER 2018

SCALE

0 25 50 200m

Sylvestre Sanitary Sewer

Class Environmental Assessment

TOWN OF TECUMSEH

FIGURE 1

STUDY AREA

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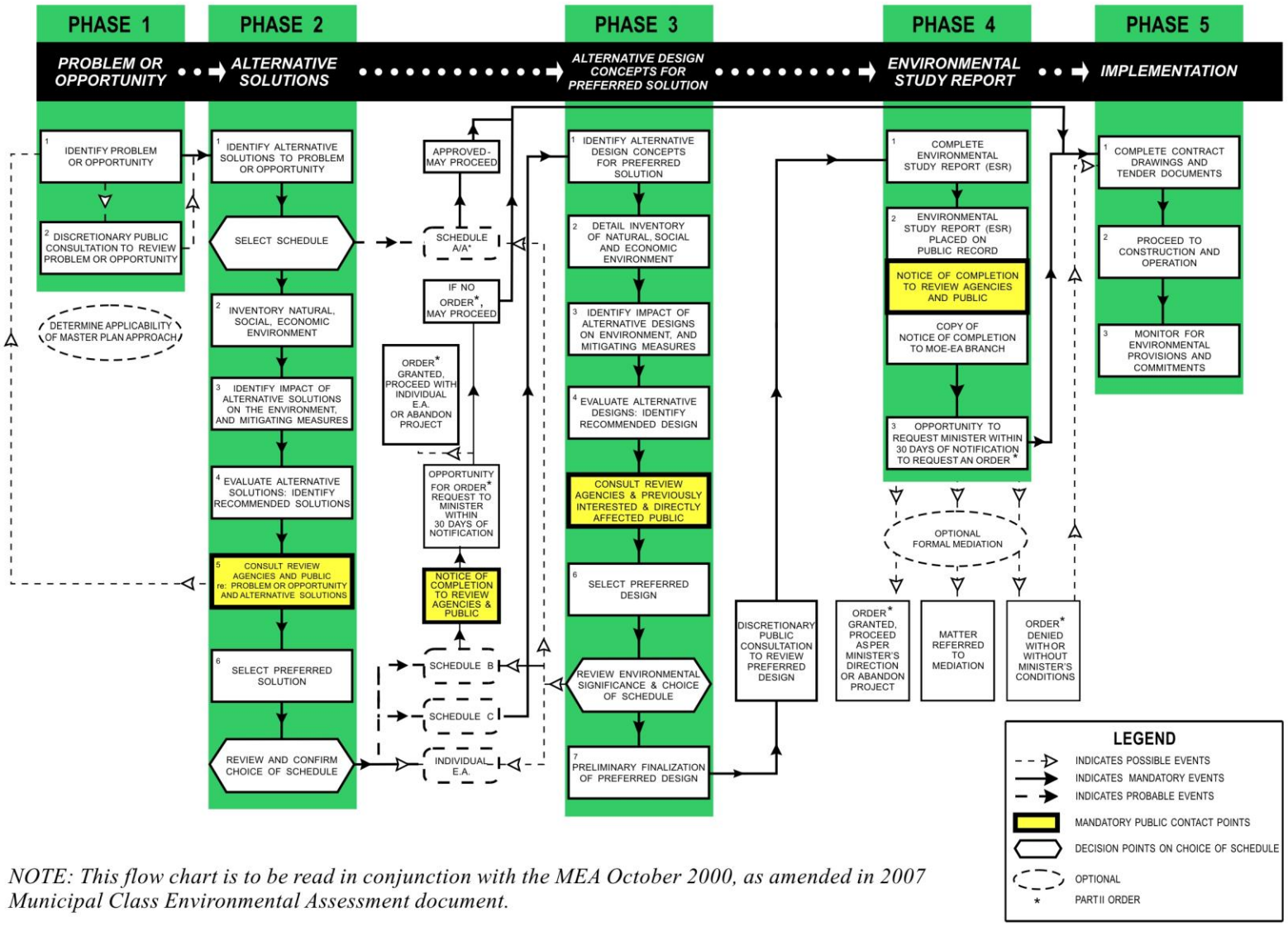
MUNICIPAL CLASS EA PLANNING AND DESIGN PROCESS



NOTE: This flow chart is to be read in conjunction with the MEA October 2000, as amended in 2007 Municipal Class Environmental Assessment document.

JAMSYL DRIVE

SYLVESTRE DRIVE

TOWN OF TECUMSEH

TOWN OF LAKESHORE

MANNING ROAD (COUNTY ROAD 19)

LIMITS OF 3m WIDE EASEMENT

CONNECTION TO EXISTING MANHOLE

CONNECTION OF LOW FLOW TO GRAVITY SEWER

SYLVESTRE DRIVE

PS

N

LEGEND

- PROPOSED SANITARY SEWER ALIGNMENT
- EXISTING SANITARY SEWER
- EASEMENT LIMITS (3m WIDTH)
- PROSPERITIES TO BE SERVICED BY PROPOSED PUMP STATION

DILLON CONSULTING

Town of Tecumseh Ontario, Canada

Dillon Project No.: 17-6843

DATE: OCTOBER 2018

SCALE 0 10 25 100m

Sylvestre Sanitary Sewer

Class Environmental Assessment

TOWN OF TECUMSEH

FIGURE 6
ALTERNATIVE C

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DILLON CONSULTING

CORPORATION OF THE TOWN OF TECUMSEH

Sylvestre Sanitary Sewer

Class Environmental Assessment

Schedule B Project File Report

June 2019 – 17-6843

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1.0 Introduction

1.1 Background and Purpose of Report

The Corporation of the Town of Tecumseh retained Dillon Consulting Limited to complete the Preliminary Design and Municipal Class Environmental Assessment (EA) for the extension of sanitary sewers to service a portion of the Sylvestre Industrial Park Area that is generally located on Sylvestre Drive, south of Jamsyl Drive, and west of Manning Road (**Figure 1**). The sanitary sewer will also be required to service the five properties with frontage onto Manning Road currently serviced by private on-site sewage disposal systems.

In accordance with provincial policy documents "limited infill development on individual water supply and individual on-site sewage services within a settlement area may be considered only where there is no suitable receiver for effluent discharge from a full municipal or communal sewage facility, there are no existing or potential water quality or quantity problems, and site conditions permit."

A permanent sanitary sewer easement must be established on private property for a portion of the work to connect the proposed sanitary sewers from the Study Area to the existing local sanitary sewer located on Sylvestre Drive.

The project also includes the reconstruction of Sylvestre Drive between Manning Road and Jamsyl Drive and local storm drainage improvements which meet the requirements of a Schedule A activity under the Municipal Class EA. Schedule A activities are considered pre-approved and do not form part of this Class EA. As part of this Class EA, alternative sanitary sewer solutions and locations for the associated sanitary sewer easement were considered and a preferred solution identified. This Project File documents the decision-making process leading to the selection of the preferred alternative.

1.2 Class EA Process

Municipal infrastructure projects must meet the requirements of the Ontario *Environmental Assessment Act*. The Municipal Class EA (October 2000, as amended in 2007, 2011 and 2015) applies to a group or "class" of municipal water, wastewater and roads projects, which occur frequently and have relatively minor and predictable impacts. These projects are approved under the *EA Act*, as long as they are planned, designed and constructed according to the requirements of the Class EA document.

The specific requirements of the Class EA for a particular project depend on the type of project, its complexity and the significance of environmental impacts. Four categories of projects are identified in the document, including Schedule "A+", "A", "B" and "C" projects. The project meets the requirements of the following Schedule B Class EA, "Establish, extend or enlarge a sewage collection system and all works necessary to connect the system to an existing sewage outlet where such facilities are not in an existing road allowance or an existing utility corridor (Page I-14, MCEA).

LEGEND

STUDY AREA

EXISTING SANITARY SEWER

EXISTING SANITARY PUMP STATION

DILLON CONSULTING

Town of Tecumseh Ontario Canada

Dillon Project No.: 17-6843

DATE: OCTOBER 2018

SCALE

0 25 50 200m

Sylvestre Sanitary Sewer

Class Environmental Assessment

TOWN OF TECUMSEH

FIGURE 1

STUDY AREA

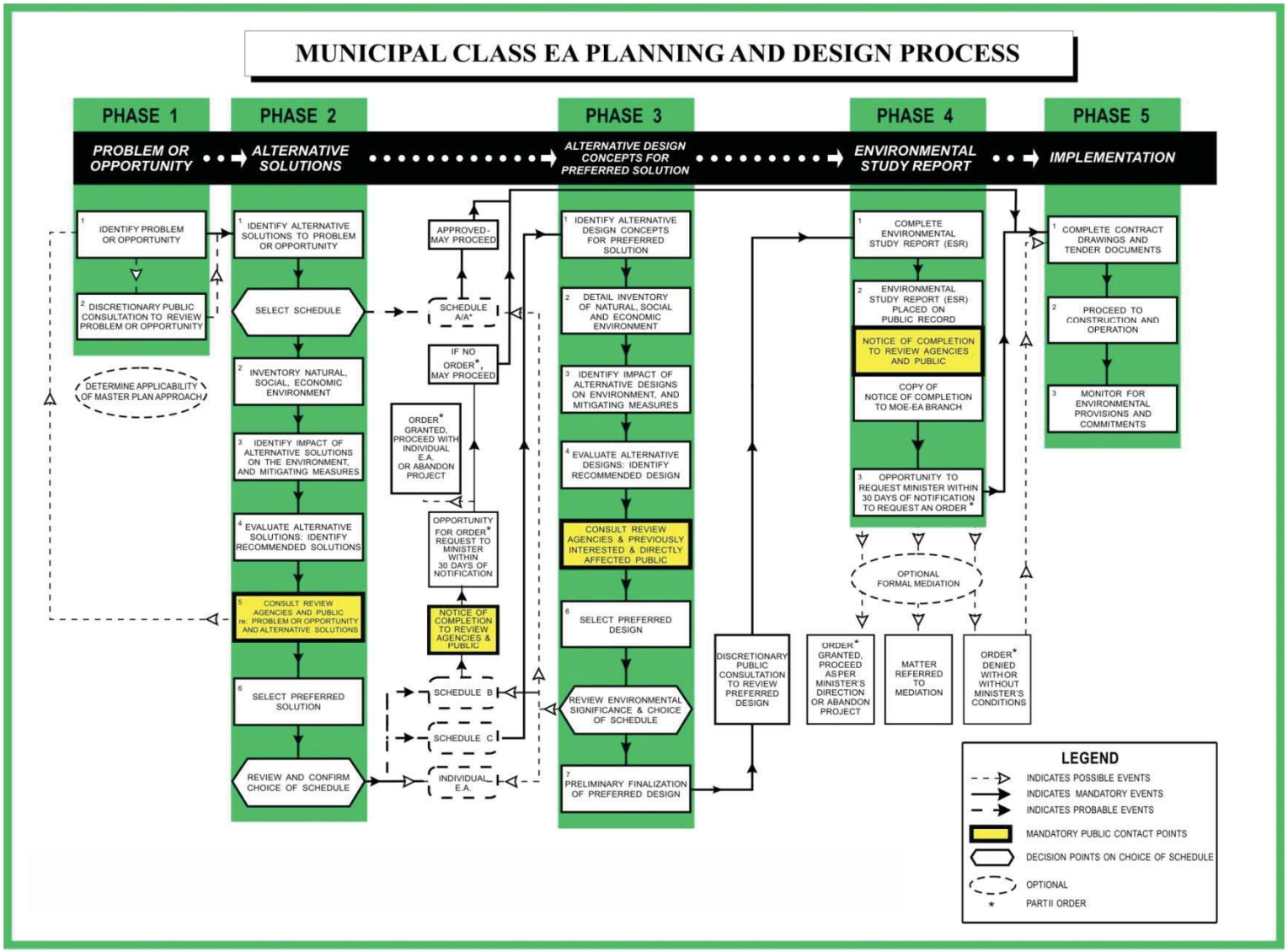
A Schedule "B" project follows Phase 1 and Phase 2 of the Class EA process and is "screened", as shown in **Figure 2** and described below:

- Phase 1 of the Class EA process consists of "Problem/Opportunity Identification".
- Phase 2 consists of the development and evaluation of "Alternative Solutions" and selection of a "Preferred Solution".

Based on the objective of avoiding or minimizing adverse environmental impacts, the Schedule "B" screening process involves:

- The preparation of an inventory of the environment potentially affected by the project.
- Public and agency consultation.
- An impact assessment of the preferred alternative, including measures to avoid/mitigate any adverse impacts.
- Documentation of the Class EA process in a Project File.

Figure 2: Municipal Class EA Planning and Design Process Flow Chart



2.0 Problem Statement

Phase 1 of the Class EA involves developing a Problem/Opportunity Statement for the study. The following statement was developed based on the needs and study objectives outlined in **Section 1.1** of this report:

Through the completion of the Town of Tecumseh Water and Wastewater Master Plan, and the Town of Tecumseh Capital Works Program, it was recognized that properties fronting Manning Road between Jamsyl Drive and Sylvestre Drive were currently serviced by private on-site sewage disposal systems. Understanding that on-site sewage systems have limited life cycles, the Town of Tecumseh has identified this project to provide a long term sustainable solution for sewage disposal for all residents within this catchment area.

3.0 Existing Conditions

The following sections summarize the existing conditions within the Study Area that were considered as part of the identification and evaluation of alternative solutions.

3.1 Sanitary Sewer Infrastructure

The Sylvestre Drive sanitary sewer was constructed in 1995 from the existing Sylvestre pump station to the southerly limit of the north-south portion of Sylvestre Drive. The existing sewer and pump station were designed with sufficient capacity to serve the complete Sylvestre Industrial Park subdivision, which includes a mix of light industrial and residential land uses. The existing 250 mm diameter sanitary sewer is located within the Sylvestre Drive right of way, which is proposed to be extended to service the additional lands currently serviced by on-site septic systems. In addition to the sanitary sewer within this area, a 150 mm watermain is located within the right of way generally on the opposite side of the road to the sanitary sewer. Localized swales, culverts and subdrains exist with respect to stormwater drainage. **Figure 3** illustrates the existing infrastructure in the Study Area, and outlines those properties currently serviced by on-site septic systems.

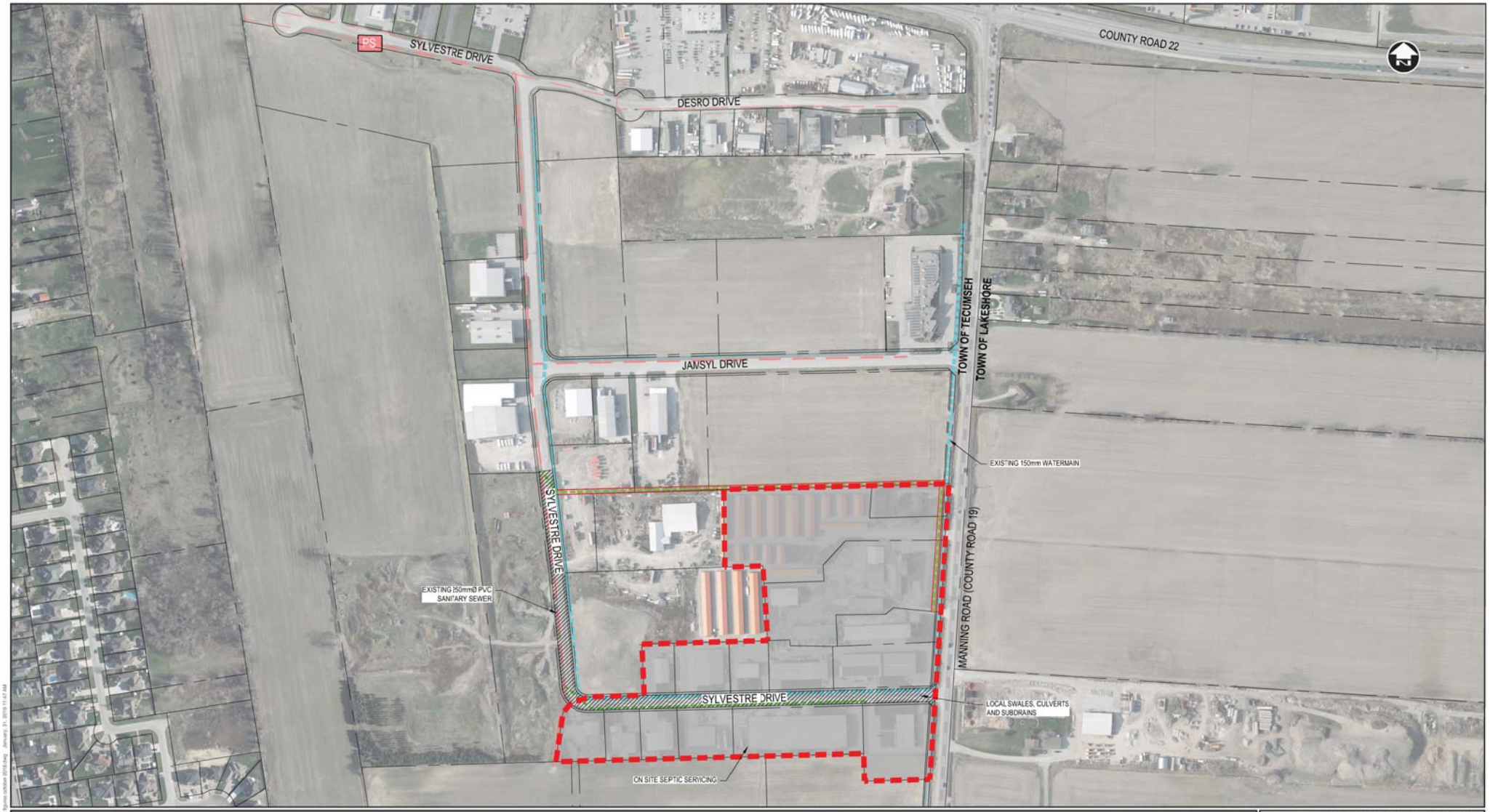
3.2 Land Use

The Sylvestre Industrial Park area, located at the southwest corner of County Road 22 and Manning Road, is partially developed with mixed industrial and business uses.

The Study Area is in the County of Essex in the former Township of Sandwich South, which amalgamated with the Town of Tecumseh and Village of St. Clair Beach in 1999, to become the Town of Tecumseh. Land uses within the Town of Tecumseh are currently governed by three separate Official Plans pertaining to the three former municipalities, as well as the County of Essex Official Plan. A new Town of Tecumseh Official Plan is currently being prepared.

3.2.1 County of Essex Official Plan

Section 3.2.4 and Schedule A2 of the County of Essex Official Plan (2014) designates lands within the study area as a primary settlement area. Primary settlement areas are the "largest and traditional centres of settlement and commerce in the County. Protection of these communities by focusing growth and investment is a priority of the County." Section 3.2.4.1 identifies primary settlement areas as the "focus of growth and public/private investment" and that development in these areas "shall only occur on full municipal water services and municipal sewage services." All types of land uses are permitted within the "Primary Settlement Areas" designation, subject to land use policies of local municipal Official Plans.


PS
SYLVESTRE DRIVE
DESRO DRIVE
COUNTY ROAD 22
N
JAMSYL DRIVE
TOWN OF TECUMSEH
TOWN OF LAKESHORE
EXISTING 150mm WATERMAIN
SYLVESTRE DRIVE
EXISTING 250mmØ PVC SANITARY SEWER
MANNING ROAD (COUNTY ROAD 19)
SYLVESTRE DRIVE
LOCAL SWALES, CULVERTS AND SUBDRAINS
ON SITE SEPTIC SERVICING
LEGEND
STUDY AREA
EXISTING SANITARY SEWER
EXISTING SANITARY PUMP STATION
PS
DILLON CONSULTING
Town of Tecumseh Ontario Canada
Dillon Project No.: 17-6843
DATE: OCTOBER 2018
SCALE
0 25 50 200m
Sylvestre Sanitary Sewer
Class Environmental Assessment
TOWN OF TECUMSEH
FIGURE 3
EXISTING INFRASTRUCTURE

3.2.2 Township of Sandwich South Official Plan

Lands within the Study Area are designated "Business Park" on Schedule A-1 of the Official Plan. Section 3.7.2 of the plan states business park areas can include a range of light industrial activities, including manufacturing, assembling, processing, fabricating, repairing, warehousing and wholesaling. Other permitted uses include private sports facilities, exhibition halls, transportation depots, offices, financial institutions, retail and wholesale establishments, retail warehousing and discount merchandising outlets and other retails activities that are space extensive.

3.3 Natural Environment

The Study Area is partially developed with mixed industrial, and residential use. No natural heritage features (such as woodland, wetland, or Areas of Natural or Scientific Interest) are located within the Study Area. East Townline Drain is located adjacent to the Study Area, along the west side of Manning Road. The East Townline Drain commences at the north side of County Road 42 and flows northerly along the west side of Manning Road (County Road 19) to its outlet into Lake St. Clair where it is pumped into the lake. The drain is approximately 5,100 metres and has a watershed area of approximately 474.72 ha.

3.3.1 Species at Risk

Appendix A includes a summary of the existing natural environment features in the area, including the potential for Species at Risk (SAR) protected under the Provincial Endangered Species Act (2007). Field investigations for potential SAR and verification of terrestrial natural resources were completed October 9, 2018.

There is limited potential to encounter SAR during construction. East Townline Road Drain (immediately west of Manning Road) and the Mixed Meadow habitats (adjacent to the Study Area to the west) provide potential habitat for Eastern Foxsnake and Butler's Gartersnake. Along the drain, deep concrete foundations associated with numerous drainage culverts could provide potential hibernacula and thermoregulation areas. Section 6 of this report outlines mitigation measures that must be in place address the potential for these species to be encountered during construction.

3.3.2 Source Water Protection

The Study Area is located in the Essex Region Source Protection Area, as described in the Approved Source Protection Plan for the Essex Region Source Protection Region (October, 2015). As outlined in the Clean Water Act, the primary objective of the Source Protection Plan is to protect existing and future drinking water sources.

As shown on the Source Protection Plan, the proposed extension of sanitary sewers on Sylvestre Drive is in a low to moderate threat policy applicability area. The Study Area is within an Intake Protection Zone (IPZ) and an Event Based Area (EBA), which means modelling has indicated that a spill in the area could cause a deterioration in raw water quality at the municipal drinking system.

Identifying potential threats to source water is an important aspect of source water protection. A threat is an existing or potential land use activity that has the potential to impact water quality or the quantity of water that is used as a source for municipal drinking water. It is anticipated that the proposed sanitary sewers reduce the likelihood of spills and will reduce threats to source water.

3.4 Cultural Resources

3.4.1 Archaeology

The Ministry of Tourism Culture and Sport (MTCS) "Criteria for Evaluating Archaeological Potential Lands – A Checklist for the Non-Specialist" was completed (***Appendix B***). Based on the findings of the checklist, the lands within the Study Area have low archaeological potential and an assessment is not required.

3.4.2 Built Heritage

The MTCS "Screening for Impacts to Built Heritage and Cultural Heritage Landscapes" checklist was completed to determine potential impacts to cultural heritage resources (***Appendix B***). Based on the findings of the checklist, the project is unlikely to impact cultural heritage landscapes or built heritage resources, and a Cultural Heritage Evaluation Report is not required.

4.0 Phase 2: Alternative Solutions

Phase 2 of the Class EA process involves the identification and evaluation of "Alternative Solutions" to the problem identified in Phase 1. A preferred solution is chosen at the end of Phase 2.

The 2008 Water and Wastewater Master Plan identifies the need to service the Sylvestre Industrial Area to, in part, address environmental concerns related to septic systems that are reaching the end of their expected service life. Based on the need identified in the Master Plan, the "do nothing" alternative is not considered feasible. As outlined in the County's Official Plan, development in the primary settlement areas "shall only occur on full municipal water services and municipal sewage services."

To complete the sanitary servicing of the Study Area, an extension of the existing sanitary sewer is required along the east-west portion of Sylvestre Drive and along Manning Road to connect to the existing Sylvestre Drive sanitary sewer. A private property easement is required to accommodate the sanitary sewer extension along Manning Road due to constraints in the existing right of way. The proposed easement would be located adjacent to existing easements that are in place for the watermain and gas infrastructure.

4.1 Alternative Solutions Considered for Study Area

Three alternative solutions were considered for the extension of sanitary sewers to service a portion of the Sylvestre Industrial Park Area. Each alternative includes a private property easement along the eastern property line adjacent to the existing gas main easement for the properties facing Manning Road. Details related to each of the alternative solutions are outlined as follows:

- **Alternative A:** This option will require an additional easement along the east/west property line to outlet four properties to Sylvestre Drive's existing sewer. A second sewer would be placed along Sylvestre Drive to service those properties fronting Sylvestre. The total length of sewer required would be 970 m (**Figure 4**).
- **Alternative B**: The five properties facing Manning Road would be serviced by individual grinder pump stations connected to the mainline sewer via a small low pressure header sewer. The properties facing Sylvestre Drive would be serviced via a gravity main. The total length of gravity sewer is 350 m and low pressure sewer header is 280 m (**Figure 5**).
- **Alternative C**: All properties will be serviced by a gravity sewer system. A pre-fabricated pump station will be located at the intersection of Sylvestre Drive and Manning Road to service the properties facing Manning Road. A total of 630 m of gravity sewer main is required in addition to the pump station (**Figure 6**). **Figure 6** identifies the properties which will receive servicing connected to the proposed pump station.

JAMSYL DRIVE
CONNECTION TO EXISTING MANHOLE
SYLVESTRE DRIVE
CONNECTION TO EXISTING MANHOLE
SYLVESTRE DRIVE
TOWN OF TECUMSEH
TOWN OF LAKESHORE
MANNING ROAD (COUNTY ROAD 19)
SERVICED BY EXISTING ON SITE SEPTIC
LIMITS OF 3m WIDE EASEMENT
N
LEGEND
PROPOSED SANITARY SEWER ALIGNMENT
EXISTING SANITARY SEWER
EASEMENT LIMITS (3m WIDTH)
DILLON CONSULTING
Town of Tecumseh Ontario Canada
Dillon Project No.: 17-6843
DATE: OCTOBER 2018
SCALE
0 10 25 100m
Sylvestre Sanitary Sewer
Class Environmental Assessment
TOWN OF TECUMSEH
FIGURE 4
ALTERNATIVE A

LEGEND

- PROPOSED SANITARY SEWER ALIGNMENT (GRAVITY)
- PROPOSED SANITARY SEWER ALIGNMENT (LOW PRESSURE)
- EXISTING SANITARY SEWER
- EASEMENT LIMITS (3m WIDTH)

DILLON CONSULTING

Town of Tecumseh Ontario Canada

Dillon Project No.: 17-6843 DATE: OCTOBER 2018

SCALE 0 10 25 100m

Sylvestre Sanitary Sewer

Class Environmental Assessment

TOWN OF TECUMSEH

FIGURE 5

ALTERNATIVE B

File Location:
C:\Projects\Town-working directory\active\3Sylvestre\GIS\MXD\Sylvestre Figures october 2018.dwg January, 31, 2019 11:48 AM

JAMSYL DRIVE
SYLVESTRE DRIVE
SYLVESTRE DRIVE
MANNING ROAD (COUNTY ROAD 19)
TOWN OF TECUMSEH
TOWN OF LAKESHORE
LIMITS OF 3m WIDE EASEMENT
CONNECTION TO EXISTING MANHOLE
CONNECTION OF LOW FLOW TO GRAVITY SEWER
PS
N
LEGEND
PROPOSED SANITARY SEWER ALIGNMENT
EXISTING SANITARY SEWER
EASEMENT LIMITS (3m WIDTH)
PROSPERITIESTO BE SERVICED 3Y PROPOSED PUMP STATION
DILLON CONSULTING
Town of Tecumseh Ontario Canada
Dillon Project No.: 17-6843
DATE: OCTOBER 2018
SCALE
0 10 25 100m
Sylvestre Sanitary Sewer
Class Environmental Assessment
TOWN OF TECUMSEH
FIGURE 6
ALTERNATIVE C

4.2 Evaluation Methodology and Criteria

The objective is to identify the preferred solution to provide for sanitary sewer corridors that allow for the required connections from the subject portions of the Sylvestre Industrial Park Area to the existing sanitary sewer on Sylvestre Drive. Evaluation criteria were developed to address engineering considerations, cultural and socio-economic environment, natural environment, and cost. The criteria used for the evaluation of alternative solutions are presented in **Table 1**.

Table 1: Evaluation Criteria

Criteria	Indicator
Engineering Considerations	
Ease of Construction	• Complexity of construction methods
Impacts to existing utilities	• Disruption or relocation of existing utilities
Foundational/Geotechnical Impacts	• Impacts to existing and future buildings and infrastructure
Construction related risks	• Potential to find unknown materials or contamination during construction
Addresses Problem Statement of replacing private sewage disposal systems to service a portion of Sylvestre Industrial Park	• Provides sanitary sewer servicing to the Sylvestre Industrial Park Area to eliminate the dependence on existing private sewage disposal systems
Cultural & Socio-Economic Environment	
Compatible with Future Land Uses	• Compatible with future expansion plans or opportunities for future development potential
Potential for Archaeology, Built Heritage and Cultural Heritage Impacts	• Displacement or disruption of any archaeologically significant findings • Displacement or disruption of cultural heritage features
Property	• Extent of property required • Number of easement agreements required
Natural Environment	
Impacts on Natural Environment Features	• Potential for impact on terrestrial or aquatic habitat, including Species at Risk
Cost	
Capital Cost	• Relative capital cost
Maintenance Costs	• Relative maintenance costs

4.3 Evaluation

Alternative C: Gravity Sewer and Local Pump Station is the preferred alternative based on the detailed evaluation of the alternative solutions, outlined in **Table 2**.

The following summarizes our evaluation:

- With respect to ease of construction, Alternative C will allow for a shorter length of sewer easement and installation of related mains. All three options could be installed by open cut or trenchless methods.
- All alternatives have the potential to impact existing utilities. The presence of underground gas and watermains, as well as local storm sewer culverts and catch basins are in the vicinity of each sewer alignment alternative. All three alternatives required crossing existing infrastructure. The potential location for the Alternative C pump station may require additional crossing of hydro on the south side of Sylvestre Drive.
- Alternative A could impact the potential layout of future development for the properties south of Jamsyl Drive, which would be separated from those serviced through this project by an additional sewer easement.
    - Alternative C is the preferred option from the perspective that it allows for the development of adjacent lands without impacting the location or extents of future building(s). The proposed sanitary sewer will not have any impact on future building foundations, subject to proper trench backfill and compaction efforts, as outlined in the geotechnical recommendations included in ***Appendix C.***
- All alternatives have limited impact on archaeological, built or cultural heritage features and/or impacts on natural environment features.
- All alternatives address the Problem Statement of extending sanitary sewers to service a portion of Sylvestre Industrial Park.
- Alternative C is preferred with respect to ongoing maintenance costs. It is expected that Alternative B will require replacement of the individual grinder pumps on a frequent basis, and Alternative A will require regular flushing and cleaning of the sanitary sewer due to the limited self-cleansing velocities resulting from the low sanitary flows in this sewer. Alternative C may require regular flushing for the sewer along Manning Drive depending on the flow from the five serviced properties.
- Alternatives B and C are preferred with respect to costs.

Table 2: Evaluation of Alternative Solutions

Evaluation Criteria	Alternative A (Gravity Main – Easement East/West)	Alternative B (Individual Grinder Pump Stations and local gravity sewer)	Alternative C (Gravity Sewer and local pump station)	Preferred Alternative
Engineering Considerations				
Ease of Construction	Highest level of complexity, as outlined below: • Requires substantially longer length installation of sanitary sewer main. • Sewer to be installed through easement (east to west and north to south) • Two separate sewer systems will be required to service the properties (one through north easement, one on road allowance).	Highest level of complexity, as outlined below: • Requires connection to four properties with separate grinder pump stations. • Similar construction to Option C for properties fronting Sylvestre Drive.	Least complex to construct, as outlined below: • Installation of prefabricated pump station in open area on Sylvestre Drive • Installation of gravity main on Sylvestre Drive similar to Options A & B.	Alternative C
Minimize Impacts to Existing Utilities	Installation will be parallel to existing gas and watermains with sufficient separation to avoid conflicts and therefore no impacts are expected.	Installation will be parallel to existing gas and watermains with sufficient separation to avoid conflicts and therefore no impacts are expected.	Potentially more complex as proposed pump station may be located south of the existing right-of-way and easements which would require crossing additional utilities compared to Options A & B.	Alternatives A or B
Minimize Foundational/ Geotechnical Impacts	No impacts are expected.	Footprint of work adjacent to existing buildings will be larger than Alternatives A and C to install the individual grinder pump stations.	No impacts are expected.	Alternative A or C
Addresses Problem Statement of extending sanitary sewers to service a portion those currently serviced by on-site sewage systems with Sylvestre Industrial area.	Addresses problem statement. Extending sanitary sewer services provides potential economic and environmental benefits through proper sanitary servicing and support of local industries.	Same as Alternative A.	Same as Alternative A.	All alternatives relatively equal
Preferred Alternative				**Alternative C**
Cultural & Socio-Economic Environment				
Minimize Potential for Archaeology, Built Heritage and Cultural Heritage Impacts	Limited potential for built heritage & archaeological resources within proposed sewer easement area.	Same as Alternative A.	Same as Alternative A	All alternatives relatively equal
Minimize Amount of Work on Private Property	Requires an easement of approximately 340 lineal metres longer than the other alternatives, which will affect four additional properties than Alternatives B and C. Each alternative will include a similar easement along Manning Road for the five properties serviced.	Each alternative will include a similar easement along Manning Road for the five properties serviced.	Each alternative will include a similar easement along Manning Road for the five properties serviced.	Alternative B or C
Preferred Alternative				**Alternative C**

Meets the criteria objective **Somewhat meets the criteria objective** **Does not meet the criteria objective**

Evaluation Criteria	Alternative A (Gravity Main – Easement East/West)	Alternative B (Individual Grinder Pump Stations and local gravity sewer)	Alternative C (Gravity Sewer and local pump station)	Preferred Alternative
Natural Environment				
Minimize Impacts on Natural Environment Features	No significant natural features on site. Some vegetation removal/ disturbance required for construction, however, not considered significant as this has been a previously disturbed area.	Same as Alternative A.	Same as Alternative A.	All alternatives relatively equal
Preferred Alternative				All alternatives relatively equal
Cost				
Lower Capital Cost Is Preferred	Highest Cost Alternative. Estimated Construction Cost* : $523,350	Least cost alternative. Estimated Construction Cost *: $301,650	Median cost alternative. Estimated Cost *: $453,550	Alternative B
Lower Maintenance Cost is Preferred	Additional infrastructure and manholes to maintain. Regular flushing to ensure two sewers are clean and operational will be more expensive than a single sewer with alternatives B or C.	Life span of individual grinder pump systems expected to be 7 years. Therefore over the lifespan of the project this option will have higher maintenance costs than Alternative C.	Least cost as maintenance of a single sanitary sewer and single pump station are expected to be lower than Alternative A, as the flushing will be over a shorter length of sewer.	Alternative C
Preferred Alternative				**Alternative C**
Overall Preferred Alternative				**Alternative C**

Meets the criteria objectiveeasem

Somewhat meets the criteria objective

Does not meet the criteria objective

*excluding: road works, storm and provisional items which would be common to all alternatives.

*excludes easement costs.

5.0 Preferred Alternative

Based on the comparative evaluation, Sanitary Alternative C was determined to be the preferred solution. In summary, this solution is preferred for the following reasons:

- Lower capital and maintenance cost considerations.
- Length of required permanent easements to be maintained which could affect future land development, to service the five properties identified fronting Manning Road.
- Ease of construction.

The recommended functional design for the proposed sanitary drainage system servicing the area is detailed in the appended Sylvestre Drive Sanitary Servicing drawings (***Appendix D***).

5.1 Construction Considerations

Anticipated construction considerations that should be incorporated as part of the detailed design and implementation of the preferred sanitary sewer solution include:

- Trench backfill shall consist of granular materials that are properly compacted as outlined in the geotechnical report included in ***Appendix C.***
- Access to the existing properties must be maintained to limit impacts on their operations. Coordination with the property owners will be required to confirm their requirements and any special considerations during construction.
- Maintenance of the existing private sewage disposal systems will be required until the commissioning of the new system is complete.
- Sampling manholes are required to be installed at each property.
- Utility conflicts, including the crossing of the existing hydro lines on Sylvestre Drive, should be confirmed, including coordination of any required relocations.
- All existing storm drainage and watermain servicing is to remain operational throughout the installation of the new sanitary system.
- Existing roadside drainage must be restored upon completion of the installation of the new sanitary sewers.
- Throughout construction erosion and sediment controls must be in place.
- Prior to construction an environmental protection plan will be completed to ensure potential spills would avoid all impacts to the existing watercourses.
- Working easements will be required in order to install the proposed sanitary sewers along Manning Road as well as the construction of the proposed pump station.

5.2 Climate Change

The Ministry of the Environment, Conservation and Park (MECP) guide "Considering Climate Change in the Environmental Assessment Process (available at https://www.ontario.ca/page/considering-climate-change-environmental-assessment-process) was reviewed as part of the preparation of the Class EA.

All alternatives presented have been designed in accordance with Town of Tecumseh design standards. The implementation of the project as designed includes the majority of the infrastructure being installed within the existing road allowance to provide a secure long term solution for sanitary sewage collection and treatment. The project does not propose an increase to the road design width to increase the impermeable area, and areas which were permeable prior to construction will be reinstated as such post construction.

Due to the limited scope of this project, there are no distinguishable differences in the alternatives that would be influenced by changes in climate. As a result, the effects of climate change were not included in the evaluation of alternatives.

5.3 Estimated Construction Costs

Cost estimates for the construction of the sanitary sewers in the easements proposed as part of this EA have been developed and are summarized below in **Table 3.** Detailed construction cost estimates, associated project assumptions, and figures showing proposed easement work have been provided in ***Appendices D and E***.

Table 3: Summary of Estimate Probable Project Costs – Option C (Preferred Alternative)

Summary of Estimate Probable Project Costs	
Construction*	$1,318,805.00
Engineering	$256,000.00
Geotechnical	$10,000.00
TOTAL CONSTRUCTION COST (excluding H.S.T.)**	**$1,584,805.00**

*Construction Costs presented include road reconstruction, including local storm culvert replacements, in addition to the sanitary related works. The construction costs include replacement of the entire road surface throughout the project area between Manning Road and Jamsyl Drive. The sanitary works will be installed to connect to existing infrastructure on Sylvestre Drive (north branch). The common construction cost for road works for all options was estimated to be $717,755, as outlined within the Appendicies.

**Easement Acquisition will be in addition to the costs presented.
Utility coordination costs were included within the estimate; however any utility relocation costs have not been identified for the project.

6.0 Impacts and Mitigation

Mitigation measures as outlined in **Table 4** must be incorporated into the design and construction phases.

Table 4: Mitigation Measures

Environmental Feature	Impacts and Mitigation
Engineering Considerations	
Utility Conflicts	Potential local relocation for installation of infrastructure at the intersection of Manning Road and Sylvestre Drive for incorporation of the proposed sanitary manhole.
Private Property Easements	Easement agreements will be arranged by the Town of Tecumseh prior to construction.
Impacts on Cultural Resources	
Archaeological Resources	Due to previous disturbance in the area from development, the area has been identified as having low potential for the discovery of archaeological artifacts. Should deeply buried artifacts be uncovered during construction, MTCS shall be contacted immediate contact with MTCS is required. The Ontario *Cemeteries Act* applies to discovery of unmarked human remains.
Natural Environment	
Existing Vegetation Along Easement	Open cut installation will be required within the newly created easements to install the sanitary sewer. Existing vegetation primarily consists of mown grass. Tree removals are not anticipated. However, if removal of existing landscape trees is necessary based on refinements to the detail design, the removals should be completed outside of the migratory bird nesting season (no removals completed from April 1 to July 31). Workers must be vigilant and check work areas for the presence of snakes. Fact sheets and detection protocols for Eastern Foxsnake and Butler's Gartersnake shall be provided to the crew before the project begins. If either species is encountered, work must be temporarily suspended until the animal is out of harm's way. If the snake persists in the work area, a person qualified to handle snakes should be contacted to relocate the animal.
Species At Risk Potential - Snakes	There is limited potential to encounter SAR snakes (Eastern Foxsnake and Butler's Gartersnake) within the study area. East Townline Road Drain (immediately west of Manning Road) and the Mixed Meadow habitats (MEM; adjacent to the Study Area to the west) provide potential habitat for Eastern Foxsnake and Butler's Gartersnake. Along the drain, deep concrete foundations associated with numerous drainage culverts could provide potential hibernacula and thermoregulation areas. Based on the current design, no work is planned at the culverts.

Environmental Feature	Impacts and Mitigation
	Prior to conducting work on site, on-site personnel will be provided Information Sheets regarding SAR (included in ***Appendix A*, Attachment 3**). Construction and vegetation-clearing equipment that is left idle for over one hour, or is parked overnight on the project location between April 1 and October 31, must be surveyed for the presence of SAR snakes before re-ignition. This visual examination should include all lower components of the machinery, including operational extensions and running gear. If required, vegetation removal should be limited to the smallest extent possible and should be conducted between August 31 and October 31, outside of the migratory breeding bird window and when SAR snake individuals are active and most able to flee areas of disturbance, or between December 1 and March 30, when SAR snake individuals are over-wintering. If vegetation removal activities must occur within the active breeding bird window, nest sweeps will be conducted by a qualified biologist no more than 48 hours prior to clearing. During the active snake season (March to November), individuals may find and occupy material and equipment stored on site; therefore, a clean, debris-free work site should be maintained (e.g. storage of flat materials like plywood and rubber mats in open areas should be avoided).
Species At Risk Potential – Barn Swallow	Barn swallow nests were not observed within the Study Area. In the event Barn Swallow nest(s) are observed and will be disturbed by construction activities, the regulations specified under Section 23.5 (Barn Swallow) of *Ontario Regulation 242/08* shall be followed to avoid contravention under the *Endangered Species Act*, 2007.
Species At Risk – General	For SAR incidentally encountered on the project location, they must be allowed to leave on their own accord. Activities within 30 m should cease until the individual disperses. Construction machinery/equipment must maintain a minimum operation distance of 30 m from the individual until it disperses the project location on its own accord. Should on-site personnel be unable to allow an incidentally-encountered SAR individual to disperse from the active construction area on its own accord, a qualified person (i.e. biologist) should be contacted immediately for additional guidance. Observations of SAR should be reported to MNRF Aylmer District staff within 48 hours of the observation, or the next working day, whichever comes first
Socio-Economic Impacts	
Construction Measures	Construction of the sanitary sewer will cause localized disruptions in the immediate vicinity of the construction area along Sylvestre Drive, typical of a construction project. Traffic control measures are required to follow Ontario Traffic Manual – Book 7. Standard mitigation measures in the Ontario Provincial Standard Specifications (OPSS) related to noise and dust during construction would apply.

7.0 Consultation

The following summarizes the consultation activities completed throughout the study. Consultation materials referred to in this section are included in ***Appendix F***.

7.1 Contact List

The study contact list was updated throughout the project, including agencies as well as directly impacted property owners. A copy of the contact list is included in ***Appendix F***.

7.2 Notice of Study Commencement

The Notice of Study Commencement was published in the March 16, 2018, and March 23, 2018, editions of the Tecumseh Shoreline and posted on the Town of Tecumseh's web site. The notice was sent to all agencies, including Indigenous Communities on the project contact list on March 13, 2018. Four agency responses were received to the notice. **Table 5** summarizes the comments, as well as how each one was addressed.

Table 5: Notice of Commencement – Agency Comment Summary

Contact	Comment	Response
Ministry of Natural Resources and Forestry	MNRF provided information to guide the identification and assessment of natural features and resources by applicable policies and legislation.	No response required. Natural features and resources will be documented in the Project File Report.
Ministry of the Environment, Conservation and Parks (MECP)	MECP provided information on documentation of source water protection.	Source water protection reviewed as part of the study.
Union Gas	Union Gas provided a plan showing existing gas infrastructure in the Study Area.	No response required.
Essex Region Conservation Authority (ERCA)	No concerns with the study as outlined. East Townline Drain is a regulated watercourse and site alternation is subject to ERCA approvals. Would like to review preliminary design consideration related to stormwater management.	Comments noted. No changes to drainage are being proposed.

Comments were received from one property owner concerned regarding the need and justification for the study. The study team met with the property owner to discuss the project.

7.3 Landowner Consultation

A stakeholder meeting was held with individual landowners where easements were considered to discuss the alternative sanitary sewer easement alignments. The landowner meeting was held on Wednesday April 18, 2018. **Table 6** summarizes the landowner meeting key issues and concerns raised as well as the project team response.

Table 6: Key Issues Raised by Landowners

Issue/Concern	Project Team Response
Concerns related to the Alternative B individual grinder pump stations.	They are not currently used elsewhere within the Town of Tecumseh. Each property would be required to have an individual unit.
Servicing for 1845 Manning Road – property owners preferred that we construct the sanitary sewer to the limit of the property line and that the specific location for a future service connection be discussed with them at the time of the installation. Potential for different land use moving forward etc.	Agreed to design the sanitary sewer to the south property line. The property will be required to connect to the sanitary sewer provided.
Location for potential pump station (Alternative C). Landowner requested the study team consider placing the pump station on the south east corner property instead of the north east property.	Team agreed that this alternative is feasible and could be incorporated.
Property owners requested consideration of trenchless installation with limited receiving pits be considered from a constructability perspective to service the Manning Road fronting properties.	Team has taken this request into consideration for the functional design analysis.
Landowners raised significant concerns with Alternative A. This will potentially limit future land development options. Easement is not preferred from their perspective.	Team agreed to consider this concern for the alternative evaluation.

Prior to finalization of this report, a second stakeholder meeting was held with individual landowners to discuss the alternatives evaluated through the project, and review the recommended alternative. The notice for this meeting was mailed on April 4, 2019. The landowner meeting was held on April 16, 2019. **Table 7** summarizes the landowner meeting key issue and concern raised as well as the project team response.

Table 7: Key Issues Raised By Landowners

Issue/Concern	Project Team Response
The landowners requested the project team to consider the feasibility of a separate alternative which would be a variation of Alternative B and C. The alternative included consideration for servicing the Manning Road properties through an alternative easement location adjacent to an existing watermain easement.	Functional analysis of the alternative was completed, and a design memo was prepared and issued in response to the stakeholder request on May 16, 2019. The memo outlines that the preferred alternative remains Alternative C. A copy of the memo is included within **Appendix F.**

7.4 Consultation with Indigenous Communities

Appendix F includes a summary of communication with Indigenous Communities. A copy of the Notice of Study Commencement was sent to the following Indigenous Communities and associations as part of the study on March 13, 2018:

- Aamjiwnaang First Nation
- Caldwell First Nation
- Chippewas of Kettle and Stony Point First Nation
- Chippewas of the Thames First Nation
- Moravian of the Thames First Nation
- Walpole Island First Nation
- Southern First Nations Secretariat
- Metis Nation of Ontario

Response to the Notice of Study Commencement was received from the Chippewas of the Thames First Nation (COTTFN). COTTFN indicated they were interested in receiving further documentation if there are substantive changes made to the project.

In addition to the mailing the Notice of Commencement, Indigenous communities on the contact list were contacted by telephone on June 12, 2018 and January 29, 2019. The intent of the telephone follow up was to ensure that consultation materials had been received and to provide further information on the project. No comments regarding the project were received as a result of the telephone calls.

8.0 Approvals and Schedule

The following outlines approvals required prior to construction, as well as the anticipated project schedule.

8.1 Class EA Approval

Following the clearance of this Project File Report under the Environmental Assessment Act, the project will be considered approved for construction.

This report will be available for a 30 day public and agency review period. During that period, any individual or agency with significant concerns about the project should contact the project team to discuss their concerns. If concerns cannot be resolved, any individual or agency may write to the Ministry of Environment, Conservation and Parks (MECP) requesting that the Minister issue a Part II Order to elevate the status of the project from a Class EA to an Individual EA. Any Part II Order request must be submitted to MECP using a standard form developed by MECP. The standard Part II Order request form is available on the Ontario government Forms Repository website (http://www.forms.ssb.gov.on.ca/) and is available by searching "Part II Order" on the Repository's main page. A copy of the completed form and any supporting information must also be forwarded to the Town of Tecumseh. All requests are reviewed by the MECP Environmental Assessment and Approvals Branch. Criteria used to evaluate a request include:

- The purpose of the EA.
- Any differences between the proposed undertaking and the other undertakings in the same group, as well as the significance of the differences.
- The nature of the concerns raised by the requester(s).
- The benefits of carrying out an individual EA.

MECP staff also evaluates the applicability and effectiveness of other legislation and decision-making processes to address the concerns of the requester(s).

The Minister of the Environment, Conservation and Parks has four options for a decision on a Part II Order request:

- Deny the request.
- Deny the request with conditions.
- Refer the matter to mediation.
- Grant the request and require the proponent to undergo an individual EA.

If no Part II Order requests are received by MECP during the 30 day period, the project may proceed to Detailed Design, permitting and construction.

8.2 Approvals Required Prior to Construction

Prior to construction of the proposed sanitary sewers, approval is required by MECP through an Environmental Compliance Approval application.

8.3 Schedule

Following the 30 day public and agency review period for this Project File and subject to budget approval, the Town of Tecumseh will consider the staged implementation of this project, beginning with the acquisition of property easements, and application for MECP permit approval. Tendering and construction for the project would occur in future years depending on permit approval timing.

Appendix A

Natural Environment Memo

MEMO

TO: Project File
FROM: Brad McLeod, Dillon Consulting Limited
DATE: October 22, 2018
SUBJECT: Sylvestre Drive Sanitary Sewer Extension
Natural Environment Memo
OUR FILE: 17-6843

This memo documents the natural environment review completed as part of the Sylvester Drive Sanitary Sewer Extension Class Environmental Assessment. The undertaking involves extending the existing sanitary sewers to service a portion of the Sylvestre Industrial Park Area that is generally located on Sylvester Drive, south of Jamsyl Drive, and west of Manning Road. The sanitary sewer will also be required to service the five properties with frontage onto Manning Road currently serviced by on-site sewage services.

This memo will be used to evaluate the potential impacts of the undertaking to the natural environment and identify mitigation to be followed during the detailed design and construction activities.

Natural Environment Background Information Review

Background information was collected from the Ontario Ministry of Natural Resources and Forestry (MNRF), Natural Heritage Information Centre (NHIC), local Official Plans, Environment Canada's Species at Risk (SAR) database, MNRF's NHIC Biodiversity Explorer database, and various wildlife atlases.

Land Uses for the areas immediately surrounding the Study Area consists primarily of agriculture, commercial business, and residential lands.

Significant Wildlife Habitat

In accordance with the Ecoregion 7E Criteria Schedules (MNRF 2015), a review of background data suggests limited potential for significant wildlife habitat to exist within and adjacent to the Study Area due to the lack of natural vegetation communities (or lack of sufficient size) and existing disturbances.

Species at Risk

Based on the secondary source background search, 23 species listed as *Endangered* or *Threatened* under ESA 2007 were identified as having the potential to occur within and/or adjacent to the Study Area (***Attachment 1***; information updated after the field investigation). Of these 23 species, based on the habitat present within and/or adjacent to the Study Area (as interpreted from aerial imagery), 5 species, in addition to SAR bats, were identified as having a low potential to occur due to their habitat requirements or the species' current known range distribution.

For example, the Rusty-patched Bumblebee may have potential habitat within the Study Area, but this species has only been found in select locations within Ontario (e.g., Pinery Provincial Park), and is therefore considered to be locally extirpated from this region.

In addition, to supplement the SAR Screening a SAR information request was submitted to the MNRF Aylmer on September 21, 2018, and a response is pending.

Based on the desktop review of habitat within and adjacent to the Study Area, there may be potential for Barn Swallow (*Hirundo rustica*), Eastern Foxsnake (*Pantherophis gloydi*), Butler's Gartersnake (*Thamnophis butleri*), SAR bats, Willowleaf Aster (*Symphyotrichum praealtum*), and Colicroot (*Aletris farinosa*) to occur.

Field Investigations and Findings

Field investigations for potential SAR and verification of terrestrial natural resources were completed October 9, 2018, and included the following:

- Ecological Land Classification (ELC) of vegetation communities, using accepted protocols in Ontario
- A Species at Risk (SAR) investigation for:
  - Barn Swallow
  - Eastern Foxsnake
  - Butler's Gartersnake
  - SAR bat habitat suitability
  - Willowleaf Aster
  - Colicroot
- Incidental wildlife observations.

Refer to ***Attachment 2*** for representative site photos.

Ecological Land Classification

During the field investigation, vegetation was characterized based on the methods outlined under ELC for Southern Ontario – First Approximation and its Application (Lee *et al.* 1998). Vegetation communities for the Study Area were designated down to the vegetation type, where possible. Since the release of the first approximation document, a draft second version was released in 2008 by the former Ministry of Natural Resources, which provided further characterization of vegetation communities, in particular cultural/anthropogenic influenced communities. For the purposes of the ELC for the Study Area, communities were characterized to second approximation.

The following communities were identified within and adjacent to the Study Area (**Figure 1**):

- Commercial and Institutional (CVC)
- Open Agriculture (OAG)
- Residential (CVR)
- Mixed Meadow (MEM) west of Study Area with dumped soil.

Barn Swallow Habitat Investigation

Where possible, existing buildings adjacent to the Study Area were reviewed. No Barn Swallow nests were observed within the Study Area.

Eastern Foxsnake and Butler's Gartersnake Habitat Investigation

The margins of fields and East Townline Drain within the Study Area were assessed for the presence of and potential habitat for Eastern Foxsnake and Butler's Gartersnake.

East Townline Road Drain (immediately west of Manning Road) and the Mixed Meadow habitats (MEM; adjacent to the Study Area to the west) provide potential habitat for Eastern Foxsnake and Butler's Gartersnake. Along the drain, deep concrete foundations associated with numerous drainage culverts could provide potential hibernacula and thermoregulation areas. The Mixed Meadow habitat could provide suitable foraging for certain life processes.

SAR Bat Habitat Investigation

Consistent with the Significant Wildlife Habitat Criteria Schedules for Ecoregion 7E, there were no ELC Ecosites that could provide habitat for bat hibernacula or maternity colonies.

Willowleaf Aster Habitat Investigation

During the field investigation, several locations of New England Aster (Symphyotrichum novae-angliae) and Panicled Aster (Symphyotrichum lanceolatum ssp. lanceolatum) were present, but Willowleaf Aster was not observed.

Colicroot Habitat Investigation

Suitable habitat for Colicroot was not observed with or adjacent to the Study Area.

Incidental Wildlife Observations

A general wildlife assessment was completed through incidental observations (**Table 1**). Incidental observations of wildlife were noted as well as other wildlife evidence such as dens, tracks, and scat. These observations also helped to determine potential ecological functions, linkages, etc. within and adjacent to the Study Area.

Each of the observed species is considered common and apparently secure (S4), widespread and secure (S5), or not applicable as the species is not a suitable target for conservation activities (SE or SNA) in Ontario.

Table 1: Incidental Wildlife Species

Scientific Name	Common Name	SARA[1]	ESA[2]	S-Rank[3]	Observation
Cathartes aura	Turkey Vulture	---	---	S5B	Flying through the area.
Charadrius vociferus	Killdeer	---	---	S5B,S5N	Foraging within Open Agriculture (OAG).
Zenaida macroura	Mourning Dove	---	---	S5	Perching on power transmission lines.
Passer domesticus	House Sparrow	---	---	SNA	Foraging throughout the Study Area.
Colias eurytheme	Orange Sulphur	---	---	S5	Foraging on roadside plants.
Pieris rapae	Cabbage White	---	---	SNA	Foraging on roadside plants.

[1]Federal *Species at Risk Act* (SARA) Registry Status; [2]Ontario *Endangered Species Act* (ESA) List Status; [3]Provincial Conservation Rank (SRank).

Summary

Field investigations were completed October 9, 2018 and included ELC surveys and SAR habitat assessments for species identified in the background review that had potential to be present within the Study Area.

Based on the ELC survey results, the lands adjacent to the Study Area did not contain rare vegetation communities or significant wildlife habitat. No SAR species or evidence of SAR (i.e. Barn Swallow nests) were observed within and/or immediately adjacent to the Study Area.

During construction of the sanitary sewer extension and road reconstruction along Sylvester Drive, it is recommended general mitigation measures be in place throughout the construction period. General construction and SAR mitigation practices will also be required for construction staff such as:

- Prior to conducting work on site, on-site personnel will be provided Information Sheets regarding SAR with potential to occur within the study area (***Attachment 3***). Individuals must be made aware of the potential presence of SAR on site, and the protection afforded to them under the ESA.
- For SAR incidentally encountered on the project location, they must be allowed to leave on their own accord. Activities within 30 m should cease until the individual disperses. Construction machinery/equipment must maintain a minimum operation distance of 30 m from the individual until it disperses the project location on its own accord.
- Should on-site personnel be unable to allow an incidentally-encountered SAR individual to disperse from the active construction area on its own accord, a qualified person (i.e. biologist) should be contacted immediately for additional guidance.
- Observations of SAR should be reported to MNRF Aylmer District staff within 48 hours of the observation, or the next working day, whichever comes first.
- Construction and vegetation-clearing equipment that is left idle for over one hour, or is parked overnight on the project location between April 1 and October 31, must be surveyed for the presence of SAR snakes before re-ignition. This visual examination should include all lower components of the machinery, including operational extensions and running gear.

- Removal of vegetation should be limited to the smallest extent possible and should be conducted between August 31 and October 31, outside of the migratory breeding bird window and when SAR snake individuals are active and most able to flee areas of disturbance, or between December 1 and March 30, when SAR snake individuals are over-wintering.
- If vegetation removal activities must occur within the active breeding bird window, nest sweeps will be conducted by a qualified biologist no more than 48 hours prior to clearing.
- During the active snake season (March to November), individuals may find and occupy material and equipment stored on site; therefore, a clean, debris-free work site should be maintained (e.g. storage of flat materials like plywood and rubber mats in open areas should be avoided).
- In the event Barn Swallow nest(s) are observed and will be disturbed by construction activities, the regulations specified under Section 23.5 (Barn Swallow) of *Ontario Regulation 242/08* shall be followed to avoid contravention under the *Endangered Species Act*, 2007.

References

Lee, H.T., W.D. Bakowsky, J. Riley, J. Bowles, M. Puddister, P. Uhlig, and S. McMurray. 1998. Ecological Land Classification for Southern Ontario: First Approximation and Its Application. Ontario Ministry of Natural Resources, Southcentral Science Section, Science Development and Transfer Branch. SCSS Field Guide FG-02.

Ontario Ministry of Natural Resources and Forestry. The Species at Risk in Ontario (SARO) List. https://www.ontario.ca/page/species-risk-ontario. Accessed October 2018.

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Town of Tecumseh. 2014. Sandwich South Official Plan.

CVC
OAG
CVC
MEM
JAMSYL DRIVE
OAG
CVR
TOWN OF TECUMSEH
TOWN OF LAKESHORE
CVC
OAG
CVC
CVR
MEM
SYLVESTRE DRIVE
MANNING ROAD (COUNTY ROAD 19)
OAG
CVC
OAG
MEM
SYLVESTRE DRIVE
CVC
CVC
LEGEND
COMMERCIAL & INSTITUTIONAL (CVC)
RESIDENTIAL (CVR)
OPEN AGRICULTURE (OAG)
MIXED MEADOW (MEM)
DILLON CONSULTING
Town of Tecumseh Ontario Canada
Dillon Project No.: 17-6843
DATE: OCTOBER 2018
Sylvestre Sanitary Sewer
Class Environmental Assessment
TOWN OF TECUMSEH
FIGURE 1
Existing Ecological Land Classification

ATTACHMENT 1

SAR Table

Attachment 1: Potential Impacts and Recommended Mitigation Measures for Species at Risk with the Potential to Occur within the Study Area

Scientific Name	Common Name	SARA Status[1]	ESA Status[2]	SRank[3]	Information Source[4]	Habitat Requirements[2,5]	Potential Impacts to Species and/or Habitat	Recommendations
BIRDS								
Chaetura pelagica	Chimney Swift	THR	THR	S4B,S4N	OBBA, MNRF SAR in Area	Commonly found in urban areas near buildings; nests in hollow trees, crevices of rock cliffs, chimneys; highly gregarious; fees over open water.	No potential. Based on aerial photography the Study Area does not contain buildings with chimneys.	N/A
Hirundo rustica	Barn Swallow	THR	THR	S4B	OBBA, MNRF SAR in Area	Farmlands or rural areas; cliffs, caves, rock niches; buildings or other man-made structures for nesting; open country near body of water.	Low potential. During the field investigation, no nests were observed and no buildings will be removed during construction.	N/A
Riparia riparia	Bank Swallow	THR	THR	S4B	OBBA	Sand, clay or gravel river banks or steep riverbank cliffs; lakeshore bluffs of easily crumbled sand or gravel; gravel pits, road-cuts, grassland or cultivated fields that are close to water; nesting sites are limiting factor for species presence..	No potential. During the field investigation, the only suitable habitat was to the west of the Study Area among the large dumped sand/soil piles. This area will not be disturbed.	N/A
Dolichonyx oryzivorus	Bobolink	THR	THR	S4B	OBBA, MNRF SAR in Area	Large, open expansive grasslands with dense ground cover; hayfields, meadows or fallow fields; marshes; requires tracts of grassland >50 ha.	No potential. Based on aerial photography the Study Area contains does not contain suitable habitat for grassland breeding bird.	N/A
Sturnella magna	Eastern Meadowlark	THR	THR	S4B	OBBA, MNRF SAR in Area	Open, grassy meadows, farmland, pastures, hayfields or grasslands with elevated singing perches; cultivated land and weedy areas with trees; old orchards with adjacent, open grassy areas >10 ha in size.	No potential. Based on aerial photography the Study Area contains does not contain suitable habitat for grassland breeding bird.	N/A
Tyto alba	Barn Owl	END	END	S1	MNRF SAR in Area	Open areas such as fields, agricultural lands with scattered woodlots, buildings and/or orchards; grasslands, sedge meadows, marshes; snow-cover limits ability to catch prey; species has intolerance to severe cold; nests in hollow trees and live trees >46 cm dbh; also nests in barns, abandoned buildings.	No potential. Based on aerial photography the Study Area contains agricultural lands which may provide suitable habitat for Barn Owl. However, However, there are reported to be less than five pairs of Barn Owls remaining in Ontario[2].	N/A
HERPTILES								
Ambystoma texanum	Small-mouthed Salamander	END	END	S1	OHA, MNRF SAR in Area	Moist habitats such as tall grass prairies, deciduous forests, and agricultural lands with suitable breeding ponds. Require soft soil for burrows and ponds without fish for breeding.	No potential. Based on aerial photography and MNRF mapping the Study Area does not contain suitable habitat. In addition, the Small-mouthed salamander is found only on Pelee Island in extreme southwestern Ontario[2].	N/A
Heterodon platirhinos	Eastern Hog-nosed Snake	THR	THR	S3	OHA	Sandy upland fields, pastures, savannahs, sandy beaches; dry open oak-pine-maple forest with sandy soils; prefer forest areas > 5ha.	No potential. OHA does not show it in Study Area, based on recovery strategy not in area.	N/A
Pantherophis gloydi pop. 2	Eastern Foxsnake (Carolinian population)	END	END	S2	OHA, MNRF Reg. Habitat	Old fields, marshes, along hedgerows, drainage canals and shorelines. Eggs are laid in rotting logs, manure or compost piles. Hibernate in cracks in the bedrock and man-made structures	Low potential. During the field investigation, no suitable habitat/potential snake hibernacula were observed. Also, based on the disturbance location of the proposed sanitary sewer alignment, no suitable habitat/potential snake hibernacula will be disturbed.	SAR info sheet should be provided to contractor.
Pantherophis spiloides pop. 2	Gray Ratsnake (Carolinian population)	END	END	S1	OHA	Agricultural land and deciduous forest. Eggs are laid in rotting logs and compost piles.	No potential. During the field investigation, no suitable habitat were observed.	N/A

Scientific Name	Common Name	SARA Status[1]	ESA Status[2]	SRank[3]	Information Source[4]	Habitat Requirements[2,5]	Potential Impacts to Species and/or Habitat	Recommendations
Thamnophis butleri	Butler's Gartersnake	END	END	S2	OHA, MNRF SAR in Area	Open, moist habitats, such as dense grasslands and old fields, with small wetlands. Also known to occur along treed edges, vacant lots, small parks, and abandoned sites in urban areas	Low potential. During the field investigation, no suitable habitat/potential snake hibernacula were observed. Also, based on the disturbance location of the proposed sanitary sewer alignment, no suitable habitat/potential snake hibernacula will be disturbed.	SAR info sheet should be provided to contractor.
Plestiodon fasciatus pop. 1	Common Five-lined Skink (Carolinian population)	END	END	S2	MNRF SAR in Area, MNRF Reg. Habitat	The Carolinian population can be found under woody debris in clearings with sand dunes, open forested areas, and wetlands. They bask on sunny rocks and logs to maintain a preferred body temperature (28-36°C). During the winter, they hibernate in crevices among rocks or buried in the soil.	No potential. Based on aerial photography and MNRF mapping the Study Area does not contain suitable habitat.	N/A
Sistrurus catenatus pop. 2	Massasauga (Carolinian population)	THR	END	S1	OHA, MNRF SAR in Area	Use upland, old field in summer; marsh, shrub swamp or bog; rivers and streams that provide sedge or low vegetative growth; in fall and winter; hibernate underground in mammal burrows, under rotting stumps, in rock crevices.	No potential. In Canada, the Massasauga is found only in Ontario, primarily along the eastern side of Georgian Bay and on the Bruce Peninsula. Two small populations are also found in the Wainfleet Bog on the northeast shore of Lake Erie and near Windsor.	N/A
MAMMALS								
Taxidea taxus jacksoni	American Badger (Southwestern Ontario population)	END	END	---	MWH	In Ontario, badgers are found in a variety of habitats, such as tall grass prairie, sand barrens and farmland. These habitats provide badgers with small prey, including groundhogs, rabbits and small rodents. Since badgers are primarily nocturnal and quite wary of people, not many people are fortunate enough to spot one in the wild.	No potential. Based on the Recovery Strategy, the Study Area is not within the range of this species.	N/A
Myotis leibii	Eastern Small-footed Myotis	---	END	S2S3	MWH	Roosts in caves, mine shafts, crevices or buildings that are in or near woodland; hibernates in cold dry caves or mines; maternity colonies in caves or buildings; hunts in forests.	No potential. During the field investigation, there were no ELC Ecosites that could provide suitable habitat for bat hibernacula/maternity colonies.	N/A
Myotis lucifugus	Little Brown Myotis	END	END	S4	MWH	Uses caves, quarries, tunnels, hollow trees or buildings for roosting; winters in humid caves; maternity sites in dark warm areas such as attics and barns; feeds primarily in wetlands, forest edges.		
Myotis septentrionalis	Northern Myotis	END	END	S3	MWH	Hibernates during winter in mines or caves; during summer males roost alone and females form maternity colonies of up to 60 adults; roosts in houses, manmade structures but prefers hollow trees or under loose bark; hunts within forests, below canopy.		
Pipistrellus subflavus	Tri-colored Bat	END	END	S3?	MWH	Can be found in a variety of forested habitats. They form day roosts and maternity colonies in older forest and occasionally in barns or other structures, and overwinter in caves. They forage over water and along streams in the forest.		
PLANTS								
Liatris spicata	Dense Blazing Star	THR	THR	S2	MNRF SAR in Area	In Ontario, Dense Blazing Star grows in moist prairies, grassland savannahs, wet areas between sand dunes, and abandoned fields. This plant does not do well in the shade and is usually found in areas that are kept open and sunny by fire, floods, drought, or grazing.	No potential. Based on MNRF Recovery Strategy, the Study Area in not in the range of this species.	N/A

Scientific Name	Common Name	SARA Status[1]	ESA Status[2]	SRank[3]	Information Source[4]	Habitat Requirements[2,5]	Potential Impacts to Species and/or Habitat	Recommendations
Symphyotrichum praealtum	Willowleaf Aster	THR	THR	S2	MNRF SAR in Area	In Ontario, the Willowleaf aster is found in openings of oak savannahs, a very rare type of vegetation community containing many tallgrass prairie herbs and oak trees. It has also been found along railways, roadsides and in abandoned farm fields.	No potential. This species was not observed within the Study Area.	N/A
Cornus florida	Eastern Flowering Dogwood	END	END	S2?	MNRF SAR in Area, MNRF Reg. Habitat	Eastern Flowering Dogwood grows under taller trees in mid-age to mature deciduous or mixed forests. It most commonly grows on floodplains, slopes, bluffs and in ravines, and is also sometimes found along roadsides and fencerows.	No potential. Grows under taller trees in mid-age to mature deciduous or mixed forests.	N/A
Aletris farinosa	Colicroot	THR	END	S2	MNRF SAR in Area	In Ontario, Colicroot grows in open, sunny, and moist habitats with sandy or mucky soil, such as prairies and old abandoned fields. It has also been found along roadsides and forest edges. It does not tolerate shade or competition from other plants and appears to do well in areas that are kept open by fire, drought, grazing and other disturbances.	No potential. This species was not observed within the Study Area. Suitable habitat was also not present for this species.	N/A
Liparis liliifolia	Purple Twayblade	THR	THR	S2	MNRF SAR in Area	In Ontario, Purple twayblade is found in a variety of habitats including open oak woodland and savannah, mixed deciduous forest, shrub thicket, shrub alvar, deciduous swamp, and even conifer plantations. It will grow in partial shade, but does not like dense shade and depends on natural disturbances, such as storms and fire, to keep its habitat relatively open and sunny.	No potential. Based on MNRF Recovery Strategy mapping, the Study Area is not within the range of this species.	N/A

1 – Status identified by the Committee on the Status of Endangered Wildlife in Canada under the federal SARA, 2002; 2 – SAR in Ontario List under the provincial ESA, 2007; 3 – Ontario SRank; S5 = secure; S4= apparently secure; S3 = vulnerable; S2 = imperilled; SX = Extirpated; SH = Possibly Extirpated; SNA = non-native or exotic species to Ontario; 4 – NHIC = MNRF Natural Heritage Information Centre, MNRF SAR in Area = MNRF Species at Risk in Ontario List by area of the province; MNRF Reg. Habitat = MNRF Regulated Habitat (O. Reg. 242/08); MNRF Consult. = MNR Consultation, OBBA = Ontario Breeding Bird Atlas, MWH = Digital Distribution Maps of the Mammals of the Western Hemisphere, version 3.0, OHA = Ontario Herpetofaunal Atlas, OOA = Ontario Odonata Atlas; OBA = Ontario Butterfly Atlas; CBC = Christmas Bird Count; 5 – MNRF Significant Wildlife Technical Guide - Appendix G (2000).

ATTACHMENT 2

Site Photos

Attachment 2: Site Photos

Photo Comments	Photo
Photo 1 **October 9, 2018** Looking north from the southeast corner of the Study Area. Note: Commercial and Institutional land (left), East Townline Road Drain (centre), and Manning Road (right).	
Photo 2 **October 9, 2018** Looking west from the southeast corner of the Study Area. Note: Commercial and Institutional land (far left and right) and Sylvestre Drive (left).	

Photo 3
October 9, 2018

Looking east from the southwest corner of the Study Area.

Note: Open Agriculture (left), Sylvestre Drive (right), and Commercial and Institutional land (far right).

Photo 4
October 9, 2018

Looking north from the southwest corner of the Study Area.

Note: Mixed Meadow with dumped soil (far left), Sylvestre Drive (left), and Open Agriculture (right).

Photo 5
October 9, 2018

Looking south from the northwest corner of the Study Area.

Note: Commercial and Institutional land (left and far right) and Sylvestre Drive (right).

Photo 6
October 9, 2018

Looking east from the northwest corner of the Study Area.

Note: Open Agriculture (far left), Jamsyl Drive (left), and Commercial and Institutional land (right).

Photo 7
October 9, 2018

Looking west from the northeast corner of the Study Area.

Note: Open Agriculture (left), Jamsyl Drive (right), and Commercial and Institutional land (far right).

Photo 8
October 9, 2018

Looking south from the northeast corner of the Study Area.

Note: Open Agriculture and Residential land (far left), Manning Road (left), East Townline Road Drain (centre), and Open Agriculture (right).

ATTACHMENT 3

Species Data Sheets

Barn Swallow

Hirundo rustica

National Status: **No Status**

Colour	• Glossly, steel-blue back and upper wings • Rusty –red forehead and throat • Beige coloured belly • Juveniles are more dusky blue-gray and have a pale yellow bill
Distinctive Features	• Pointed wings • Deeply-forked tail
Typical Size	Typically 15 to 18 cm long (6" to 7")
Other	Diet consists of flying insects

Habitat

- Prefers open habitats such as meadows, pastures and farmland during the breeding season
- Often uses man-made structures (e.g. bridges, culverts, barns) for nesting
- Nests are typically made of mud and grass and attached to the side of a structure or on a flat edge.
- Nests are cup-shaped.

Similar Species

- Cliff Swallow (*Petrochelidon pyrrhonot*) has similar colouration but lacks the forked tail and has a distinctive pale rump patch, collar and forehead patch. Also builds mud nests in similar areas but nests are almost enclosed with a small entry/exit hole.
- Tree Swallow (*Tachycineta bicolor*) are a bright white from below with glossy blue-green upperparts and only a slightly forked tail.

What to do if found

If a Barn Swallow is found within the construction area, the following procedure must be followed:

- If possible take a photo.
- Ensure species is protected from construction activities.
- Report all sightings to your supervisor

Barn Swallow

Barn Swallow at Nest

Barn Swallow Perching

Cliff Swallow – note the lack of a forked tail and distinctive collar, forehead patch and rump patch

Adult Tree Swallow

Photo Credits: Ontario Ministry of Natural Resources and Forestry, Mike Wolosinecky
Date Fact Sheet Was Created/Revised: August 7, 2013 Rev. April 12, 2018
References: Ontario Ministry of Natural Resources and Forestry, Species At Risk Public Registry

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Similar species: Common gartersnake

Butler's Gartersnake

Thamnophis butleri

Provincial Status: **Endangered**
National Status: **Endangered**

Colour	• Yellow to orange stripes running lengthwise on dark brown-black background. • Chin and belly are yellowish
Distinctive Features	• Yellow to orange stripes on dark brown-black background. • Tiny head.
Typical Size	Measures between 25 to 57 cm in length.
Other	• Moves quickly through long grasses. • Non-venomous snake. • Looks similar to the common gartersnake, red-sided gartersnake and ribbonsnake. • These species have larger heads and more pronounced neck than Butler's. • Feeds on leeches and earthworms.

Habitat

- Prefers open, moist habitats, such as dense grasslands and old fields, with small wetlands.
- Inhabits burrows made by small mammals and crayfish for hibernation, these sites are called hibernacula.
- Also commonly found in rock piles or old stone walls.

What to do if found

If a Butler's Gartersnake is found within the Project Area, the following procedure must be followed:

- If possible take a photo.
- Ensure species is protected from construction activities.
- Report all sightings to the supervisor.

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Photo Credits: Ontario Ministry of Natural Resources and Forestry
Date Fact Sheet Was Created/Revised: Rev. April 12, 2018
References: Ontario Ministry of Natural Resources and Forestry, Species At Risk Public Registry

Eastern Foxsnake

Elaphe gloydi

Carolinian Population

Provincial Status: **Threatened**

Federal Status: **Endangered**

Colour	• Head is brown to reddish in colour with no distinct pattern or markings. • Body is yellowish brown with dark blotches down the back and along each side. • Juveniles have a dark line in front of the eyes and extending from the eye to the angle of the jaw.
Distinctive Features	The yellow background with dark brown blotches is unique among blotched-pattern snakes.
Typical Size	Typically 91-137cm long (36”-54”).
Other	When alarmed it can vibrate its tail, resembling a rattlesnake.

Habitat

- Wide variety of habitats including hedgerows, marshes and woodland areas; usually found near water.
- Basking and shelter sites include brush piles, table rock, tree stumps, etc.
- Nest sites include rotting cavities of downed trees, decaying vegetation piles, rodent burrows and hay piles.
- From late October until April they hibernate in burrows, limestone bedrock fissures, canals, old wells or building foundations.

Other Information

- Other similar blotched-pattern snakes include Massasauga, Milksnake, Eastern Hog-nosed Snake, Northern Watersnake, juvenile Blue Racer and juvenile Gray Ratsnake.

What to do if found

If an Eastern Foxsnake is found within the Project Area, the following procedure must be followed:

- If possible take a photo.
- Ensure species is protected from construction activities.
- Report all sightings to the supervisor.

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Photo Credits: Ontario Ministry of Natural Resources and Forestry
Date Fact Sheet Was Created/Revised: April 10, 2018
References: Ontario Ministry of Natural Resources and Forestry, Species At Risk Public Registry

Appendix B

Ministry of Tourism Culture and Sport Checklists

Ontario

Ministry of Tourism, Culture and Sport

Programs & Services Branch
401 Bay Street, Suite 1700
Toronto ON M7A 0A7

Criteria for Evaluating Archaeological Potential

A Checklist for the Non-Specialist

The **purpose of the checklist** is to determine:

- if a property(ies) or project area may contain archaeological resources i.e., have archaeological potential
- it includes all areas that may be impacted by project activities, including – but not limited to:
  - the main project area
  - temporary storage
  - staging and working areas
  - temporary roads and detours

Processes covered under this checklist, such as:

- *Planning Act*
- *Environmental Assessment Act*
- *Aggregates Resources Act*
- *Ontario Heritage Act* – Standards and Guidelines for Conservation of Provincial Heritage Properties

Archaeological assessment

If you are not sure how to answer one or more of the questions on the checklist, you may want to hire a licensed consultant archaeologist (see page 4 for definitions) to undertake an archaeological assessment.

The assessment will help you:

- identify, evaluate and protect archaeological resources on your property or project area
- reduce potential delays and risks to your project

Note: By law, archaeological assessments **must** be done by a licensed consultant archaeologist. Only a licensed archaeologist can assess – or alter – an archaeological site.

What to do if you:

- **find an archaeological resource**

  If you find something you think may be of archaeological value during project work, you must – by law – stop all activities immediately and contact a licensed consultant archaeologist

  The archaeologist will carry out the fieldwork in compliance with the *Ontario Heritage Act* [s.48(1)].

- **unearth a burial site**

  If you find a burial site containing human remains, you must immediately notify the appropriate authorities (i.e., police, coroner's office, and/or Registrar of Cemeteries) and comply with the *Funeral, Burial and Cremation Services Act*.

Other checklists

Please use a separate checklist for your project, if:

- you are seeking a Renewable Energy Approval under Ontario Regulation 359/09 – separate checklist
- your Parent Class EA document has an approved screening criteria (as referenced in Question 1)

Please refer to the Instructions pages when completing this form.

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Project or Property Name

Sylvestre Drive Sanitary Sewer Extension

Project or Property Location (upper and lower or single tier municipality)

Town of Tecumseh, Essex County

Proponent Name

Town of Tecumseh

Proponent Contact Information

Phil Bartnik, P.Eng., PMP, Manager of Engineering Services, 519-735-2184 ext 148, pbartnik@tecumseh.ca

Screening Questions

	Yes	No
1. Is there a pre-approved screening checklist, methodology or process in place?	☐	☑

If Yes, please follow the pre-approved screening checklist, methodology or process.

If No, continue to Question 2.

	Yes	No
2. Has an archaeological assessment been prepared for the property (or project area) and been accepted by MTCS?	☐	☑

If Yes, do **not** complete the rest of the checklist. You are expected to follow the recommendations in the archaeological assessment report(s).

The proponent, property owner and/or approval authority will:

- summarize the previous assessment
- add this checklist to the project file, with the appropriate documents that demonstrate an archaeological assessment was undertaken e.g., MTCS letter stating acceptance of archaeological assessment report

The summary and appropriate documentation may be:

- submitted as part of a report requirement e.g., environmental assessment document
- maintained by the property owner, proponent or approval authority

If No, continue to Question 3.

	Yes	No
3. Are there known archaeological sites on or within 300 metres of the property (or the project area)?	☐	☑
4. Is there Aboriginal or local knowledge of archaeological sites on or within 300 metres of the property (or project area)?	☐	☑
5. Is there Aboriginal knowledge or historically documented evidence of past Aboriginal use on or within 300 metres of the property (or project area)?	☐	☑
6. Is there a known burial site or cemetery on the property or adjacent to the property (or project area)?	☐	☑
7. Has the property (or project area) been recognized for its cultural heritage value?	☐	☑

If Yes to any of the above questions (3 to 7), do **not** complete the checklist. Instead, you need to hire a licensed consultant archaeologist to undertake an archaeological assessment of your property or project area.

If No, continue to question 8.

	Yes	No
8. Has the entire property (or project area) been subjected to recent, extensive and intensive disturbance?	☑	☐

If Yes to the preceding question, do **not** complete the checklist. Instead, please keep and maintain a summary of documentation that provides evidence of the recent disturbance.

An archaeological assessment is not required.

If No, continue to question 9.

	Yes	No
9. Are there present or past water sources within 300 metres of the property (or project area)?	☐	☑

If Yes, an archaeological assessment is required.

If No, continue to question 10.

	Yes	No
10. Is there evidence of two or more of the following on the property (or project area)?	☐	☑

- elevated topography
- pockets of well-drained sandy soil
- distinctive land formations
- resource extraction areas
- early historic settlement
- early historic transportation routes

If Yes, an archaeological assessment is required.

If No, there is low potential for archaeological resources at the property (or project area).

The proponent, property owner and/or approval authority will:

- summarize the conclusion
- add this checklist with the appropriate documentation to the project file

The summary and appropriate documentation may be:

- submitted as part of a report requirement e.g., under the *Environmental Assessment Act, Planning Act* processes
- maintained by the property owner, proponent or approval authority

Instructions

Please have the following available, when requesting information related to the screening questions below:

- a clear map showing the location and boundary of the property or project area
  - large scale and small scale showing nearby township names for context purposes
- the municipal addresses of all properties within the project area
- the lot(s), concession(s), and parcel number(s) of all properties within a project area

In this context, the following definitions apply:

- **consultant archaeologist** means, as defined in Ontario regulation as an archaeologist who enters into an agreement with a client to carry out or supervise archaeological fieldwork on behalf of the client, produce reports for or on behalf of the client and provide technical advice to the client. In Ontario, these people also are required to hold a valid professional archaeological licence issued by the Ministry of Tourism, Culture and Sport.
- **proponent** means a person, agency, group or organization that carries out or proposes to carry out an undertaking or is the owner or person having charge, management or control of an undertaking.

1. Is there a pre-approved screening checklist, methodology or process in place?

An existing checklist, methodology or process may be already in place for identifying archaeological potential, including:

- one prepared and adopted by the municipality e.g., archaeological management plan
- an environmental assessment process e.g., screening checklist for municipal bridges
- one that is approved by the Ministry of Tourism, Culture and Sport under the Ontario government's Standards & Guidelines for Conservation of Provincial Heritage Properties [s. B.2.]

2. Has an archaeological assessment been prepared for the property (or project area) and been accepted by MTCS?

Respond 'yes' to this question, if all of the following are true:

- an archaeological assessment report has been prepared and is in compliance with MTCS requirements
  - a letter has been sent by MTCS to the licensed archaeologist confirming that MTCS has added the report to the Ontario Public Register of Archaeological Reports (Register)
- the report states that there are no concerns regarding impacts to archaeological sites

Otherwise, if an assessment has been completed and deemed compliant by the MTCS, and the ministry recommends further archaeological assessment work, this work will need to be completed.

For more information about archaeological assessments, contact:

- approval authority
- proponent
- consultant archaeologist
- Ministry of Tourism, Culture and Sport at archaeology@ontario.ca

3. Are there known archaeological sites on or within 300 metres of the property (or project area)?

MTCS maintains a database of archaeological sites reported to the ministry.

For more information, contact MTCS Archaeological Data Coordinator at archaeology@ontario.ca.

4. Is there Aboriginal or local knowledge of archaeological sites on or within 300 metres of the property?

Check with:

- Aboriginal communities in your area
- local municipal staff

They may have information about archaeological sites that are not included in MTCS' database.

Other sources of local knowledge may include:

- property owner
- local heritage organizations and historical societies
- local museums
- municipal heritage committee
- published local histories

5. Is there Aboriginal knowledge or historically documented evidence of past Aboriginal use on or within 300 metres of the property (or property area)?

Check with:

- Aboriginal communities in your area
- local municipal staff

Other sources of local knowledge may include:

- property owner
- local heritage organizations and historical societies
- local museums
- municipal heritage committee
- published local histories

6. Is there a known burial site or cemetery on the property or adjacent to the property (or project area)?

For more information on known cemeteries and/or burial sites, see:

- Cemeteries Regulation Unit, Ontario Ministry of Consumer Services – for database of registered cemeteries
- Ontario Genealogical Society (OGS) – to locate records of Ontario cemeteries, both currently and no longer in existence; cairns, family plots and burial registers
- Canadian County Atlas Digital Project – to locate early cemeteries

In this context, 'adjacent' means 'contiguous', or as otherwise defined in a municipal official plan.

7. Has the property (or project area) been recognized for its cultural heritage value?

There is a strong chance there may be archaeological resources on your property (or immediate area) if it has been listed, designated or otherwise identified as being of cultural heritage value by:

- your municipality
- Ontario government
- Canadian government

This includes a property that is:

- designated under *Ontario Heritage Act* (the OHA), including:
  - individual designation (Part IV)
  - part of a heritage conservation district (Part V)
  - an archaeological site (Part VI)
- subject to:
  - an agreement, covenant or easement entered into under the OHA (Parts II or IV)
  - a notice of intention to designate (Part IV)
  - a heritage conservation district study area by-law (Part V) of the OHA
- listed on:
  - a municipal register or inventory of heritage properties
  - Ontario government's list of provincial heritage properties
  - Federal government's list of federal heritage buildings
- part of a:
  - National Historic Site
  - UNESCO World Heritage Site
- designated under:
  - *Heritage Railway Station Protection Act*
  - *Heritage Lighthouse Protection Act*
- subject of a municipal, provincial or federal commemorative or interpretive plaque.

To determine if your property or project area is covered by any of the above, see:

- Part A of the MTCS Criteria for Evaluating Potential for Built Heritage and Cultural Heritage Landscapes

Part VI – Archaeological Sites

Includes five sites designated by the Minister under Regulation 875 of the Revised Regulation of Ontario, 1990 (Archaeological Sites) and 3 marine archaeological sites prescribed under Ontario Regulation 11/06.

For more information, check Regulation 875 and Ontario Regulation 11/06.

8. Has the entire property (or project area) been subjected to recent extensive and intensive ground disturbance?

Recent: after-1960

Extensive: over all or most of the area

Intensive: thorough or complete disturbance

Examples of ground disturbance include:

- quarrying
- major landscaping – involving grading below topsoil
- building footprints and associated construction area
  - where the building has deep foundations or a basement
- infrastructure development such as:
  - sewer lines
  - gas lines
  - underground hydro lines
  - roads
  - any associated trenches, ditches, interchanges. **Note**: this applies only to the excavated part of the right-of-way; the remainder of the right-of-way or corridor may not have been impacted.

A ground disturbance does **not** include:

- agricultural cultivation
- gardening
- landscaping

Site visits

You can typically get this information from a site visit. In that case, please document your visit in the process (e.g., report) with:

- photographs
- maps
- detailed descriptions

If a disturbance isn't clear from a site visit or other research, you need to hire a licensed consultant archaeologist to undertake an archaeological assessment.

9. Are there present or past water bodies within 300 metres of the property (or project area)?

Water bodies are associated with past human occupations and use of the land. About 80-90% of archaeological sites are found within 300 metres of water bodies.

Present

- Water bodies:
  - primary - lakes, rivers, streams, creeks
  - secondary - springs, marshes, swamps and intermittent streams and creeks
- accessible or inaccessible shoreline, for example:
  - high bluffs
  - swamps
  - marsh fields by the edge of a lake
  - sandbars stretching into marsh

Water bodies not included:

- man-made water bodies, for example:
  - temporary channels for surface drainage
  - rock chutes and spillways
  - temporarily ponded areas that are normally farmed
  - dugout ponds
- artificial bodies of water intended for storage, treatment or recirculation of:
  - runoff from farm animal yards
  - manure storage facilities
  - sites and outdoor confinement areas

Past

Features indicating past water bodies:

- raised sand or gravel beach ridges – can indicate glacial lake shorelines
- clear dip in the land – can indicate an old river or stream
- shorelines of drained lakes or marshes
- cobble beaches

You can get information about water bodies through:

- a site visit
- aerial photographs
- 1:10,000 scale Ontario Base Maps - or equally detailed and scaled maps.

10. Is there evidence of two or more of the following on the property (or project area)?

- elevated topography
- pockets of well-drained sandy soil
- distinctive land formations
- resource extraction areas
- early historic settlement
- early historic transportation routes

- **Elevated topography**

  Higher ground and elevated positions - surrounded by low or level topography - often indicate past settlement and land use.

  Features such as eskers, drumlins, sizeable knolls, plateaus next to lowlands, or other such features are a strong indication of archaeological potential.

  Find out if your property or project area has elevated topography, through:

  - site inspection
  - aerial photographs
  - topographical maps

- **Pockets of well-drained sandy soil, especially within areas of heavy soil or rocky ground**

  Sandy, well-drained soil - in areas characterized by heavy soil or rocky ground - may indicate archaeological potential

  Find out if your property or project area has sandy soil through:

  - site inspection
  - soil survey reports

- **Distinctive land formations**

  Distinctive land formations include – but are not limited to:

  - waterfalls
  - rock outcrops
  - rock faces
  - caverns
  - mounds, etc.

  They were often important to past inhabitants as special or sacred places. The following sites may be present – or close to – these formations:

  - burials
  - structures
  - offerings
  - rock paintings or carvings

  Find out if your property or project areas has a distinctive land formation through:

  - a site visit
  - aerial photographs
  - 1:10,000 scale Ontario Base Maps - or equally detailed and scaled maps.

- **Resource extraction areas**

  The following resources were collected in these extraction areas:

  - food or medicinal plants e.g., migratory routes, spawning areas, prairie
  - scarce raw materials e.g., quartz, copper, ochre or outcrops of chert
  - resources associated with early historic industry e.g., fur trade, logging, prospecting, mining

  Aboriginal communities may hold traditional knowledge about their past use or resources in the area.

- **Early historic settlement**

  Early Euro-Canadian settlement include – but are not limited to:

  - early military or pioneer settlement e.g., pioneer homesteads, isolated cabins, farmstead complexes
  - early wharf or dock complexes
  - pioneers churches and early cemeteries

  For more information, see below – under the early historic transportation routes.

- **Early historic transportation routes -** such as trails, passes, roads, railways, portage routes, canals.

  For more information, see:

  - historical maps and/or historical atlases
    - for information on early settlement patterns such as trails (including Aboriginal trails), monuments, structures, fences, mills, historic roads, rail corridors, canals, etc.
    - Archives of Ontario holds a large collection of historical maps and historical atlases
    - digital versions of historic atlases are available on the Canadian County Atlas Digital Project
  - commemorative markers or plaques such as local, provincial or federal agencies
  - municipal heritage committee or other local heritage organizations
    - for information on early historic settlements or landscape features (e.g., fences, mill races, etc.)
    - for information on commemorative markers or plaques

Evaluating Archaeological Potential Screening

MTCS Criteria for Evaluating Archaeological Potential		Sources of Information	Comments
(1)	Is there a pre-approved screening checklist, methodology or process in place?	N/A	No. The screening process is being undertaken as a part of a Schedule B Class Environmental Assessment.
(2)	Has an archaeological assessment been prepared for the property (or the project area) and been accepted by the MTCS?	Communication with the Archaeology Program Unit at the Ministry of Tourism, Culture and Sport (MTCS).	Communication with the Archaeology Program Unit at the Ministry of Tourism, Culture and Sport (MTCS) indicated that archaeological assessments have not been prepared for the area within 1km of the Study Area.
(3)	Are there known archaeological sites on or within 300m of the property (or project area)?	Communication with the Archaeology Program Unit at the MTCS.	Communication with the Archaeology Program Unit at the Ministry of Tourism, Culture and Sport (MTCS) indicated that there are no known archaeological sites within 1km of the Study Area.
(4)	Is there Aboriginal knowledge or historically documented evidence of past Aboriginal use on or within 300m of the property (or project area)?	Letters and phone calls were circulated to the following Aboriginal communities to introduce them to the project and asking them to provide input: • Caldwell First Nation • Chippewas of Aamjiwaang First Nation • Chippewas of Kettle& Stoney Point First Nation • Chippewas of the Thames First Nation • Moravian of the Thames First Nation • Walpole Island First Nation • Metis Nation of Ontario • Southern First Nation Secretariat	No input regarding archaeological potential was received.
(5)	Is there known Aboriginal knowledge or historically documented evidence of past Aboriginal use on or within 300m of the property (or project area)?	Letters and phone calls were circulated to the following Aboriginal communities to introduce them to the project and asking them to provide input: • Caldwell First Nation • Chippewas of Aamjiwaang First Nation • Chippewas of Kettle& Stoney Point First Nation • Chippewas of the Thames First Nation • Moravian of the Thames First Nation • Walpole Island First Nation • Metis Nation of Ontario • Southern First Nation Secretariat	No input regarding archaeological potential was received.

MTCS Criteria for Evaluating Archaeological Potential		Sources of Information	Comments
(6)	Is there a known burial site or cemetery on the property or adjacent to the property (or project area)?	Internet search of properties in the vicinity of the project area. Canada Gen Web Cemetery Project: http://cemetery.canadagenweb.org/map	A review of the Canada Gen Web Cemetery Project confirmed that there are no known burial sites or cemeteries within the project area.
(7)	Has the property (or project area) been recognized for its cultural heritage value?	MTCS *Criteria for Evaluating Potential for Built Heritage and Cultural Heritage Landscapes*	The MTCS *Criteria for Evaluating Potential for Built Heritage and Cultural Heritage Landscapes* has been completed. The study area is not recognized for its cultural heritage value.
(8)	Has the property (or project area) been subjected to recent, extensive and intensive disturbance?	Desktop review of aerial mapping and field visits to the study area.	A review of the study area confirmed that most of the project area has been subjected to recent, extensive and intensive disturbance with the exception of an agricultural field in the northeast portion of the study area. The anticipated area of impact has is alongside associated construction areas for buildings or adjacent to ditches within the municipal road right of way. No further screening for archaeological potential is required.

Sunstrum, Mary <msunstrum@dillon.ca>

Request for Archaeology Information - Town of Tecumseh, Sylvestre Drive

von Bitter, Robert (MTCS) <Robert.vonBitter@ontario.ca> Mon, Sep 24, 2018 at 12:21 PM
To: "msunstrum@dillon.ca" <msunstrum@dillon.ca>

Mary,

No reported archaeological sites are showing up within 1 km of this project.

Regards,

Robert von Bitter

Robert von Bitter

Archaeological Data Co-Ordinator

Archaeology Program Unit | Programs and Services Branch

Ministry of Tourism, Culture and Sport

401 Bay Street Suite 1700

Toronto, Ontario M7A 0A7

416-314-7161

Robert.vonBitter@ontario.ca

From: Archaeology (MTCS)
Sent: September-17-18 12:54 PM
To: von Bitter, Robert (MTCS)
Subject: FW: Request for Archaeology Information - Town of Tecumseh, Sylvestre Drive

From: Sunstrum, Mary [mailto:msunstrum@dillon.ca]
Sent: September 17, 2018 12:31 PM
To: Archaeology (MTCS); 176843
Subject: Request for Archaeology Information - Town of Tecumseh, Sylvestre Drive

Good morning!

The Town of Tecumseh is proposing to extend sanitary sewers on Sylvestre Drive to service a portion of the Sylvestre Industrial Park Area that is generally located on Sylvestre Drive, south of Jamsyl Drive and west of Manning Road. Dillon was retained to complete the Schedule B Municipal Class Environmental Assessment.

As a part of the EA, Dillon is conducting a self-screening in Criteria for Evaluating Archaeological Potential for the Ministry of Tourism, Culture and Sport.

We are trying to determine through the self-screening process if further archaeological investigation is required. Would you be able to advise if there are any known archaeological sites within 300 m of the project Study Area? A map of the Study Area is provided below.

Thank you,

Mary

–

Mary Sunstrum
Dillon Consulting Limited
130 Dufferin Avenue Suite 1400
London, Ontario, N6A 5R2

T - 519.438.1288 ext. 1282
F - 519.672.8209
MSunstrum@dillon.ca
www.dillon.ca

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Ontario

Ministry of Tourism, Culture and Sport

Programs & Services Branch
401 Bay Street, Suite 1700
Toronto ON M7A 0A7

Criteria for Evaluating Potential for Built Heritage Resources and Cultural Heritage Landscapes

A Checklist for the Non-Specialist

The **purpose of the checklist** is to determine:

- if a property(ies) or project area:
  - is a recognized heritage property
  - may be of cultural heritage value
- it includes all areas that may be impacted by project activities, including – but not limited to:
  - the main project area
  - temporary storage
  - staging and working areas
  - temporary roads and detours

Processes covered under this checklist, such as:

- *Planning Act*
- *Environmental Assessment Act*
- *Aggregates Resources Act*
- *Ontario Heritage Act* – Standards and Guidelines for Conservation of Provincial Heritage Properties

Cultural Heritage Evaluation Report (CHER)

If you are not sure how to answer one or more of the questions on the checklist, you may want to hire a qualified person(s) (see page 5 for definitions) to undertake a cultural heritage evaluation report (CHER).

The CHER will help you:

- identify, evaluate and protect cultural heritage resources on your property or project area
- reduce potential delays and risks to a project

Other checklists

Please use a separate checklist for your project, if:

- you are seeking a Renewable Energy Approval under Ontario Regulation 359/09 – separate checklist
- your Parent Class EA document has an approved screening criteria (as referenced in Question 1)

Please refer to the Instructions pages for more detailed information and when completing this form.

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Project or Property Name

Sylvestre Drive Sanitary Sewer Extension

Project or Property Location (upper and lower or single tier municipality)

Town of Tecumseh, Essex County

Proponent Name

Town of Tecumseh

Proponent Contact Information

Phil Bartnik, P.Eng., PMP, Manager of Engineering Services, 519-735-2184 ext 148, pbartnik@tecumseh.ca

Screening Questions

	Yes	No
1. Is there a pre-approved screening checklist, methodology or process in place?	☐	☑

If Yes, please follow the pre-approved screening checklist, methodology or process.

If No, continue to Question 2.

Part A: Screening for known (or recognized) Cultural Heritage Value

	Yes	No
2. Has the property (or project area) been evaluated before and found **not** to be of cultural heritage value?	☐	☑

If Yes, do **not** complete the rest of the checklist.

The proponent, property owner and/or approval authority will:

- summarize the previous evaluation and
- add this checklist to the project file, with the appropriate documents that demonstrate a cultural heritage evaluation was undertaken

The summary and appropriate documentation may be:

- submitted as part of a report requirement
- maintained by the property owner, proponent or approval authority

If No, continue to Question 3.

	Yes	No
3. Is the property (or project area):		
a. identified, designated or otherwise protected under the *Ontario Heritage Act* as being of cultural heritage value?	☐	☑
b. a National Historic Site (or part of)?	☐	☑
c. designated under the *Heritage Railway Stations Protection Act*?	☐	☑
d. designated under the *Heritage Lighthouse Protection Act*?	☐	☑
e. identified as a Federal Heritage Building by the Federal Heritage Buildings Review Office (FHBRO)?	☐	☑
f. located within a United Nations Educational, Scientific and Cultural Organization (UNESCO) World Heritage Site?	☐	☑

If Yes to any of the above questions, you need to hire a qualified person(s) to undertake:

- a Cultural Heritage Evaluation Report, if a Statement of Cultural Heritage Value has not previously been prepared or the statement needs to be updated

If a Statement of Cultural Heritage Value has been prepared previously and if alterations or development are proposed, you need to hire a qualified person(s) to undertake:

- a Heritage Impact Assessment (HIA) – the report will assess and avoid, eliminate or mitigate impacts

If No, continue to Question 4.

Part B: Screening for Potential Cultural Heritage Value

	Yes	No
4. Does the property (or project area) contain a parcel of land that:		
a. is the subject of a municipal, provincial or federal commemorative or interpretive plaque?	☐	☑
b. has or is adjacent to a known burial site and/or cemetery?	☐	☑
c. is in a Canadian Heritage River watershed?	☑	☐
d. contains buildings or structures that are 40 or more years old?	☑	☐

Part C: Other Considerations

	Yes	No
5. Is there local or Aboriginal knowledge or accessible documentation suggesting that the property (or project area):		
a. is considered a landmark in the local community or contains any structures or sites that are important in defining the character of the area?	☐	☑
b. has a special association with a community, person or historical event?	☐	☑
c. contains or is part of a cultural heritage landscape?	☐	☑

If Yes to one or more of the above questions (Part B and C), there is potential for cultural heritage resources on the property or within the project area.

You need to hire a qualified person(s) to undertake:

- a Cultural Heritage Evaluation Report (CHER)

If the property is determined to be of cultural heritage value and alterations or development is proposed, you need to hire a qualified person(s) to undertake:

- a Heritage Impact Assessment (HIA) – the report will assess and avoid, eliminate or mitigate impacts

If No to all of the above questions, there is low potential for built heritage or cultural heritage landscape on the property.

The proponent, property owner and/or approval authority will:

- summarize the conclusion
- add this checklist with the appropriate documentation to the project file

The summary and appropriate documentation may be:

- submitted as part of a report requirement e.g. under the *Environmental Assessment Act, Planning Act* processes
- maintained by the property owner, proponent or approval authority

Instructions

Please have the following available, when requesting information related to the screening questions below:

- a clear map showing the location and boundary of the property or project area
  - large scale and small scale showing nearby township names for context purposes
- the municipal addresses of all properties within the project area
- the lot(s), concession(s), and parcel number(s) of all properties within a project area

For more information, see the Ministry of Tourism, Culture and Sport's Ontario Heritage Toolkit or Standards and Guidelines for Conservation of Provincial Heritage Properties.

In this context, the following definitions apply:

- **qualified person(s)** means individuals – professional engineers, architects, archaeologists, etc. – having relevant, recent experience in the conservation of cultural heritage resources.
- **proponent** means a person, agency, group or organization that carries out or proposes to carry out an undertaking or is the owner or person having charge, management or control of an undertaking.

1. Is there a pre-approved screening checklist, methodology or process in place?

An existing checklist, methodology or process may already be in place for identifying potential cultural heritage resources, including:

- one endorsed by a municipality
- an environmental assessment process e.g. screening checklist for municipal bridges
- one that is approved by the Ministry of Tourism, Culture and Sport (MTCS) under the Ontario government's Standards & Guidelines for Conservation of Provincial Heritage Properties [s.B.2.]

Part A: Screening for known (or recognized) Cultural Heritage Value

2. Has the property (or project area) been evaluated before and found not to be of cultural heritage value?

Respond 'yes' to this question, if all of the following are true:

A property can be considered not to be of cultural heritage value if:

- a Cultural Heritage Evaluation Report (CHER) - or equivalent - has been prepared for the property with the advice of a qualified person and it has been determined not to be of cultural heritage value and/or
- the municipal heritage committee has evaluated the property for its cultural heritage value or interest and determined that the property is not of cultural heritage value or interest

A property may need to be re-evaluated, if:

- there is evidence that its heritage attributes may have changed
- new information is available
- the existing Statement of Cultural Heritage Value does not provide the information necessary to manage the property
- the evaluation took place after 2005 and did not use the criteria in Regulations 9/06 and 10/06

Note: Ontario government ministries and public bodies [prescribed under Regulation 157/10] may continue to use their existing evaluation processes, until the evaluation process required under section B.2 of the Standards & Guidelines for Conservation of Provincial Heritage Properties has been developed and approved by MTCS.

To determine if your property or project area has been evaluated, contact:

- the approval authority
- the proponent
- the Ministry of Tourism, Culture and Sport

3a. Is the property (or project area) identified, designated or otherwise protected under the *Ontario Heritage Act* as being of cultural heritage value e.g.:

i. designated under the *Ontario Heritage Act*

- individual designation (Part IV)
- part of a heritage conservation district (Part V)

Individual Designation – Part IV

A property that is designated:

- by a municipal by-law as being of cultural heritage value or interest [s.29 of the *Ontario Heritage Act*]
- by order of the Minister of Tourism, Culture and Sport as being of cultural heritage value or interest of provincial significance [s.34.5]. **Note**: To date, no properties have been designated by the Minister.

Heritage Conservation District – Part V

A property or project area that is located within an area designated by a municipal by-law as a heritage conservation district [s. 41 of the *Ontario Heritage Act*].

For more information on Parts IV and V, contact:

- municipal clerk
- Ontario Heritage Trust
- local land registry office (for a title search)

---

ii. subject of an agreement, covenant or easement entered into under Parts II or IV of the *Ontario Heritage Act*

An agreement, covenant or easement is usually between the owner of a property and a conservation body or level of government. It is usually registered on title.

The primary purpose of the agreement is to:

- preserve, conserve, and maintain a cultural heritage resource
- prevent its destruction, demolition or loss

For more information, contact:

- Ontario Heritage Trust - for an agreement, covenant or easement [clause 10 (1) (c) of the *Ontario Heritage Act*]
- municipal clerk – for a property that is the subject of an easement or a covenant [s.37 of the *Ontario Heritage Act*]
- local land registry office (for a title search)

---

iii. listed on a register of heritage properties maintained by the municipality

Municipal registers are the official lists - or record - of cultural heritage properties identified as being important to the community.

Registers include:

- all properties that are designated under the *Ontario Heritage Act* (Part IV or V)
- properties that have not been formally designated, but have been identified as having cultural heritage value or interest to the community

For more information, contact:

- municipal clerk
- municipal heritage planning staff
- municipal heritage committee

---

iv. subject to a notice of:

- intention to designate (under Part IV of the *Ontario Heritage Act*)
- a Heritage Conservation District study area bylaw (under Part V of the *Ontario Heritage Act*)

A property that is subject to a **notice of intention to designate** as a property of cultural heritage value or interest and the notice is in accordance with:

- section 29 of the *Ontario Heritage Act*
- section 34.6 of the *Ontario Heritage Act.* **Note**: To date, the only applicable property is Meldrum Bay Inn, Manitoulin Island. [s.34.6]

An area designated by a municipal by-law made under section 40.1 of the *Ontario Heritage Act* as a **heritage conservation district study area**.

For more information, contact:

- municipal clerk – for a property that is the subject of notice of intention [s. 29 and s. 40.1]
- Ontario Heritage Trust

v. included in the Ministry of Tourism, Culture and Sport's list of provincial heritage properties

Provincial heritage properties are properties the Government of Ontario owns or controls that have cultural heritage value or interest.

The Ministry of Tourism, Culture and Sport (MTCS) maintains a list of all provincial heritage properties based on information provided by ministries and prescribed public bodies. As they are identified, MTCS adds properties to the list of provincial heritage properties.

For more information, contact the MTCS Registrar at registrar@ontario.ca.

3b. Is the property (or project area) a National Historic Site (or part of)?

National Historic Sites are properties or districts of national historic significance that are designated by the Federal Minister of the Environment, under the *Canada National Parks Act*, based on the advice of the Historic Sites and Monuments Board of Canada.

For more information, see the National Historic Sites website.

3c. Is the property (or project area) designated under the *Heritage Railway Stations Protection Act*?

The *Heritage Railway Stations Protection Act* protects heritage railway stations that are owned by a railway company under federal jurisdiction. Designated railway stations that pass from federal ownership may continue to have cultural heritage value.

For more information, see the Directory of Designated Heritage Railway Stations.

3d. Is the property (or project area) designated under the *Heritage Lighthouse Protection Act*?

The *Heritage Lighthouse Protection Act* helps preserve historically significant Canadian lighthouses. The Act sets up a public nomination process and includes heritage building conservation standards for lighthouses which are officially designated.

For more information, see the Heritage Lighthouses of Canada website.

3e. Is the property (or project area) identified as a Federal Heritage Building by the Federal Heritage Buildings Review Office?

The role of the Federal Heritage Buildings Review Office (FHBRO) is to help the federal government protect the heritage buildings it owns. The policy applies to all federal government departments that administer real property, but not to federal Crown Corporations.

For more information, contact the Federal Heritage Buildings Review Office.

See a directory of all federal heritage designations.

3f. Is the property (or project area) located within a United Nations Educational, Scientific and Cultural Organization (UNESCO) World Heritage Site?

A UNESCO World Heritage Site is a place listed by UNESCO as having outstanding universal value to humanity under the Convention Concerning the Protection of the World Cultural and Natural Heritage. In order to retain the status of a World Heritage Site, each site must maintain its character defining features.

Currently, the Rideau Canal is the only World Heritage Site in Ontario.

For more information, see Parks Canada – World Heritage Site website.

Part B: Screening for potential Cultural Heritage Value

4a. Does the property (or project area) contain a parcel of land that has a municipal, provincial or federal commemorative or interpretive plaque?

Heritage resources are often recognized with formal plaques or markers.

Plaques are prepared by:

- municipalities
- provincial ministries or agencies
- federal ministries or agencies
- local non-government or non-profit organizations

For more information, contact:

- municipal heritage committees or local heritage organizations – for information on the location of plaques in their community
- Ontario Historical Society's Heritage directory – for a list of historical societies and heritage organizations
- Ontario Heritage Trust – for a list of plaques commemorating Ontario's history
- Historic Sites and Monuments Board of Canada – for a list of plaques commemorating Canada's history

4b. Does the property (or project area) contain a parcel of land that has or is adjacent to a known burial site and/or cemetery?

For more information on known cemeteries and/or burial sites, see:

- Cemeteries Regulations, Ontario Ministry of Consumer Services – for a database of registered cemeteries
- Ontario Genealogical Society (OGS) – to locate records of Ontario cemeteries, both currently and no longer in existence; cairns, family plots and burial registers
- Canadian County Atlas Digital Project – to locate early cemeteries

In this context, adjacent means contiguous or as otherwise defined in a municipal official plan.

4c. Does the property (or project area) contain a parcel of land that is in a Canadian Heritage River watershed?

The Canadian Heritage River System is a national river conservation program that promotes, protects and enhances the best examples of Canada's river heritage.

Canadian Heritage Rivers must have, and maintain, outstanding natural, cultural and/or recreational values, and a high level of public support.

For more information, contact the Canadian Heritage River System.

If you have questions regarding the boundaries of a watershed, please contact:

- your conservation authority
- municipal staff

4d. Does the property (or project area) contain a parcel of land that contains buildings or structures that are 40 or more years old?

A 40 year 'rule of thumb' is typically used to indicate the potential of a site to be of cultural heritage value. The approximate age of buildings and/or structures may be estimated based on:

- history of the development of the area
- fire insurance maps
- architectural style
- building methods

Property owners may have information on the age of any buildings or structures on their property. The municipality, local land registry office or library may also have background information on the property.

Note: 40+ year old buildings or structure do not necessarily hold cultural heritage value or interest; their age simply indicates a higher potential.

A building or structure can include:

- residential structure
- farm building or outbuilding
- industrial, commercial, or institutional building
- remnant or ruin
- engineering work such as a bridge, canal, dams, etc.

For more information on researching the age of buildings or properties, see the Ontario Heritage Tool Kit Guide Heritage Property Evaluation.

Part C: Other Considerations

5a. Is there local or Aboriginal knowledge or accessible documentation suggesting that the property (or project area) is considered a landmark in the local community or contains any structures or sites that are important to defining the character of the area?

Local or Aboriginal knowledge may reveal that the project location is situated on a parcel of land that has potential landmarks or defining structures and sites, for instance:

- buildings or landscape features accessible to the public or readily noticeable and widely known
- complexes of buildings
- monuments
- ruins

5b. Is there local or Aboriginal knowledge or accessible documentation suggesting that the property (or project area) has a special association with a community, person or historical event?

Local or Aboriginal knowledge may reveal that the project location is situated on a parcel of land that has a special association with a community, person or event of historic interest, for instance:

- Aboriginal sacred site
- traditional-use area
- battlefield
- birthplace of an individual of importance to the community

5c. Is there local or Aboriginal knowledge or accessible documentation suggesting that the property (or project area) contains or is part of a cultural heritage landscape?

Landscapes (which may include a combination of archaeological resources, built heritage resources and landscape elements) may be of cultural heritage value or interest to a community.

For example, an Aboriginal trail, historic road or rail corridor may have been established as a key transportation or trade route and may have been important to the early settlement of an area. Parks, designed gardens or unique landforms such as waterfalls, rock faces, caverns, or mounds are areas that may have connections to a particular event, group or belief.

For more information on Questions 5.a., 5.b. and 5.c., contact:

- Elders in Aboriginal Communities or community researchers who may have information on potential cultural heritage resources. Please note that Aboriginal traditional knowledge may be considered sensitive.
- municipal heritage committees or local heritage organizations
- Ontario Historical Society's "Heritage Directory" - for a list of historical societies and heritage organizations in the province

An internet search may find helpful resources, including:

- historical maps
- historical walking tours
- municipal heritage management plans
- cultural heritage landscape studies
- municipal cultural plans

Information specific to trails may be obtained through Ontario Trails.

Cultural Heritage Screening

MTCS Cultural Heritage Requirements		Sources of Information	Comments
(3a.i)	A property (or project area) that is identified, designated or otherwise protected under the *Ontario Heritage Act* as being of cultural heritage value.	Town of Tecumseh Municipal Register of Cultural Heritage Properties (accessed September 17, 2018) Ontario Heritage Trust (September 14, 2018) Town of Tecumseh (September 17, 2018)	A search of the Town's Municipal Register of Cultural Heritage Properties and communication with the Ontario Heritage Trust and the Town of Tecumseh confirmed that the site is not identified, designated or otherwise protected under the *Ontario Heritage Act*.
(3a.i)	A property that is designated by a municipal by-law as being of cultural heritage value or interest.	Town of Tecumseh Municipal Register of Cultural Heritage Properties (accessed September 17, 2018) Town of Tecumseh (September 17, 2018)	A search of the Town's Municipal Register of Cultural Heritage Properties and communication with the Town of Tecumseh confirmed that the site is not designated by a municipal by-law as being of heritage value or interest.
(3a.ii)	A property or project area that is subject of an agreement, covenant or easement entered into under Parts II or IV of the *Ontario Heritage Act*.	Town of Tecumseh Municipal Register of Cultural Heritage Properties (accessed September 17, 2018) Ontario Heritage Trust (September 14, 2018) Town of Tecumseh (September 17, 2018)	A search of the Town's Municipal Register of Cultural Heritage Properties and communication with the Ontario Heritage Trust and the Town of Tecumseh confirmed that the property or project area is not the subject of an agreement, covenant or easement entered into under Parts II or IV of the *Ontario Heritage Act*.
(3a. iii)	A property listed on a register of heritage properties maintained by the municipality.	Town of Tecumseh Municipal Register of Cultural Heritage Properties (accessed September 17, 2018) Town of Tecumseh (September 17, 2018)	A search of the Town's Municipal Register of Cultural Heritage Properties and communication with the Town of Tecumseh confirmed that the property is not listed on the register of heritage properties.
(3a.iv)	A property that is subject to a notice of intention to designate the property as property of cultural heritage value or interest of provincial significance has been given in accordance with section 29 or 34.6 of the *Ontario Heritage Act*.	Town of Tecumseh Municipal Register of Cultural Heritage Properties (accessed September 17, 2018) Ontario Heritage Trust (September 14, 2018) Town of Tecumseh (September 17, 2018)	A search of the Town's Municipal Register of Cultural Heritage Properties and communication with the Ontario Heritage Trust and the Town of Tecumseh confirmed that the property is not subject to a notice of intention to designate the property as property of cultural heritage value or interest of provincial significance has been given in accordance with section 29 or 34.6 of the *Ontario Heritage Act*.
(3a.iv)	A property that is part of an area designated by a municipal by-law made under section 41 of the *Ontario Heritage Act* as a heritage conservation district.	Town of Tecumseh Municipal Register of Cultural Heritage Properties (accessed September 17, 2018) Ontario Heritage Trust (September 14, 2018) Town of Tecumseh (September 17, 2018)	A search of the Town's Municipal Register of Cultural Heritage Properties and communication with the Ontario Heritage Trust and the Town of Tecumseh confirmed that the property is not part of an area designated by a municipal by-law made under section 41 of the *Ontario Heritage Act* as a heritage conservation district.
(3a.v)	A property that is included in the Ministry of Tourism, Culture and Sport's list of provincial heritage properties.	Town of Tecumseh Municipal Register of Cultural Heritage Properties (accessed September 17, 2018) Town of Tecumseh (September 17, 2018)	A search of the Town's Municipal Register of Cultural Heritage Properties and communication with the Town of Tecumseh indicated that the property is not included in the Ministry of Tourism, Culture and Sport's list of provincial heritage properties.

MTCS Cultural Heritage Requirements		Sources of Information	Comments
(3b)	A property (or project area) that is (or is part of) a National Historic Site.	National Historic Sites website (Parks Canada): www.pc.gc.ca/en/lhn-nhs/recherche-search	A search of the National Historic Sites website did not identify any Parks, Historic Sites, or Marine Conservation Areas at or around the project location.
(3c)	A property (or project area) designated under the *Heritage Railway Stations Protection Act*.	Directory of Designated Heritage Railway Stations: https://www.pc.gc.ca/en/culture/clmhc-hsmbc/pat-her/gar-sta	A search of the Directory of Designated Heritage Railway Stations did not identify a property designated under the *Heritage Railway Stations Protection Act*.
(3d)	A property (or project area) designated under the *Heritage Lighthouse Protection Act*.	Heritage Lighthouses of Canada: https://www.pc.gc.ca/en/lhn-nhs/pp-hl	A search of the Designated and Petitioned Lighthouses list did not identify a property designated under the *Heritage Lighthouse Protection Act.*
(3e)	A property (or project area) identified as a Federal Heritage Building by the Federal Heritage Buildings Review Office.	Federal Heritage Buildings Review Office: https://www.pc.gc.ca/en/culture/beefp-fhbro	A search of the Directory of Heritage Designations did not identify any properties identified as Federal Heritage Buildings within or around the project location.
(3f)	A property (or project area) located within a United Nations Educational, Scientific and Cultural Organization (UNESCO) World Heritage Site.	UNESCO World Heritage List: http://whc.unesco.org/en/list/	A search of the UNESCO World Heritage List did not identify any world heritage sites within or around the project location.
(4a)	A property (or project area) that contains a parcel of land that has a municipal, provincial or federal commemorative plaque.	Ontario Heritage Trust Plaque Database: http://www.heritagetrust.on.ca/en/index.php/online-plaque-guide Ontario Historical Society: https://www.ontariohistoricalsociety.ca/index.php/services/heritage-directory	A search of the Ontario Heritage Trust Database and Ontario Historical Society did not identify any commemorative plaques within the study area.
(4b)	A property (or project area) that contains a parcel of land that has or is adjacent to a known burial site and/or cemetery.	Internet search of properties in the vicinity of the project area. Canada Gen Web Cemetery Project: http://cemetery.canadagenweb.org/map	An internet search indicated that there are no cemeteries or burial sites in the vicinity of the project area.
(4c)	A property (or project area) that contains a parcel of land that is in a Canadian Heritage River watershed.	Canadian Heritage River System: http://chrs.ca/the-rivers/detroit/	A search of the Canadian Heritage River System website indicated that the property is located within a Canadian Heritage River watershed.
(4d)	A property (or project area) that contains a parcel of land that contains buildings or structures more than 40 years old.	N/A	There will be no impacts to buildings or structures that are more than 40 years old.

MTCS Cultural Heritage Requirements		Sources of Information	Comments
(5a)	Local or Aboriginal knowledge or accessible documentation suggesting that the property (or project area) is considered a landmark in the local community or contains any structures or sites that are important to defining the character in the area.	Letters and phone calls were circulated to the following Aboriginal communities to introduce them to the project and asking them to provide input: • Caldwell First Nation • Chippewas of Aamjiwaang First Nation • Chippewas of Kettle& Stoney Point First Nation • Chippewas of the Thames First Nation • Moravian of the Thames First Nation • Walpole Island First Nation • Metis Nation of Ontario • Southern First Nation Secretariat	No input regarding cultural heritage was received.
(5b)	Local or Aboriginal knowledge or accessible documentation suggesting that the property (or project area) has a special association with a community, person or historical event.	Letters and phone calls were circulated to Aboriginal communities to introduce them to the project and request input.	No input regarding cultural heritage was received.
(5c)	Local or Aboriginal knowledge or accessible documentation suggesting that the property (or project area) contains or is part of a cultural heritage landscape.	Letters and phone calls were circulated to Aboriginal communities to introduce them to the project and request input.	No input regarding cultural heritage was received.

DILLON CONSULTING

Sunstrum, Mary <msunstrum@dillon.ca>

Cultural Heritage Information Request - Sylvestre Drive Sanitary Sewer Extension, Town of Tecumseh

Thomas Wicks <Thomas.Wicks@heritagetrust.on.ca> Fri, Sep 14, 2018 at 12:17 PM
To: "Sunstrum, Mary" <msunstrum@dillon.ca>

Hi Mary,

Thank you for your email regarding the Town of Tecumseh's proposed extension of sanitary sewers on Sylvestre Drive and any heritage properties near the site. This query is related to the EA that Dillon is doing on behalf of the municipality.

I have reviewed the location indicated on the plan provided and I can confirm that the Trust does not have any property interests in, or adjacent to, this subject area. If you would like to confirm if there are any properties designated under the *Ontario Heritage Act* within the project area you may wish to speak directly with the municipality or search by address using the heritage register at this link: https://www.heritagetrust.on.ca/en/oha/basic-search . For inquiries related to any properties included in the Ministry of Tourism, Culture and Sport's list of provincial heritage properties I would encourage you to speak to a heritage advisor at that Ministry.

Thank you for involving the Trust in your review.

Thomas

Thomas Wicks | Heritage Planner

Ontario Heritage Trust

10 Adelaide Street East, Toronto, Ontario, Canada M5C 1J3

Telephone: 416-314-5972

Email: thomas.wicks@heritagetrust.on.ca

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From: Sunstrum, Mary [mailto:msunstrum@dillon.ca]
Sent: September-12-18 3:44 PM
To: Thomas Wicks; 176843; Sabrina Stanlake
Subject: Cultural Heritage Information Request - Sylvestre Drive Sanitary Sewer Extension, Town of Tecumseh

[Quoted text hidden]

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DILLON CONSULTING

Sunstrum, Mary <msunstrum@dillon.ca>

Cultural Heritage Information Request - Sylvestre Drive Sanitary Sewer Extension

Laura Moy <lmoy@tecumseh.ca> Mon, Sep 17, 2018 at 4:13 PM
To: "msunstrum@dillon.ca" <msunstrum@dillon.ca>
Cc: Chad Jeffery <cjeffery@tecumseh.ca>, Christina Hebert <chebert@tecumseh.ca>

Good afternoon, Mary

Attached is a Listing of Potential Heritage Properties and a Heritage Property Listing. The Heritage Property Listing contains those properties that have been designated and those properties that may warrant some form of heritage conservation, recognition and/or long term protection, such as a designation.

The attached lists have recently been reviewed and updated by the Town's Heritage Committee and will be considered by Tecumseh Council for approval at their next regular meeting schedule for Tuesday, September 25, 2018.

If you have any questions, or need anything further, please feel free to contact me.

Best regards,

Laura Moy

From: Chad Jeffery
Sent: September-17-18 11:08 AM
To: Laura Moy <lmoy@tecumseh.ca>
Subject: FW: Cultural Heritage Information Request - Sylvestre Drive Sanitary Sewer Extension

From: Sunstrum, Mary [mailto:msunstrum@dillon.ca]
Sent: September-12-18 3:52 PM
To: Chad Jeffery; 176843; Sabrina Stanlake
Subject: Cultural Heritage Information Request - Sylvestre Drive Sanitary Sewer Extension

Good morning!

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Chad Jeffery
Manager Planning

Laura Moy Dipl. M.M.
Director Corporate Services & Clerk
lmoy@tecumseh.ca
Town of Tecumseh - 917 Lesperance Rd. - Tecumseh, ON. - N8N 1W9
Phone: 519-735-2184 ,116 Fax: 519-735-6712 - www.tecumseh.ca

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2 attachments

Heritage Property Listing_Potential Sites.pdf
31K

Heritage Property Listing_Designated_Listing.pdf
11K

Town of Tecumseh - Potential Heritage Sites						
Name of Property	**Street #**	**Street Name**	**Year**	**Architecture/Style**	**Sector**	**Brief Description**
Bell Tower at St. Anne Highschool	12050	Arbour Street			Tecumseh	Original Bell from old St. Antoine School on Lesperance Road Moved to the new St. Anne's High School, Lakeshore
Seguin House	424	Brighton Road	circa 1870s		St. Clair Beach	Believed to be the old Trolley Station (Sandwich Windsor and Amherstburg) Demolished [2017]
St. Mary's Cemetery	12048	County Road 34		Cemetery	Maidstone	One of the oldest cemeteries in Tecumseh
St. Mary's Church	12032	County Road 34		Church	Maidstone	
Victoria Public School	12433	Dillon Dr.	1926	School	Tecumseh	Built on donated Clapp property and named after Ms. Clapp
Sandwich South Council	2725	Highway #3	1893		Oldcastle	Location where first Sandwich South Council Photo was taken
St. Stephen's Church	5280	Howard	1871		Oldcastle	Old Anglican Church
St. Stephen's Cemetery	5280	Howard			Oldcastle	One of the oldest cemeteries in Tecumseh
Lachance Farm	11945	Intersection Road			Sandwich South	One of the last remaining Francophone Farms in Tecumseh
Old Power House - Bonduelle Property	1192	Lacasse Blvd.		Art Deco	Tecumseh	Southwest corner on Tecumseh and Lacasse Blvd, the original canning factory power building
Poisson House	1115	Lacasse Boulevard	early 1920s	Arts and Crafts	Tecumseh	Home of Dr. Poisson, 1st Mayor of Tecumseh
Lacasse Park	590	Lacasse Boulevard	1947		Tecumseh	Clapp property purchased in 1923 by the Town, Baseball Diamond and grand stands (1949) feature
Tecumseh United Church	333	Lacasse Boulevard	1960s	Hilicker Architect	Tecumseh	Vernacular house of worship
Lessard House	1715	Lesperance Road			Sandwich South	Vernacular Farm House
Desjardin House	1722	Lesperance Road			Sandwich South	Greek Revival
Aspect House	1107	Lesperance Road			Tecumseh	Craftsman style old homestead
St. Anne's Cemetery	1521	Lesperance Road	1830s		Tecumseh	Original cemetery in Tecumseh
Lemire House	1061	Lesperance Road			Tecumseh	Original area homestead
Sylvestre House		Manning Road			St. Clair Beach	Original area homestead
Lakewood Golf Course	13451	Riverside Drive			St. Clair Beach	Privately Owned by Bob Oakman & Bert Manning. Later became St. Clair Beach's public Golf Course
Lakewood Club House	13400	Riverside Drive	1919		St. Clair Beach	Privately Owned by Bob Oakman & Bert Manning
Beach Grove Club House	14134	Riverside Drive	1921		St. Clair Beach	First Club House Wooden - Originally built in 1921, burned down in 1927. Rebuilt in 1929 as a private Club.
Original St. Clair Beach Home	13749	Riverside Drive				
Severs Property	13158	Riverside Dr.				Residence used for rum running

Beach Grove Pro Shop	115	Kensington				The Pro Shop was moved from its original location at the corner of Kensington Blvd and Riverside Drive to its current location on Kensington Blvd overlooking Beach Grove
St. Mark's by the Lake Anglican Church	150	St. Marks	1953		St. Clair Beach	First Church in St. Clair Beach Area surrounding property was originally an orchard, owned by Florence and Ethel Wellwood. The property was then donated to the Church.
D.M. Eagle School Site	14194	Tecumseh Road	1928		St. Clair Beach	In 1946 became DM Eagle School, prior to it was a little white building used as a one room school house. Named after David Melville Eagle who taught both English and French in the area.
Old Cada Homestead	14242	Tecumseh Road			St. Clair Beach	Original farmhouse of the Cada Family
Robinet Hardware	12222	Tecumseh Road	1870s		Tecumseh	
Lacasse House	12125	Tecumseh Road			Tecumseh	
Tecumseh Area Historical Society site including log cabin and sheds	12350	Tecumseh Road			Tecumseh	Site of the original railroad yard and current location of Lesperance Log Cabin (circa 1799)
Campeau House	11941	Tecumseh Road			Tecumseh	Blue House on Tecumseh Road Prior to St. Anne's Chapel, the building was used as a place to hold mass
Stone Porch House	11961	Tecumseh Road		Arts and Crafts	Tecumseh	Residence used for rum running
Log Cabin	6455	Walker Road			Sandwich South	
Lachance House		William Street			Tecumseh	Building near track field
Baillargeon House	13028	Tecumseh Road			Tecumseh	
Baillargeon House	13754	Tecumseh Road			Tecumseh	
Grain Elevator					Maidstone	
Mrs. John's General Store					Maidstone	
Old Seven Ponds					Sandwich South	E.C. Row near Shawnee
	5680	Highway #3		Century Farm	Sandwich South	
	1826	South Talbot		Century Farm	Sandwich South	
	6277	Walker Road		Century Farm	Sandwich South	
		Snake Lane		Century Farm	Sandwich South	
				Century Farm	Sandwich South	
				Century Farm	Sandwich South	
	4327	11th Conc		Century Farm	Sandwich South	
	4890	County Rd 8		Century Farm	Sandwich South	
	6519	Malden Rd		Century Farm	Sandwich South	
	4320	11th Conc Rd		Century Farm	Sandwich South	
	5660	S. Talbot		Century Farm	Sandwich South	
	1988	Cty Rd 8		Century Farm	Sandwich South	
	6744	11th Conc		Century Farm	Sandwich South	

Town of Tecumseh Municipal Register of Cultural Heritage Properties							
Designated Property							
Street Name	**Street #**	**Name of Property**	**Year**	**Architecture/Style**	**Sector**	**History**	**By-law**
Banwell Road, Plan 85 South Half of Lot 10		Banwell Cemetery	2013		Sandwich South	Smith Cemetery	May 14, 2013 By-law No. 2013-20

Listing							Council Approval
Properties of Cultural Heritage Value or Interest							Date
Street Name	**Street #**	**Name of Property**	**Year**	**Architecture/Style**	**Sector**	**History**	**Resolution #**
Tecumseh Road	12233	St. Anne's Church			Tecumseh		Aug 28/07 RCM 293/07
Tecumseh Road	12320	Baillargeon House			Tecumseh		Aug 28/07 RCM 293/07
Lacasse Boulevard	590	Lacasse Park	1947		Tecumseh	Clapp property purchased in 1923 by the Town, Baseball Diamond and grand stands (1949) feature	
Lesperance Road	1521	St. Anne's Cemetery	1830s		Tecumseh	Original cemetery in Tecumseh	
Tecumseh Road	12350	Tecumseh Area Historical Society [including Log Cabin & Sheds]			Tecumseh	Site of the original railroad yard and current location of Lesperance Log Cabin (circa 1799)	

Appendix C

Geotechnical Recommendation

Final Geotechnical Investigation Report

Sylvestre Drive Sanitary Sewer Extension and Road Reconstruction
Tecumseh, Ontario
Project No.: SWW187219

Prepared for:

The Corporation of the Town of Tecumseh
917 Lesperance Road, Tecumseh, Ontario, N8N 1W9

10-Sep-18

Final Geotechnical Investigation Report

Sylvestre Drive Sanitary Sewer Extension and Road Reconstruction
Sylvestre Drive, Tecumseh, Ontario

Project No.: SWW187219

Prepared for:
The Corporation of the Town of Tecumseh
917 Lesperance Road, Tecumseh, Ontario, N8N 1W9
Attention: Mr. Phil Bartnik, Manager Engineering Services

Prepared by:
Wood Environment & Infrastructure Solutions, a Division of Wood Canada Limited
11865 County Road 42, Tecumseh, Ontario, N8N 2M1

10-Sep-18

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Appendix C Geotechnical Laboratory Test Results

1.0 Introduction

Wood Environment & Infrastructure Solutions, a Division of Wood Canada Limited ("Wood") was retained by The Corporation of the Town of Tecumseh (the "Client") to conduct a geotechnical investigation for the proposed road reconstruction and sanitary sewer extension of Sylvestre Drive from Manning Road to Jamsyl Drive located in the Town of Tecumseh, Ontario.

The geotechnical investigation was carried out based on the Wood's Proposal No.: PSWW187063, dated May 10, 2018 and subsequent authorization to proceed received from the client.

The project area is shown on the Key Plan, Figure 1. The purpose of this investigation was to provide subsurface soil information at the test locations, and based on this information, to provide geotechnical recommendations pertaining to the reconstruction of the pavement structure and installation of sanitary sewers.

The scope of the fieldwork for this geotechnical investigation included advancement of a total of five (5) boreholes within the roadway.

This report contains the findings of Wood's geotechnical investigation, together with recommendations and comments. The recommendations and comments are based on factual information and intended only for use by design engineers. The number of boreholes may not be sufficient to determine all of the factors that may affect construction methods and costs. Subsurface and groundwater conditions between and beyond the boreholes may differ from those encountered at the borehole locations, and conditions may become apparent during construction that could not be detected or anticipated at the time of the site investigation.

The anticipated construction conditions are also discussed, but only to the extent that they may influence the design decisions. The feasible construction methods, however, express our opinion and are not intended to direct contractors on how they carry out construction. Contractors should also be aware that the data and their interpretation presented in this report may not be sufficient to assess all factors that may have effect upon construction and should conduct the necessary investigation to satisfy themselves with the completeness of the site information.

This report has been prepared with the assumption that the design will be in accordance with good engineering practices, applicable regulations of jurisdictional authorities, and applicable standards and regulations. Further, the recommendations and opinions in this report are applicable only to the proposed project. Environmental and hydrogeological considerations were not included in the scope of work for this geotechnical investigation. The limitations of this report, as discussed in detail in Appendix A, constitute an integral part of this report.

There should be an ongoing liaison with Wood during both the design and construction phases of this project to ensure that the recommendations in this report have been interpreted and implemented. Also, any further clarification and/or elaboration are needed concerning the geotechnical aspects of this project, Wood should be contacted immediately.

2.0 Site Description and Geological Background

2.1 Site Description

The site was situated on Sylvestre Drive from Manning Road to Jamsyl Drive in the Town of Tecumseh, Ontario. The roadway runs west from Manning Road and then North towards Jamsyl Drive. Sylvestre Drive is a two-lane rural road. The Site was in a commercial area of Tecumseh, Ontario.

It is understood that the project will include extending of the existing sanitary sewers, along with full road reconstruction. A new sanitary sewer will be installed along Sylvestre Drive from Manning Road westerly to the bend of Sylvestre Drive. From the information provided by the client, the depth of the new sanitary sewer is estimated to be approximately 1.5 m nearest Manning Road and 3.8 m at the far westerly end of the new sewer.

2.2 Geological Background

The physiography of the site is located within a geological formation known as the Essex Clay Plain (Chapman, L.J., and Putnam, D.F., 1984: Physiography of Southern Ontario; Map P.2715) which is an extensive clay plain with little relief and poor natural drainage. The plain is underlain by a relatively thick deposit of glaciolacustrine silty clay to clayey silt till. Occasional embedded pockets and lenses of sand and silt are present within the overburden clay. The clay deposit is underlain by limestone bedrock of the Middle Devonian Dundee Formation (Geological Highway Map South Ontario, Ontario Geological Survey, Map P.2441, 1979) at a depth of 30 m to 40 m, based on available drift thickness mapping (Ontario Geological Survey, Preliminary Map P.3255, 1994).

3.0 Investigation Program

3.1 Field Work

The scope of the fieldwork for this geotechnical investigation included three (3) boreholes to a depth of 1.5 m below existing grade, one (1) borehole to a depth of 3.0 m below existing grade and one (1) borehole to a depth of 6.1 m below existing grade along Sylvestre Drive to assess the existing pavement structure thickness and subsurface conditions. The location and depth of the boreholes were determined by Wood.

The locations of the boreholes from the geotechnical investigation are shown on Figure 2. The coordinates of the boreholes are shown on the Record of Borehole sheets attached in Appendix B. The coordinates at the borehole locations were recorded in the field using a hand-held GPS device with a horizontal accuracy of 3 m.

The borehole drilling program for the investigation was carried out on July 3, 2018. The boreholes were advanced using a self-propelled drill equipped with hollow stem augers and conventional soil sampling tools. Soil samples were taken at frequent intervals of depth following the Standard Penetration Test (ASTM D1586) procedure.

The drilling was conducted under the full-time supervision of Wood's engineering staff who directed the drilling and sampling operation, and logged the boreholes.

After completion of the boreholes, the augers were extracted, the boreholes were inspected for groundwater and caving, then backfilled using bentonite pellets and grout slurry in accordance with Ontario Reg. 903.

All samples were field logged, placed in airtight containers, and transported to Wood's Windsor laboratory for further examination and testing.

3.2 Laboratory Testing

Natural moisture content tests were carried out in accordance with ASTM D2216 on all the recovered soil samples. One selected native soil sample was tested for the grain size distribution and Atterberg limits, in accordance with ASTM D6913, ASTM D7928 and ASTM D4318. The test results are included in Appendix C.

4.0 Subsurface Conditions

4.1 Subsurface Soil Conditions

The boreholes were advanced within the travelled portion of the road, where underground utilities allowed. The following is a brief summary of the subsurface soil conditions encountered in the boreholes. The results of laboratory testing carried out on recovered samples are also shown on the Record of Borehole sheets in Appendix B. The results of the grain size analyses can be found in Appendix C.

Existing Pavement Structure – Tar & Chip, Concrete and Granular Base Fill Materials

Tar & Chip with underlying granular base fill was encountered at the ground surface of each borehole. The thickness of tar & chip in boreholes BH1 through BH5 ranged from 25 mm to 40 mm. Concrete was encountered below the tar & chip in boreholes BH1, BH2, BH4 and BH5 and had a thickness ranging from 180 mm to 380 mm at the test locations. A second layer of granular base was encountered below the concrete in borehole BH1. The thickness of pavement structure is listed in Table 1 below.

Table 1: Thickness of Existing Pavement Structure

Borehole Number	Thickness (mm)			
	Tar and Chip	Granular Base Fill (Layer 1)	Concrete	Granular Base Fill (Layer 2)
BH1	40	90	180	305
BH2	40	90	305	-
BH3	25	480	-	-
BH4	25	130	380	-
BH5	25	100	305	-

Silty Clay

Cohesive silty clay was encountered in all five boreholes. The cohesive materials were generally encountered underneath the concrete or fill at depths greater than 0.4 m below grade. The silty clay was mottled brown and grey to brown to grey in coloration. Boreholes BH1 was terminated in mottled brown and grey silty clay. Boreholes BH2, BH4, and BH5 were terminated in brown silty clay and borehole BH3 was terminated in grey silty clay. The mottled brown and grey silty clay ranged in depth from 0.4 m to 2.0 m below grade where penetrated. The moisture content of the mottled brown and grey silty clay ranged from 14% to 25%. Measured "N" values from Standard Penetration Test in the mottled brown and grey silty clay generally ranged from 4 to 11 blows per 0.3 m penetration, indicating a firm to stiff consistency. The brown silty clay ranged in depth from 1.4 m to 3.7 m where penetrated. The moisture content of the brown silty clay ranged from 12% to 15%. Measured "N" values from Standard Penetration Test in the brown silty clay generally ranged from 13 to 27 blows per 0.3 m penetration, indicating a stiff to very stiff consistency. The grey silty clay ranged in depth from 3.7 m to 6.6 m (termination depth). The moisture content of the grey silty clay ranged from 15% to 19%. Measured "N" values from Standard Penetration Test in the grey silty clay generally ranged from 6 to 10 blows per 0.3 m penetration, indicating a firm to stiff consistency. A single field vane shear testing was carried out

in borehole BH3 within the grey silty clay. The yielded undrained shear strength from the test was 70 kPa.

A grain size distribution analysis and Atterberg limits test were carried out on one grey silty clay sample. The results of these tests are included on the borehole log sheets and attached in Appendix C.

Table 2: Results of Grain Size Analysis and Atterberg Limits Test

Borehole No. / Sample No.	Sample Depth (m)	Grain Size Distribution				Atterberg Limits			USCS Modified Group Symbol
		Gravel (%)	Sand (%)	Silt (%)	Clay (%)	Liquid Limit (W_L)	Plastic Limit (W_P)	Plasticity Index (I_P)	
BH3 / SA5	3.8 – 4.3	0.6	23.2	42.8	33.4	29.4	15.2	14.2	CL

4.2 Groundwater

Groundwater level observations and measurements in the boreholes, and in-situ moisture contents of recovered soil samples are presented on the Record of Borehole sheets.

The boreholes BH1 through BH5 were left open and remained dry for the relatively brief period between withdrawal of the augers and backfilling of the boreholes. Due to the low permeability of the clayey soil at the site, insufficient time had passed to allow stabilization of groundwater levels in the open boreholes.

Typically, the grey colour of the soils noted at a depth of 3.7 m below existing grade, is indicative of a permanent saturated condition, and therefore, fluctuation of the long-term groundwater should be anticipated near this depth level. However, during and after local precipitation events, 'perched' groundwater may accumulate in the fills and weathered clay near the ground surface above the relatively more impervious un-weathered silty clay. In addition, significant amounts of groundwater may be present in any fill materials around existing utilities that may be present. Perched groundwater may rise to the ground surface following precipitation and snowmelt. In the absence of an active, engineered drainage system, the design should assume possible temporary groundwater levels rising to the ground surface.

5.0 Discussion and Recommendations

5.1 General

It is understood that The Corporation of the Town of Tecumseh is planning to extend the existing sanitary sewers and reconstruct the roadway along Sylvestre Drive in Tecumseh, Ontario. The boreholes were all advanced to depths between 1.5 m and 6.6 m below ground surface. From the information provided by the Client, the depth of sanitary sewers is estimated to be approximately 1.5 m to 3.8 m below existing road grade.

5.2 Interpreted Soil Design Parameters

Based on the subsurface conditions encountered in the boreholes and the results of the laboratory testing, the following table summarizes the recommended soil parameters for design. The recommended unfactored properties were derived based on limited testing and semi-empirical correlations.

Table 3: Unfactored Soil Parameter Design Values

Soil	Bulk Unit Weight (kN/m^3)	Buoyant Unit Weight (kN/m^3)	Angle of Internal Friction, Phi (degrees)	Undrained Cohesion, C (kPa)
Undisturbed Firm Silty Clay	20.5	10.5	0	25-50
Undisturbed Stiff to Very Stiff Silty Clay	21.0	11.0	0	50-100

5.3 General Recommendations for Excavations and Sewer Trenching

Above the groundwater table, excavations can be made with conventional equipment and open cut methods where space requirements permit. It should be noted that the groundwater levels in the borehole logs represent only a momentary measurement and the actual levels may vary significantly with the prevalent weather.

Excavations must be carried out in accordance with Ontario Regulation 213/91 of the Occupational Health and Safety Act (OHSA) as amended. These regulations designate four broad classifications of soils to stipulate appropriate measures for excavation safety. The silty clay materials which will be generally encountered within the trenching excavations are classified as Type 3 above the water table and are downgraded to Type 4 soils below the water table. Excavations within Type 3 soils may be carried out with unsupported side-slopes not steeper than 1V:1H.

Alternatively, for the sanitary sewer excavation, a trench liner box could be used for temporary support of vertical excavations providing the natural deposits are properly dewatered where required.

5.4 Earth Pressures

A distinction should be made between short-term earth pressures on temporary excavation support structures, and long-term retaining structures against compacted backfill.

As a preliminary guideline, the temporary shoring structures should be verified for conventional uniform earth pressures of at least 0.35 Pz, (Pz, in kPa, is the overburden pressure corresponding to the depth 'z' of excavation below the ground surface). For the in-situ soils a conservative unit weight of 22 kN/m3 should be used. Surcharges at the ground surface should be added in accordance with applicable soil mechanics methods such as described in the Canadian Foundation Engineering Manual (CFEM).

For permanent structures, unfactored earth pressure coefficients and associated unit weights are presented in Table 4.

Table 4: Soil Parameters for Earth Pressure Calculations

Backfill Type	Coefficient of Earth Pressure at Active Case	Coefficient of Earth Pressure at Passive Case	Coefficient of Earth Pressure at Rest Case	Design Bulk Unit Weight (kN/m^3)	Friction Angle (degrees)
Select Crushed Limestone (Granular 'A') (*)	0.27 to 0.30	3.3 to 3.7	0.43 to 0.46	22	33 to 35
Well Graded Sand (Granular 'B', Type I) (*)	0.31 to 0.35	2.9 to 3.2	0.47 to 0.52	21	29 to 32
Site Generated Clayey Silt (**)	0.36 to 0.45	2.2 to 2.7	0.53 to 0.62	20.5	22 to 28

(*) All granular compacted to at least 98% Standard Proctor Maximum Dry Density (SPMDD)
(**) Compacted to at least 95% SPMDD

The design earth pressures in compacted backfill should be augmented with the dynamic effects of the compaction efforts, which typically are taken as a uniform 12 kPa pressure over the entire depth below grade where the calculated earth pressure based on the above earth pressure factors is less than 12 kPa.

Surcharges at the ground surface should be considered in all cases.

For the calculation of the long-term earth pressures, consideration should be given to using the submerged weight plus the hydrostatic pressures where the soil is below the groundwater table unless a permanent dewatering system is installed.

The above coefficients apply to simple cases of retaining structures (wall not higher than typically 4.5 m, horizontal ground surface of the backfill, non-frost susceptible backfill etc.). In case of more complex conditions, Coulomb based methods should be used as indicated in the Canadian Foundation Engineering Manual (CFEM).

5.5 Groundwater Control

Groundwater inflow into excavations in the clayey soils is expected to be low above the water table; however, significant 'perched' groundwater may be present within the fill and weathered materials. This would especially be true during and after local precipitation events. In this case, the inflow into excavations may become significant.

The soils identified are sensitive to disturbance by water. Groundwater and surface water run-off should be removed from excavations by means of pumping from strategically placed open sumps located within the excavation bottom but outside the zone of influence of any foundations. Based on the proposed depth of the new sanitary sewers, groundwater is not to be expected within the depth of the trench excavations and shafts.

In order to limit the effects of the ground seepage through the fill and surface water run off which may cause sloughing, the trenches should be excavated in short sections (2 to 4 pipe sections in length) and backfilled the same day. The trench length could be adjusted during construction based on soil and groundwater conditions, however, a maximum length of trench of 15 m to be open in advance is recommended on the OPSS 401.07.09.

If the trench base intersects saturated layers of fine sand and silt, basal instability by piping (boiling) can occur. Where encountered, the condition and extent of the wet layers of sand/silt should be assessed by boreholes and/or test pits before the excavation continues to the design trench base elevation.

5.6 Protection of Existing Structures

Adjacent to a vertically sided supported excavation, there are several zones in which movements of the surrounding soil may take place. It is recommended that the alignment and depths of existing utilities be checked relative to the proposed sewer trench(s). In general, if movement of existing utilities and other settlement sensitive elements is to be minimized, it will be necessary to carry out sewer construction in properly sheeted and braced excavations. If, however, some movement of the adjacent utilities can be tolerated, sewer installation within a prefabricated support system (trench liner box) is probably acceptable.

Longitudinal open sections of the trench(s) should be kept to a minimum and backfilling of the trench(s) should be carried out immediately behind the support system. Any utilities along the proposed route of the sewers should be continuously monitored during construction so that corrective action can be taken if significant ground movement is observed.

A number of existing utility lines will probably cross the proposed alignments. Where existing services are exposed during the excavation, suitable temporary or permanent support of these services should be provided consistent with the requirements of the respective utility company.

5.7 Pipe Bedding, Cover and Backfill

5.7.1 Standard Requirements

The bedding and backfill material should meet the manufacturer's specifications as well as the applicable Ontario Provincial Standard Specifications (OPSS) standards.

Applicable OPSS standards may include:

- OPSS 410 "Construction Specification for Sewer Pipe in Open Cuts";
- OPSS 514 "Construction Specification for Trenching, Backfilling, and Compacting";
- OPSS 517 "Construction Specification for Dewatering of Pipeline, Utility, and Associated Structure Excavation"; and

- OPSS 518 "Construction Specification for Control of Water".

5.7.2 Pipe Bedding and Cover

The depth of the pipe bedding should be a minimum of 150 mm; the pipe cover should be completed to at least 300 mm above the pipe crown. All bedding, clearance and cover materials should consist of Granular 'A' (OPSS 1010) compacted to 98% SPMDD in accordance with the OPSS 401 requirements. Granular material meeting the gradation specifications for sewer stone (equivalent to HL4 coarse aggregate per OPSS 1150) may also be used as bedding and cover material, however a non-woven geotextile should be used as a separation fabric between this material and the native soils. It is further recommended that, where used, the geotextile have a minimum overlap of 300 mm and the seams should be stitched to prevent separation of the geotextile at the seams.

Care should be exercised to avoid compaction methods that may damage the pipe. The placement and thickness of the granular bedding should also meet the pipe manufacturer's specifications.

5.7.3 Trench Backfilling

The project area is located within a deposit of silty clay. Therefore, the backfill material from 300 mm above the top of pipe to the pavement subgrade level can consist of compactable native material or imported Granular 'A' or 'B' Type I, and placed in lifts not exceeding 200 mm and compacted to 98% of SPMDD. However, it is understood that the preferred backfill material is imported granular material due to potential inconsistencies with native material for the roadway. Alternatively, the backfill material which forms the subgrade for the roadway can consist of 0-75 mm granular or approved recycled aggregate compacted to 98% SPMDD.

Consideration could be given to the reuse of the site generated soils from the existing pavement structure as general trench backfill. However, if this is to be considered, the excavated materials should be carefully sorted and stockpiled by type and any deleterious materials should be separated. Excavated granular material should meet the requirements of select subgrade material in OPSS 1010. Prior to use of these materials, the geotechnical consultant should inspect the stockpiled soil and take samples for testing. Depending upon the test results, the soils may be suitable for use as backfill material.

If imported granular soils, such as Granular 'B' Type I (OPSS 1010), are used as general trench backfill, the material should be placed in lifts not exceeding 200 mm and compacted to 98% of SPMDD. In the areas where the trench excavation underlies the roadway, it may be a good practice to backfill the trench below the road structure with excavated, compactable native inorganic material, at least within the upper frost zone (1.2 m below grade), to provide compatibility with similar native soils. If this technique is not undertaken, then frequent problems could arise with yearly differential frost heaving movements between the trench backfill and the adjacent native soils. Therefore, where the trench backfill within the depth of frost penetration differs from the native soils within the trench sides, frost tapers of not less than 10H:1V should be implemented to minimize the risk of differential seasonal movements.

5.8 Pavement Design

It is understood that new pavement construction for the entire width and length of the roadway section will be completed. Sylvestre Drive is considered to be an industrial road with a moderate heavy truck traffic on the roadway. The values provided in Table 5 are recommended as a minimum for use on the roadway.

Table 5: Pavement Design

Layer	Material	Recommended Minimum Thickness (mm)
Asphaltic Concrete	OPSS 1150 HL3 Surface Asphalt	40
	OPSS 1150 HL4 Base Asphalt	60
Granular Base	OPSS 1010 Granular 'A'	450

The existing tar and chip, any fill materials should be removed to the design subgrade level. If the road grades remain unchanged, the existing concrete should be removed from the entire width and length of the roadway. Any existing fill materials encountered in the subgrade should be proof rolled using a heavy steel drum roller. If granular materials are encountered, they should be proof rolled using a vibratory steel drum roller. If silty clay materials are encountered, they should be proof rolled using a non-vibratory steel drum roller. Based on the conditions encountered in the boreholes, site conditions may vary greatly and the Geotechnical Consultant should be contacted to inspect and provide recommendations for these conditions. Any soft or loose areas of the subgrade should be excavated and backfilled with approved site generated approved granular or imported granular placed and compacted to 98% SPMDD.

Consideration could be given to the reuse of the granular fill materials from the existing pavement structure as the new pavement base. However, if this is to be considered, the excavated materials should be carefully sorted and stockpiled by type and any deleterious materials should be separated. Excavated granular material should meet the requirements of select subgrade material in OPSS 1010. Prior to use of these materials, the geotechnical consultant should inspect the stockpiled soil and take samples for testing. Depending upon the test results, the granular soils may be suitable for use as backfill material.

The sub-grade material should be sloped so as to promote drainage and prevent the build-up and stagnation of pore water within the granular base. The Contractor should be prepared to conduct proof-rolling of the subgrade soils. For additional recommendation refer to Section 5.12 of this report.

All granular materials should be compacted to 100% SPMDD. The asphalt base course and surface course should be compacted between 92% and 96.5% of their respective Maximum Relative Densities obtained from the mix design.

If the construction is not carried out during dry weather conditions, it may be necessary to increase the recommended thicknesses of the pavement structure. Further, the proposed granular

thickness will not be sufficient to support construction traffic prior to the asphaltic concrete placement, and additional granular material may be required to support this traffic.

Wood note that the minimum pavement section above is not based on a detailed design, which would account for future growth of traffic and performance throughout its life cycle. Pavement performance and the 'life cycle' is dependent on the traffic load, quality of construction, frost protection, moisture of the base, sub-base and subgrade materials, maintenance of the asphalt during the life cycle, quality of materials etc.

5.9 Frost Depth

Wood recommends a depth of 1.2 m for frost protection as per OPSD 3090.101, (November 2010).

5.10 Drainage

To meet the design requirements for the pavement life, the pavement granular base should be well drained at all times. This can be accomplished by installing perforated subdrain pipes along both sides of the road, below the roadbed level, to ensure effective drainage in accordance with OPSD 216.021. The subdrain pipes should be surrounded by a minimum drainage zone of 20 mm size clear stone of minimum 150 mm thickness and wrapped in suitable non-woven geotextile to provide separation from the surrounding soil.

A minimum slope of 3% should be maintained for the subgrade, and a minimum slope of 2% should be maintained across the surface of the paved sections to ensure proper surface drainage.

5.11 Transition Treatments

At the limits of the project, a butt joint with the existing pavement is recommended. The butt joint between successive lifts of hot mix should be staggered a distance not less than 5 m in accordance with OPSS 313. No joint location should correspond with a joint location in any other layer, along the road.

5.12 Pavement Construction Considerations

The pavement structure maybe placed on a stable subgrade as confirmed by proof-roll inspections by a heavy roller in the presence of the Geotechnical Consultant. As indicated, any soft or loose spots revealed by the proof-rolling should be sub-excavated and replaced with approved site generated granular or imported Granular 'B' Type I (OPSS 1010). The sub-grade material should be sloped to promote drainage and prevent the build-up and stagnation of pore water within the granular base.

Where new fill is needed to raise the grade, or replace disturbed portions of the subgrade, imported granular fill conforming to the gradation requirements of OPSS Granular 'B' Type I (OPSS 1010) should be placed in thin lifts (maximum 150 mm thick) and compacted to 98% of SPMDD. The long-term performance of the pavement structure is dependent upon the sub-grade support conditions. Stringent construction control procedures must be maintained to ensure that uniform subgrade moisture and density conditions are achieved as much as practically possible where fill is placed and that the subgrade is not disturbed or weakened after it is exposed.

Control of surface water is a significant factor in achieving good pavement life. Grading adjacent to pavement area must be designed so that water is not allowed to pond adjacent to the outside edges of the pavement or curb.

The subgrade soils identified in this report are sensitive to disturbance from excessive exposure to construction traffic (vehicular and pedestrian). Once the excavations have been completed to design elevations, the Geotechnical Consultant should immediately inspect the subgrade soils. Upon approval, the subgrade soil should be protected from further exposure. Disturbance by construction traffic may compromise the bearing resistances of the soils and necessitate further excavation.

If construction is to be completed during the winter months additional care should be given to protecting any subgrade from freezing. No backfill materials shall be placed on frozen subgrade and all backfill shall be free of frozen materials.

6.0 Closure

The limitations of this report, as discussed in detail in Appendix A, constitute an integral part of this report. We recommend the Geotechnical Consultant be retained to review drawings and the intended methods of construction (if any) prior to implementation in order to assure conformance with the geotechnical restrictions and assumptions.

We trust this report is complete within the terms of our reference. However, should questions arise concerning this report, do not hesitate to contact us.

Sincerely,

Wood Environment & Infrastructure Solutions,
a Division of Wood Canada Limited

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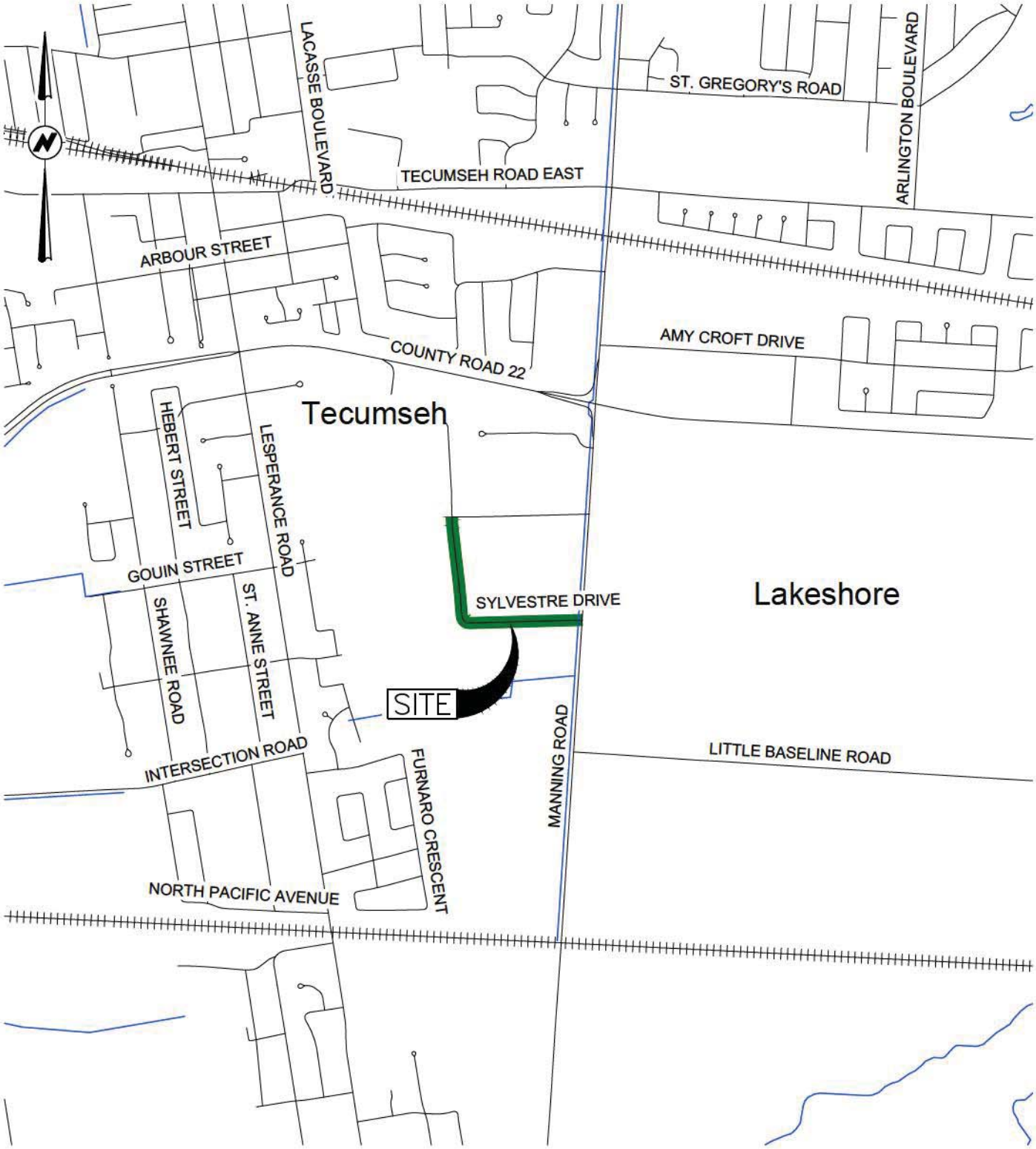
Figures



NOTES:
THIS DRAWING SHOULD BE READ IN CONJUNCTION WITH THE WOOD ENVIRONMENT & INFRASTRUCTURE SOLUTIONS REPORT No. SWW187219. ALL LOCATIONS ARE APPROXIMATE.

ORIGINAL PAPER SIZE: 8½ x 11.

REFERENCES:
CANMAP STREETFILES V2008.4.

The Corporation of the Town of Tecumseh 917 LESPERANCE ROAD TECUMSEH, ONTARIO, N8N 1W9	TOWN OF Tecumseh ONTARIO · CANADA	DWN BY: SJL CHK'D BY: SM DATUM: NAD83 PROJECTION: UTM Zone 17 SCALE: 1:20000	PROJECT: GEOTECHNICAL INVESTIGATION SANITARY SEWER EXTENSION AND ROAD RECONSTRUCTION SYLVESTRE DRIVE TECUMSEH, ONTARIO	DATE: AUG. 3, 2018 PROJECT No: SWW187219 REV No: 0 FIGURE No: 1
Wood Environment & Infrastructure Solutions 11865 COUNTY ROAD 42 TECUMSEH, ONTARIO, N8N 2M1 519-735-2499	wood.		TITLE: KEY PLAN	

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LEGEND:

BOREHOLE LOCATION

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ALL LOCATIONS ARE APPROXIMATE.

ORIGINAL PAPER SIZE: 8½ x 11.

REFERENCES:
2017 AERIAL PHOTOGRAPHS PROVIDED BY THE COUNTY OF ESSEX; CANMAP STREETFILES V2008.4.

The Corporation of the Town of Tecumseh 917 LESPERANCE ROAD TECUMSEH, ONTARIO, N8N 1W9	Town of Tecumseh Ontario · Canada	DWN BY: SJL CHK'D BY: SM DATUM: NAD83 PROJECTION: UTM Zone 17 SCALE: 1:2500	PROJECT: GEOTECHNICAL INVESTIGATION SANITARY SEWER EXTENSION AND ROAD RECONSTRUCTION SYLVESTRE DRIVE TECUMSEH, ONTARIO	DATE: AUG. 3, 2018 PROJECT No: SWW187219
Wood Environment & Infrastructure Solutions 11865 COUNTY ROAD 42 TECUMSEH, ONTARIO, N8N 2M1 519-735-2499	wood.		TITLE: BOREHOLE LOCATION PLAN	REV No: 0 FIGURE No: 2

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Appendix A

Report Limitations

REPORT LIMITATIONS

The conclusions and recommendations given in this report are based on information determined at the testhole locations. The information contained herein in no way reflects on the environmental aspects of the Project, unless otherwise stated. Subsurface and groundwater conditions between and beyond the testholes may differ from those encountered at the testhole locations, and conditions may become apparent during construction, which could not be detected or anticipated at the time of the site investigation. It is recommended practice that the Geotechnical Engineer be retained during the construction to confirm that the subsurface conditions across the site do not deviate materially from those encountered in the testholes.

The design recommendations given in this report are applicable only to the project described in the text, and then only if constructed substantially in accordance with the details stated in this report. Since all details of the design may not be known, we recommend that we be retained during the final design stage to verify that the design is consistent with our recommendations, and that assumptions made in our analysis are valid.

The comments made in this report relating to potential construction problems and possible methods of construction are intended only for the guidance of the designer. The number of testholes may not be sufficient to determine all the factors that may affect construction methods and costs. For example, the thickness of surficial topsoil or fill layers may vary markedly and unpredictably. The contractors bidding on this project or undertaking the construction should, therefore, make their own interpretation of the factual information presented and draw their own conclusions as to how the subsurface conditions may affect their work. This work has been undertaken in accordance with normally accepted geotechnical engineering practices. No other warranty is expressed or implied.

The benchmark and elevations mentioned in this report were obtained strictly for use by this office in the geotechnical design of the project, and should not be used by any other party for any other purpose.

Any use which a third party makes of this report, or any reliance on or decisions to be made based on it, are the responsibility of such third parties. Wood Environment & Infrastructure Solutions accepts no responsibility for damages, if any, suffered by any third party as a result of decisions made or actions based on this report.

Appendix B

Explanation of Record of Borehole Sheets and Record of Borehole Sheets BH1 to BH5

GENERAL REPORT NOTES

DEFINITIONS OF PENETRATION RESISTANCE

Standard penetration resistance 'N' – The number of blows required to advance a standard split spoon sampler 30 cm into the subsoil, driven by means of a 63.5 kg hammer falling freely a distance of 76 cm.

Dynamic penetration resistance – The number of blows required to advance a 50 mm, 60 degree cone, fitted to the end of drill rods, 30 cm into the subsoil, the driving energy being 474.5 Joules per blow.

SAMPLE TYPE ABBREVIATIONS USED IN BOREHOLE LOGS

S.S.	Split spoon	T.W.	Thinwall open	R.C.	Rock core
A.U.	Auger sample	T.P.	Thinwall piston	W.S.	Washed sample
P.H.	Sample pushed hydraulically			P.M.	Sample pushed manually

SOIL TEST SYMBOLS USED IN BOREHOLE LOGS

○	Standard penetration resistance	▼	Laboratory Vane	□	Unconfined compression
●	Dynamic penetration resistance	▲	Field Vane	■	Undrained shear strength
		X	Penetrometer	S	Sensitivity

NOTE

The soil conditions, profiles, comments, conclusions and recommendations found in this report are based upon the samples recovered during the fieldwork. Soils are heterogeneous materials and, consequently, variations (possibly extreme) may be encountered at site locations away from boreholes. During construction, competent, qualified inspection personnel should verify that no significant variations exist from the conditions described in this report.

EXPLANATION OF BOREHOLE LOG

This form describes some of the information provided on the borehole logs, which is based primarily on examination of the recovered samples, and the results of the field and laboratory tests. Additional description of the soil/rock encountered is given in the accompanying geotechnical report.

GENERAL INFORMATION

Project details, borehole number, location coordinates and type of drilling equipment used are given at the top of the borehole log.

SOIL LITHOLOGY

Elevation and Depth

This column gives the elevation and depth of inferred geologic layers. The elevation is referred to the datum shown in the Description column.

Lithology Plot

This column presents a graphic depiction of the soil and rock stratigraphy encountered within the borehole.

Description

This column gives a description of the soil stratums, based on visual and tactile examination of the samples augmented with field and laboratory test results. Each stratum is described according to the *Modified Unified Soil Classification System.*

The compactness condition of cohesionless soils (SPT) and the consistency of cohesive soils (undrained shear strength) are defined as follows *(Ref. Canadian Foundation Engineering Manual):*

Compactness of Cohesionless Soils	SPT N-Value
Very loose	0 to 4
Loose	4 to 10
Compact	10 to 30
Dense	30 to 50
Very Dense	> 50

Consistency of Cohesive Soils	Undrained Shear Strength kPa	Undrained Shear Strength psf
Very soft	0 to 12	0 to 250
Soft	12 to 25	250 to 500
Firm	25 to 50	500 to 1000
Stiff	50 to 100	1000 to 2000
Very stiff	100 to 200	2000 to 4000
Hard	Over 200	Over 4000

Soil Sampling

Sample types are abbreviated as follows:

SS	Split Spoon	TW	Thin Wall Open (Pushed)	RC	Rock Core	GS	Grab Sample
AS	Auger Sample	TP	Thin Wall Piston (Pushed)	WS	Washed Sample	AR	Air Return Sample

Additional information provided in this section includes sample numbering, sample recovery and numerical testing results.

Field and Laboratory Testing

Results of field testing (e.g., SPT, pocket penetrometer, and vane testing) and laboratory testing (e.g., natural moisture content, and limits) executed on the recovered samples are plotted in this section.

Instrumentation Installation

Instrumentation installations (monitoring wells, piezometers, inclinometers, etc.) are plotted in this section. Water levels, if measured during fieldwork, are also plotted. These water levels may or may not be representative of the static groundwater level depending on the nature of soil stratum where the piezometer tips are located, the time elapsed from installation to reading and other applicable factors.

Comments

This column is used to describe non-standard situations or notes of interest.

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MODIFIED * UNIFIED CLASSIFICATION SYSTEM FOR SOILS

*The soil of each stratum is described using the Unified Soil Classification System (Technical Memorandum 36-357 prepared by Waterways Experiment Station, Vicksburg, Mississippi, Corps of Engineers, U.S Army. Vol. 1 March 1953.) modified slightly so that an inorganic clay of "medium plasticity" is recognized.

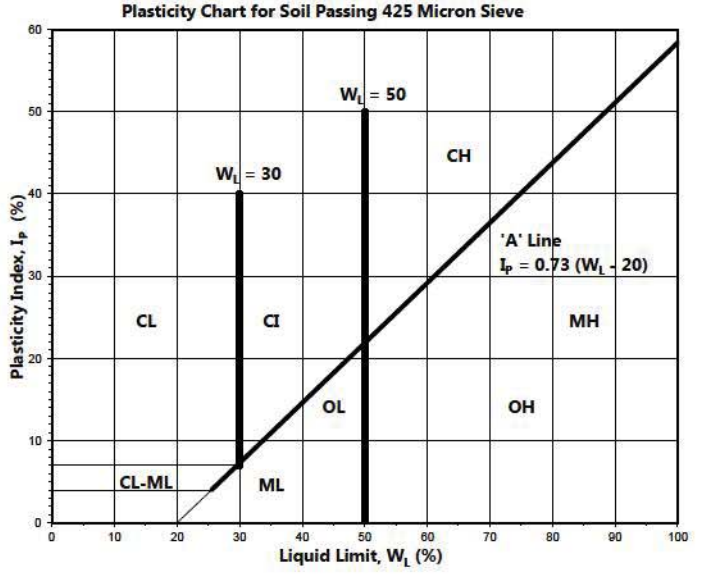
MAJOR DIVISION			GROUP SYMBOL	TYPICAL DESCRIPTION	LABORATORY CLASSIFICATION CRITERIA
COARSE GRAINED SOILS (MORE THAN HALF BY WEIGHT LARGER THAN 75µm)	GRAVELS MORE THAN HALF THE COARSE FRACTION LARGER THAN 4.75mm	CLEAN GRAVELS (TRACE OR NO FINES)	GW	WELL GRADED GRAVELS, GRAVEL-SAND MIXTURES, LITTLE OR NO FINES	$C_u = \frac{D_{60}}{D_{10}} > 4$; $C_C = \frac{(D_{30})^2}{D_{10} \times D_{60}} = 1$ to 3
			GP	POORLY GRADED GRAVELS, GRAVEL-SAND MIXTURES, LITTLE OR NO FINES	NOT MEETING ABOVE REQUIREMENTS
		DIRTY GRAVELS (WITH SOME OR MORE FINES)	GM	SILTY GRAVELS, GRAVEL-SAND- SILT MIXTURES	ATTERBERG LIMITS BELOW "A" LINE OR P.I MORE THAN 4
			GC	CLAYEY GRAVELS, GRAVEL-SAND-CLAY MIXTURES	ATTERBERG LIMITS BELOW "A" LINE OR P.I MORE THAN 7
	SANDS MORE THAN HALF THE COARSE FRACTION SMALLER THAN 4.75mm	CLEAN SANDS (TRACE OR NO FINES)	SW	WELL GRADED SANDS, GRAVELLY SANDS, LITTLE OR NO FINES	$C_u = \frac{D_{60}}{D_{10}} > 6$; $C_C = \frac{(D_{30})^2}{D_{10} \times D_{60}} = 1$ to 3
			SP	POORLY GRADED GRAVELS, GRAVEL- SAND MIXTURES, LITTLE OR NO FINES	NOT MEETING ABOVE REQUIREMENTS
		DIRTY SANDS (WITH SOME OR MORE FINES)	SM	SILTY SANDS, SAND-SILT MIXTURES	ATTERBERG LIMITS BELOW "A" LINE OR P.I MORE THAN 4
			SC	CLAYEY SANDS, SAND-CLAY MIXTURES	ATTERBERG LIMITS BELOW "A" LINE OR P.I MORE THAN 7
FINE-GRAINED SOILS (MORE THAN HALF BY WEIGHT SMALLER THAN 75µm)	SILTS BELOW "A" LINE NEGLIGIBLE ORGANIC CONTENT	W_L < 50%	ML	INORGANIC SILTS AND VERY FINE SANDS, ROCK FLOUR, SILTY SANDS OF SLIGHT PLASTICITY	CLASSIFICATION IS BASED UPON PLASTICITY CHART (SEE BELOW)
		W_L < 50%	MH	INORGANIC SILTS, MICACEOUS OR DIATOMACEOUS, FINE SANDY OR SILTY SOILS	
	CLAYS ABOVE "A" LINE NEGLIGIBLE ORGANIC CONTENT	W_L < 30%	CL	INORGANIC CLAYS OF LOW PLASTICITY, GRAVELLY, SANDY OR SILTY CLAYS, LEAN CLAYS	
		30% < W_L < 50%	CI	INORGANIC CLAYS OF MEDIUM PLASTICITY, SILTY CLAYS	
		W_L < 50%	CH	INORGANIC CLAYS OF HIGH PLASTICITY, FAT CLAYS	
	ORGANIC SILTS & CLAYS BELOW "A" LINE	W_L < 50%	OL	ORGANIC SILTS AND ORGANIC SILTY CLAYS OF LOW PLASTICITY	WHENEVER THE NATURE OF THE FINES CONTENT HAS NOT BEEN DETERMINED, IT IS DESIGNATED BY THE LETTER "F", E.G SF IS A MIXTURE OF SAND WITH SILT OR CLAY
		W_L < 50%	OH	ORGANIC CLAYS OF HIGH PLASTICITY	
HIGH ORGANIC SOILS			Pt	PEAT AND OTHER HIGHLY ORGANIC SOILS	STRONG COLOUR OR ODOUR, AND OFTEN FIBROUS TEXTURE

SOIL COMPONENTS

FRACTION	U.S STANDARD SIEVE SIZE		DEFINING RANGES OF PERCENTAGE BY WEIGHT OF MINOR COMPONENTS		
		PASSING	RETAINED	PERCENT	DESCRIPTOR
GRAVEL	COARSE	76 mm	19 mm	35-50	AND
	FINE	19 mm	4.75 mm	20-35	Y/EY
SAND	COARSE	4.75 mm	2.00 mm	10-20	SOME
	MEDIUM	2.00 mm	425 µm	1-10	TRACE
	FINE	425 µm	75 µm		
FINES (SILT OR CLAY BASED ON PLASTICITY)		75 µm			

OVERSIZED MATERIAL

ROUNDED OR SUBROUNDED: COBBLES 76 mm TO 200 mm BOULDERS > 200 mm	NOT ROUNDED: ROCK FRAGMENTS > 76 mm ROCKS > 0.76 CUBIC METRE IN VOLUME



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Note 1: Soils are classified and described according to their engineering properties and behaviour.

Note 2: The modifying adjectives used to define the actual or estimated percentage range by weight of minor components are consistent with the Canadian Foundation Engineering Manual (4th Edition, Canadian Geotechnical Society, 2006.)

RECORD OF BOREHOLE No. BH1

Project Number: SWW187219
Project Client: Town of Tecumseh
Project Name: Sylvestre Drive Sewer and Road Reconstruction
Project Location: Tecumseh, Ontario
Drilling Location: N4684598, E345754

Drilling Method: 150 mm O.D. Hollow Stem Augers
Drilling Machine: CME55
Date Started: 03 Jul 2018 Date Completed: 03 Jul 2018
Logged by: SS Compiled by: SS
Reviewed by: SM Revision No.: 0

wood.

LITHOLOGY PROFILE			SOIL SAMPLING						FIELD TESTING	LAB TESTING		
Lithology Plot	DESCRIPTION Local Ground Surface Elevation:		Sample Type	Sample Number	Recovery (%)	SPT 'N' Value	DEPTH (m)	ELEVATION (m)	PenetrationTesting ○ SPT ● DCPT MTO Vane* △ Intact ▲ Remould Nilcon Vane* ◇ Intact ◆ Remould ■ Undrained Shear Strength (kPa) (from P. Penetrometer tests) 20 40 60 80	Atterberg Limits W_P W W_L Plastic Liquid ✱ Passing 75 um (%) ○ Moisture Content (%) ★ Unit Weight (KN/m3) 20 40 60 80	INSTRUMENTATION INSTALLATION	COMMENTS & GRAIN SIZE DISTRIBUTION (%) GR SA SI CL
	TAR AND CHIP (40 mm thick)	0.0										
	FILL (90 mm thick) Granular base	0.1										
	CONCRETE (180 mm thick)	0.3										
	FILL (305 mm thick) Granular base	0.6										
	SILTY CLAY Trace sand, trace gravel Mottled brown and grey Firm		SS	1	16	4	1		○	25		
	Stiff Weathered		SS	2	79	8			○	18		
	END OF BOREHOLE (no refusal)	2.0					2					
							3					
							4					
							5					
							6					

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▽ No freestanding groundwater observed in open borehole upon completion of drilling.

Borehole details, as presented, do not constitute a thorough understanding of all potential conditions present and requires interpretive assistance from a qualified Geotechnical Engineer. Also, borehole information should be read in conjunction with the geotechnical report for which it was commissioned and the accompanying 'Explanation of Borehole Log'.

RECORD OF BOREHOLE No. BH2

Project Number: SWW187219
Project Client: Town of Tecumseh
Project Name: Sylvestre Drive Sewer and Road Reconstruction
Project Location: Tecumseh, Ontario
Drilling Location: N4684591, E345540

Drilling Method: 180 mm O.D. Hollow Stem Augers
Drilling Machine: CME55
Date Started: 03 Jul 2018 Date Completed: 07 Jul 2018
Logged by: SS Compiled by: SS
Reviewed by: SM Revision No.: 0

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LITHOLOGY PROFILE			SOIL SAMPLING						FIELD TESTING	LAB TESTING		
Lithology Plot	DESCRIPTION Local Ground Surface Elevation:		Sample Type	Sample Number	Recovery (%)	SPT 'N' Value	DEPTH (m)	ELEVATION (m)	PenetrationTesting: ○ SPT ● DCPT; MTO Vane* △ Intact ▲ Remould; Nilcon Vane* ◇ Intact ◆ Remould; ■ Undrained Shear Strength (kPa) (from P. Penetrometer tests) 20 40 60 80	Atterberg Limits: W_P W W_L; Plastic Liquid; ✱ Passing 75 um (%); ○ Moisture Content (%); ★ Unit Weight (KN/m3); 20 40 60 80	INSTRUMENTATION INSTALLATION	COMMENTS & GRAIN SIZE DISTRIBUTION (%) GR SA SI CL
	TAR AND CHIP (40 mm thick)	0.0										
	FILL (90 mm thick) Granular base	0.1										
	CONCRETE (305 mm thick)											
	SILTY CLAY Some sand, trace gravel Mottled brown and grey Firm	0.4	SS	1	89	6	1		○	○ 14		
	Stiff Weathered Brown		SS	2	100	13	2		○	○ 14		
	Very stiff Fractured		SS	3	100	26	3		○	○ 14		
			SS	4	100	21	4		○	○ 14		
	END OF BOREHOLE (no refusal)	3.5					5					
							6					
							7					

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▽ No freestanding groundwater observed in open borehole upon completion of drilling.

Borehole details, as presented, do not constitute a thorough understanding of all potential conditions present and requires interpretive assistance from a qualified Geotechnical Engineer. Also, borehole information should be read in conjunction with the geotechnical report for which it was commissioned and the accompanying 'Explanation of Borehole Log'.

RECORD OF BOREHOLE No. BH3

Project Number: SWW187219
Project Client: Town of Tecumseh
Project Name: Sylvestre Drive Sewer and Road Reconstruction
Project Location: Tecumseh, Ontario
Drilling Location: N4684616, E345432

Drilling Method: 180 mm O.D. Hollow Stem Augers
Drilling Machine: CME55
Date Started: 03 Jul 2018 Date Completed: 03 Jul 2018
Logged by: SS Compiled by: SS
Reviewed by: SM Revision No.: 0

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LITHOLOGY PROFILE			SOIL SAMPLING						FIELD TESTING	LAB TESTING		COMMENTS & GRAIN SIZE DISTRIBUTION (%)			
Lithology Plot	DESCRIPTION Local Ground Surface Elevation:		Sample Type	Sample Number	Recovery (%)	SPT 'N' Value	DEPTH (m)	ELEVATION (m)	PenetrationTesting: ○ SPT ● DCPT; MTO Vane* △ Intact ▲ Remould; Nilcon Vane* ◇ Intact ◆ Remould; ■ Undrained Shear Strength (kPa) (from P. Penetrometer tests) 20 40 60 80	Atterberg Limits W_P W W_L Plastic Liquid; ✱ Passing 75 um (%); ○ Moisture Content (%); ★ Unit Weight (KN/m3); 20 40 60 80	INSTRUMENTATION INSTALLATION	GR	SA	SI	CL
	TAR AND CHIP (25 mm thick)	0.0					0								
	FILL (480 mm thick) Granular base														
	SILTY CLAY	0.5													
	Some sand, trace gravel, rootlets Mottled brown and grey Stiff		SS	1	100	11	1		○	14					
	Very stiff Brown		SS	2	100	28	2		○	12					
	Oxidized		SS	3	100	25	3		○	13					
			SS	4	100	23			○	15					
	Grey Stiff		SS	5	78	10	4		○	15 15 29		1	23	43	33
			SS	6	83	6	5		○	15					
			VT						70 △						
			SS	7	100	7	6		○	19					
	END OF BOREHOLE (no refusal)	6.6					7								

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▽ No freestanding groundwater observed in open borehole upon completion of drilling.

Borehole details, as presented, do not constitute a thorough understanding of all potential conditions present and requires interpretive assistance from a qualified Geotechnical Engineer. Also, borehole information should be read in conjunction with the geotechnical report for which it was commissioned and the accompanying 'Explanation of Borehole Log'.

RECORD OF BOREHOLE No. BH4

Project Number: SWW187219
Project Client: Town of Tecumseh
Project Name: Sylvestre Drive Sewer and Road Reconstruction
Project Location: Tecumseh, Ontario
Drilling Location: N4684757, E345416

Drilling Method: 150 mm O.D. Hollow Stem Augers
Drilling Machine: CME55
Date Started: 03 Jul 2018 Date Completed: 03 Jul 2018
Logged by: SS Compiled by: SS
Reviewed by: SM Revision No.: 0

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LITHOLOGY PROFILE			SOIL SAMPLING						FIELD TESTING	LAB TESTING		
Lithology Plot	DESCRIPTION Local Ground Surface Elevation:		Sample Type	Sample Number	Recovery (%)	SPT 'N' Value	DEPTH (m)	ELEVATION (m)	PenetrationTesting: ○ SPT ● DCPT; MTO Vane* △ Intact ▲ Remould; Nilcon Vane* ◇ Intact ◆ Remould; ■ Undrained Shear Strength (kPa) (from P. Penetrometer tests) 20 40 60 80	Atterberg Limits: W_P W W_L; Plastic Liquid; ✱ Passing 75 um (%); ○ Moisture Content (%); ★ Unit Weight (KN/m3); 20 40 60 80	INSTRUMENTATION INSTALLATION	COMMENTS & GRAIN SIZE DISTRIBUTION (%) GR SA SI CL
	TAR AND CHIP (25 mm thick)	0.0					0					
	FILL (130 mm thick) Granular base **CONCRETE** (380 mm thick)	0.2										
	SILTY CLAY Some sand, trace gravel Mottled brown and grey Stiff	0.5	SS	1	84	8	1		○	○ 17		
	Very stiff Oxidized		SS	2	100	27			○	○ 14		
	END OF BOREHOLE (no refusal)	2.0					2					
							3					
							4					
							5					
							6					

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▽ No freestanding groundwater observed in open borehole upon completion of drilling.

Borehole details, as presented, do not constitute a thorough understanding of all potential conditions present and requires interpretive assistance from a qualified Geotechnical Engineer. Also, borehole information should be read in conjunction with the geotechnical report for which it was commissioned and the accompanying 'Explanation of Borehole Log'.

RECORD OF BOREHOLE No. BH5

Project Number: **SWW187219**
Project Client: **Town of Tecumseh**
Project Name: **Sylvestre Drive Sewer and Road Reconstruction**
Project Location: **Tecumseh, Ontario**
Drilling Location: **N4684928, E345397**

Drilling Method: **150 mm O.D. Hollow Stem Augers**
Drilling Machine: **CME55**
Date Started: **03 Jul 2018** Date Completed: **03 Jul 2018**
Logged by: **SS** Compiled by: **SS**
Reviewed by: **SM** Revision No.: **0**

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LITHOLOGY PROFILE			SOIL SAMPLING						FIELD TESTING	LAB TESTING		COMMENTS & GRAIN SIZE DISTRIBUTION (%)
Lithology Plot	DESCRIPTION Local Ground Surface Elevation:		Sample Type	Sample Number	Recovery (%)	SPT 'N' Value	DEPTH (m)	ELEVATION (m)	PenetrationTesting: ○ SPT ● DCPT; MTO Vane* △ Intact ▲ Remould; Nilcon Vane* ◇ Intact ◆ Remould; ■ Undrained Shear Strength (kPa) (from P. Penetrometer tests) 20 40 60 80	Atterberg Limits W_P W W_L Plastic Liquid; ✱ Passing 75 um (%); ○ Moisture Content (%); ★ Unit Weight (KN/m3); 20 40 60 80	INSTRUMENTATION INSTALLATION	GR SA SI CL
	TAR AND CHIP (25 mm thick)	0.0					0					
	FILL (100 mm thick) Granular base	0.1										
	CONCRETE (305 mm thick)											
	SILTY CLAY Some sand, trace gravel Mottled brown and grey Firm	0.4										
			SS	1	87	6	1		○	○ 19		
	Brown Very stiff		SS	2	100	19			○	○ 15		
	END OF BOREHOLE (no refusal)	2.0					2					
							3					
							4					
							5					
							6					

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▽ No freestanding groundwater observed in open borehole upon completion of drilling.

Borehole details, as presented, do not constitute a thorough understanding of all potential conditions present and requires interpretive assistance from a qualified Geotechnical Engineer. Also, borehole information should be read in conjunction with the geotechnical report for which it was commissioned and the accompanying 'Explanation of Borehole Log'.

Appendix C

Geotechnical Laboratory Test Results

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ATTERBERG LIMITS
ASTM D-4318 or LS-703 / 704

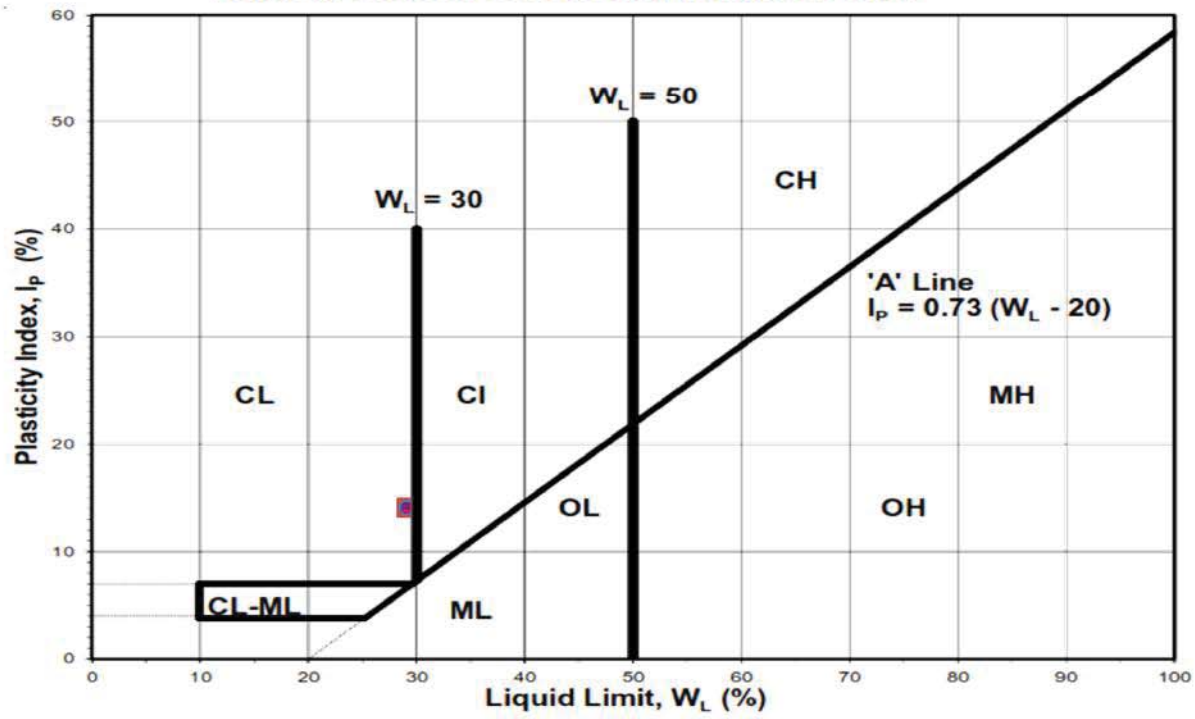
Project Number:	SWW187219	**Sampled by:**	SS	**Sampled on:**	03-Jul-18
Project Client:	Town of Tecumseh	**Tested by:**	JP	**Received on:**	03-Jul-18
Project Name:	Sylvestre Drive Sewer and Road Reconstruction			**Tested on:**	11-Jul-18
Project Location:	Tecumseh				

Test Results

LAB NUMBER	440
BOREHOLE	3
SAMPLE	5
DEPTH (m)	3.8 - 4.3

PLASTIC LIMIT	15.2
LIQUID LIMIT	29.4
PLASTICITY INDEX	14.2

Plasticity Chart for Soil Passing 425 Micron Sieve



Signed by: _____
Justin Palmer, Lab Supervisor, C. Tech.

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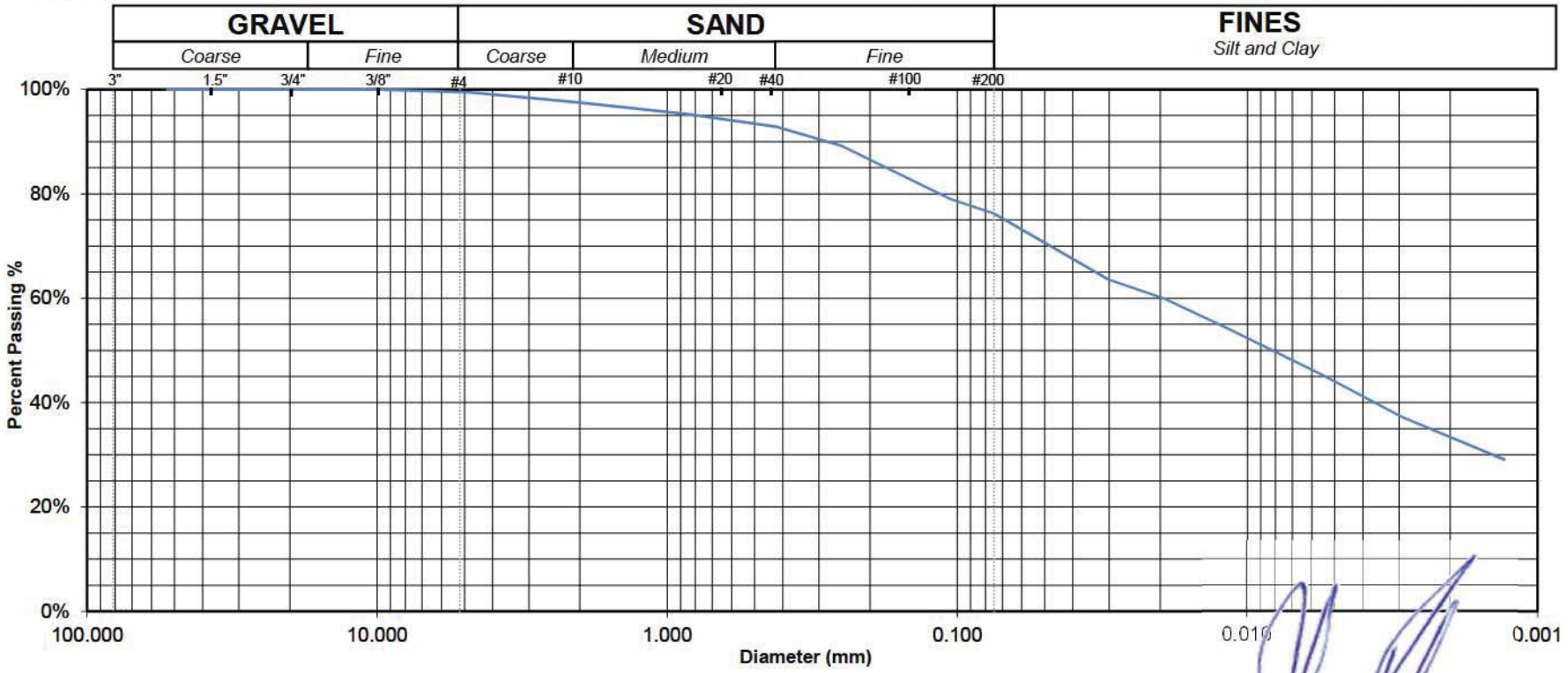
GRAIN SIZE DISTRIBUTION
MTO LS 702 / ASTM D7928 / ASTM D6913

Project Number:	SWW187219	**Sampled by:**	SS	**Sampled on:**	3-Jul-2018
Project Client:	Town of Tecumseh	**Tested by:**	JP	**Received on:**	3-Jul-2018
Project Name:	Sylvestre Drive Sewer and Road Reconstruction			**Tested on:**	
Project Location:	Tecumseh				

Test Results

Sample Location:	Sample Identification:	Gravel	Sand	Silt	Clay	Soil Classification
BH 3, Sa. 5	**441**	0.6%	23.2%	42.8%	33.4%	SILTY CLAY, some sand, trace gravel



Signed by: _____
Justin Palmer, Lab Manager, C. Tech.

Appendix D

Functional Design

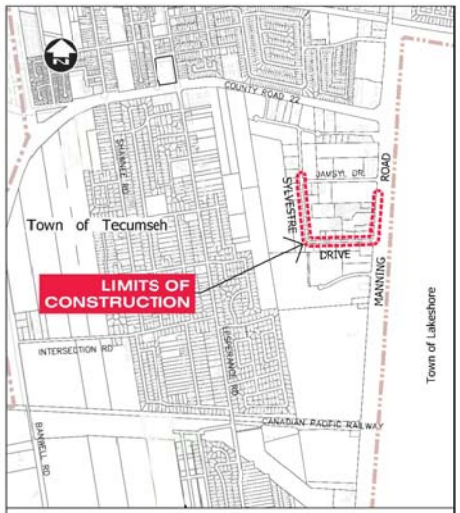
Sylvestre Sanitary Sewer Extension

in the TOWN OF TECUMSEH

LEGEND

DESCRIPTION	EXISTING	ABANDONED	NEW
SEWERS			
SANITARY			
STORM			
COMBINED			
MANHOLE			MH
CATCH BASIN			
DITCH INLET CB			
TWIN INLET CB			
CULVERT			
SANITARY SERVICE			
STORM SERVICE			
CLEANOUT			
CURB INLET CB			
TWIN CURB INLET CB			
ROUND CATCH BASIN			BCB
WATER			
MAIN			
MANHOLE			
VALVE			
TAP SLEEVE & VALVE			
FIRE HYDRANT			
BLOW-OFF			
PRIVATE SERVICE			
SERVICE VALVE			
GAS			
MAIN			
VALVE			
BELL			
BURIED			
MANHOLE			
PEDESTAL, OPI			
POLE (GUY)			
HYDRO			
BURIED			
MANHOLE			
POLE (GUY)			
LIGHT			
CABLE TV			
BURIED			
PEDESTAL			
POLE			
TRAFFIC			
BURIED			
MANHOLE			
JUNCTION BOX			
CONTROLLER			
POLE			
PAVEMENT			
CONCRETE			
ASPHALT			
ASPH ON CONC			
PAVING STONE			
TAR AND CHIP			
GRAVEL			
MISCELLANEOUS			
SIDEWALK (CONC. or ASPH.)			
SIGN			
TREE(dia) or BUSH			
HEDGE			
FENCE			
GATE			
BOREHOLE			
AUGERHOLE			
PROPERTY BAR			
NAIL			
CONCRETE MONUMENT			
GROUND ELEVATION			176.28

Town of Tecumseh
Ontario, Canada



KEY PLAN

BENCH MARKS

Origin of Geodetic Elevation:
Station: 6011959X3034, CGVD-1928:1978, first Order Vertical Accuracy
Location: St Anne's Roman Catholic Church, At corner of Lesperance Street and Tecumseh Road.
Tablet in East Stow Foundation wall, 5.03mfrom Northeast corner, 43cm above ground level.

Benchmark 4-26206 01: Geodetic Elevation: 180.810m
PKnail in top of Concrete Pump Station located on the South side of Sylvestre Drive opposite municipal number 1906 Sylvestre Drive.The PKnail is located in the Northeast corner 0.8m South from thr North face and 0.8m West from the East face of con crete pad.

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R-2	SYLVESTRE DRIVE - STA. 1+230 TO STA. 1+425
R-3	SYLVESTRE DRIVE - STA. 1+425 TO STA. 1+610
R-4	SYLVESTRE DRIVE - STA. 1+610 TO STA. 1+810
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	PUMP STATION
P-1	NEW PUMP STATION PLAN AND SECTION

Note: Original Drawings Provided in Colour.

DILLON CONSULTING
Sylvestre Sanitary Sewer Extension
TOWN OF TECUMSEH
17-6843-3000
24 Oct 2018

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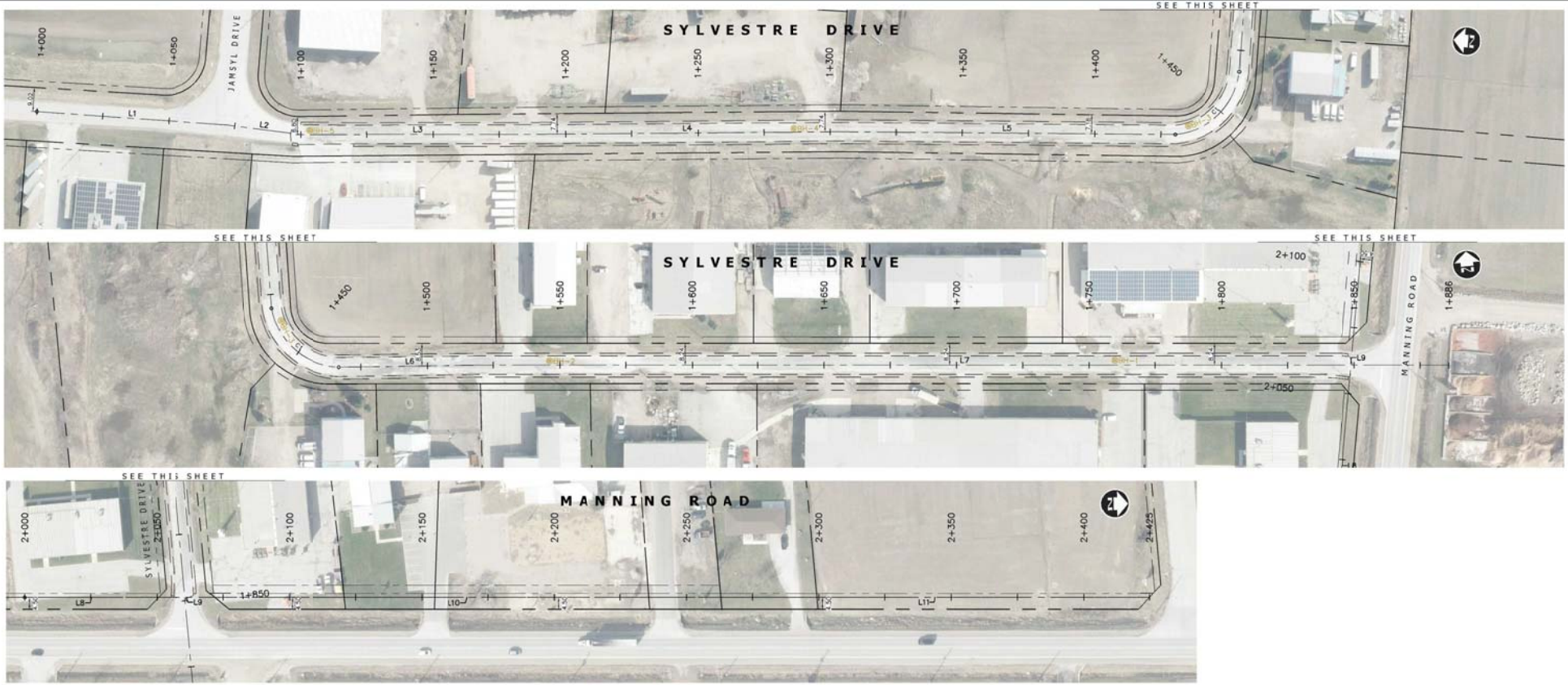

LEGEND

BH-1 BOREHOLE

NOTE:
FOR FURTHER BOREHOLE INFORMATION INCLUDING BOREHOLE LOG SHEETS, PLEASE REFER TO THE GEOTECHNICAL INVESTIGATION REPORT BY WOOD ENVIRONMENT & INFRASTRUCTURE SOLUTIONS PROVIDED IN APPENDIX B OF THE SPECIFICATION DOCUMENTS.

ALIGNMENT TABLES

HORIZONTAL CONTROL (Sylvestre Drive)

SEGMENT	START STATION	END STATION	LENGTH (m)	CHORD LENGTH (m)	ENDING RADIUS (m)	DELTA (dd°mm'ss")	LINE/CHORD DIRECTION (dd°mm'ss")	SPIRAL PARAMETER (A)	START NORTHING (m)	START EASTING (m)	END NORTHING (m)	END EASTING (m)
L1	1+000	1+072.229	72.229				52°07'37"E		4685036.1080	345393.6917	4684963.9269	345396.3724
L2	1+072.229	1+100	27.771				51°56'31"W		4684963.9269	345396.3724	4684936.1627	345395.7516
L3	1+100	1+188.540	88.540				55°13'14"E		4684936.1627	345395.7516	4684848.1441	345405.3454
L4	1+188.540	1+303.725	115.185				56°39'43"E		4684848.1441	345405.3454	4684733.7369	345418.7063
L5	1+303.725	1+430.219	126.494				55°41'13"E		4684733.7369	345418.7063	4684607.8651	345431.2428
C1	1+430.219	1+466.898	36.679	33.883	27	78°24'49"	S50°24'58"E		4684607.8651	345431.2428	4684586.2746	345457.3563
L6	1+466.898	1+520.343	53.445				N67°41'37"E		4684586.2746	345457.3563	4684586.4254	345510.7577
L7	1+520.343	1+885.675	365.332				N88°33'00"E		4684586.4254	345510.7577	4684597.6698	345875.9725

HORIZONTAL CONTROL (Manning Road)

SEGMENT	START STATION	END STATION	LENGTH (m)	CHORD LENGTH (m)	ENDING RADIUS (m)	DELTA (dd°mm'ss")	LINE/CHORD DIRECTION (dd°mm'ss")	SPIRAL PARAMETER (A)	START NORTHING (m)	START EASTING (m)	END NORTHING (m)	END EASTING (m)
L8	2+000	2+050.593	50.593				N74°53'53"E		4684536.0808	345835.0600	4684586.5647	345838.3818
L9	2+050.593	2+071.901	21.308				N74°53'40"E		4684586.5647	345838.3818	4684607.8280	345839.7672
L10	2+071.901	2+262.676	190.775				N74°46'27"E		4684607.8280	345839.7672	4684798.1889	345852.3245
L11	2+262.676	2+424.837	162.161				N74°57'59"E		4684798.1889	345852.3245	4684959.9998	345862.9767

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Sylvestre Sanitary Sewer Extension
TOWN OF TECUMSEH

Plan View

GENERAL ALIGNMENT & BOREHOLE LOCATIONS

PROJECT NO. 17-6843-3000
SHEET NO. G-1

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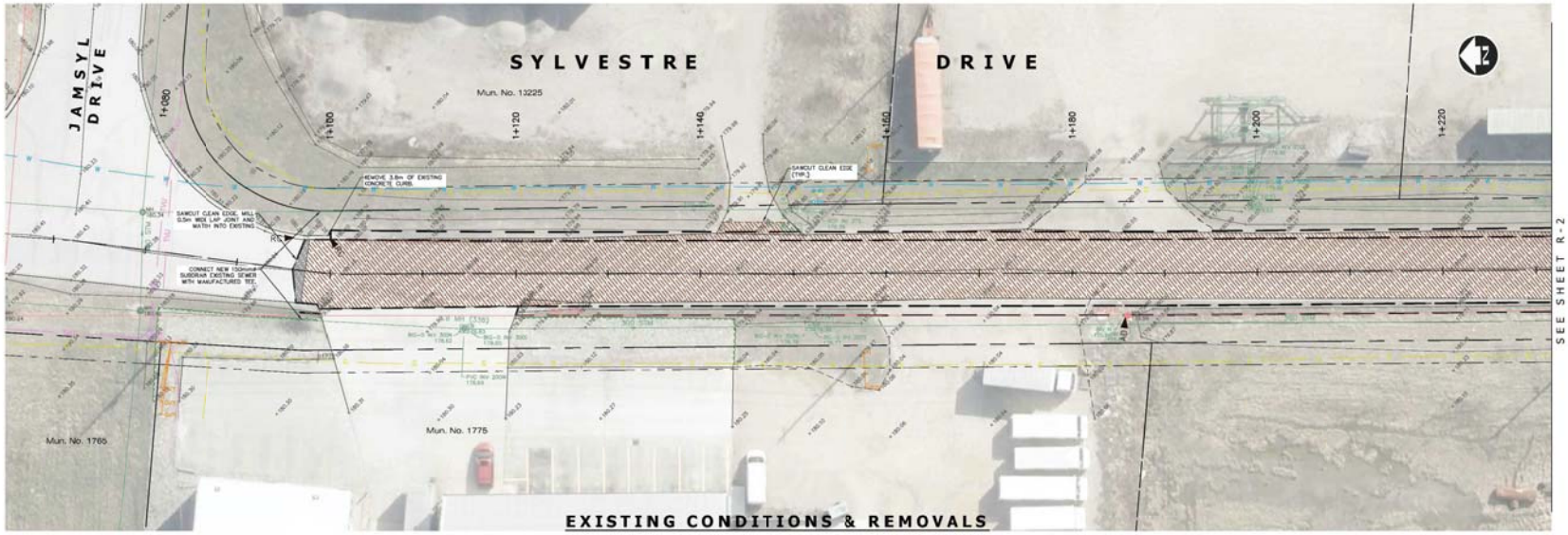

EXISTING CONDITIONS & REMOVALS

NEW CONSTRUCTION

GENERAL NOTES:

1. THE OWNER AND DILLON CONSULTING LIMITED DO NOT GUARANTEE THE ACCURACY OF THE UTILITIES SHOWN ON THE DRAWINGS. OTHER UTILITIES MAY BE PRESENT OR THE UTILITIES SHOWN MAY DIFFER IN SIZE OR LOCATION FROM THOSE SHOWN. THE CONTRACTOR SHALL NOTE, THAT SERVICES FROM THE MAIN LINES ARE NOT SHOWN. THE CONTRACTOR ASSUMES FULL RESPONSIBILITY TO CONTACT THE VARIOUS UTILITY COMPANIES AND TO REPAIR ANY DAMAGE IT MAY CAUSE TO THOSE UTILITIES OR TO OTHER THIRD PARTIES. THE CONTRACTOR AGREES TO INDEMNIFY THE OWNER AND DILLON CONSULTING LIMITED AGAINST ANY CLAIMS WHICH MAY ARISE FROM THE CONTRACTOR'S ACTIONS.
2. ALL WORKS TO BE CONSTRUCTED TO A TOLERANCE OF 5mm±.
3. ALL DIMENSIONS AND RADII ARE TO CONSTRUCTION BASELINE OR EDGE OF PAVEMENT.
4. CHAINAGES SHOWN REFER TO CONSTRUCTION BASELINE.
5. CONNECTIONS TO EXISTING STORM SEWER: THE CONTRACTOR SHALL BE REQUIRED TO USE ONLY PLANT MANUFACTURED FITTINGS AND TEES WHEN CONNECTING NEW SUBDRAIN TO EXISTING STORM SEWERS.
6. ALL ADJUSTMENT RINGS ARE TO BE IPEX RISER RINGS.
7. CLEAR AND GRUB AREAS WITHIN 3.0m FROM NEW EDGE OF PAVEMENT.
8. A UNION GAS REPRESENTATIVE IS TO BE ON SITE DURING ANY EXCAVATION WITHIN 1.5m ABOVE OR ADJACENT TO ANY UNION GAS FACILITIES.
9. ALL WORK TO MAINTAIN A MINIMUM 0.5m CLEARANCE FROM ALL GAS.

PAVEMENT MARKINGS LEGEND

NAME OF LINE		DIMENSIONS (m)	USE
LONGITUDINAL	(A)	0.10 / 0.10 / 0.10	EDGE LINES (WHITE OR YELLOW), CENTRELINE, PASSING LINES (YELLOW LINES), PROHIBITING LANE CHANGES (WHITE)

REMOVALS LEGEND

- R — REMOVE
- AB — ADJUST
- RL — RELOCATE
- RC — REMOVE CURB
- RLO — RELOCATE BY OTHERS
- ADO — ADJUST BY OTHERS
- ASPHALT/CONCRETE REMOVAL
- MILL AND REPLACEMENT OF ASPHALT PAVEMENT (40mm DEPTH)

NEW CONSTRUCTION LEGEND

- NEW ASPHALT PAVEMENT (ROAD)
- GRANULAR SHOULDER OR ACCESS
- NEW ASPHALT DRIVEWAY
- TOPSOIL AND SEED RESTORATION
- 185.00 — FINISHED GRADE AT EDGE OF PAVEMENT, GROWN OR AS SHOWN

ALL EXISTING INVERTS TO BE FIELD CHECKED PRIOR TO CONSTRUCTION

NOTE PROXIMITY OF EXISTING UTILITIES TO PROPOSED UTILITIES/EXCAVATIONS. UNDERTAKE EXPLORATORY DIGS IN ADVANCE OF CONSTRUCTION AND REPORT TO ENGINEER PRIOR TO CONSTRUCTION. COORDINATE WITH EXISTING UTILITIES AS REQUIRED TO FACILITATE CONTRACTOR'S SCOPE OF WORK

DILLON CONSULTING LIMITED 3200 DEZEL DRIVE, SUITE 608, WINDSOR, ONTARIO, N8W 5K8, PHONE (519) 948-5000, FAX (519) 948-5054

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DATE: October 25, 2018
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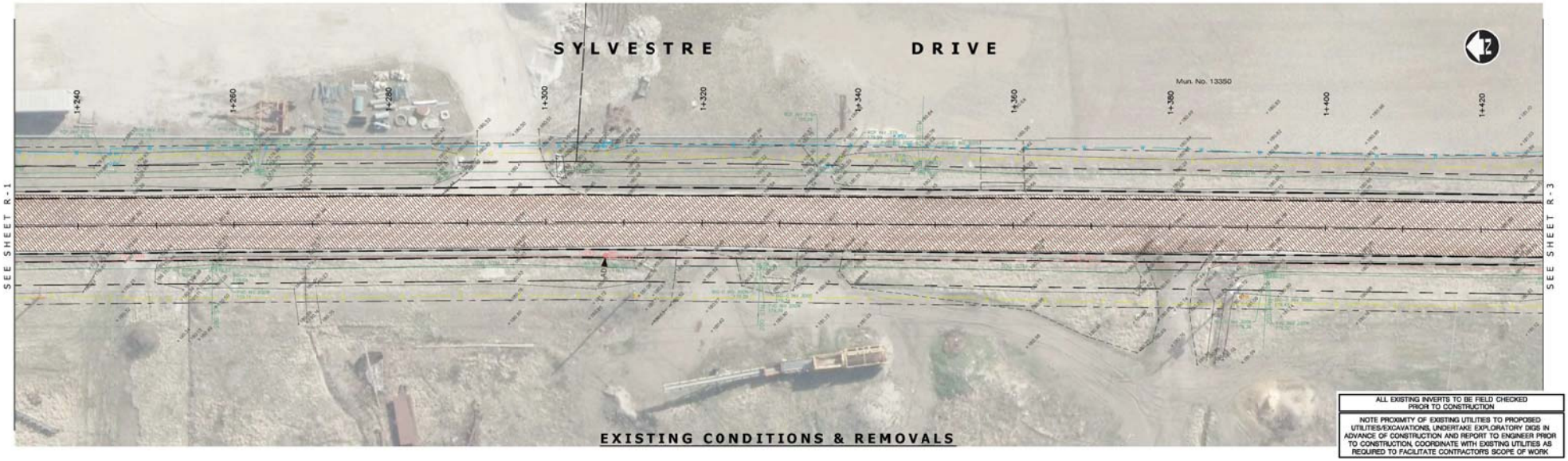
Sylvestre Sanitary Sewer Extension
TOWN OF TECUMSEH

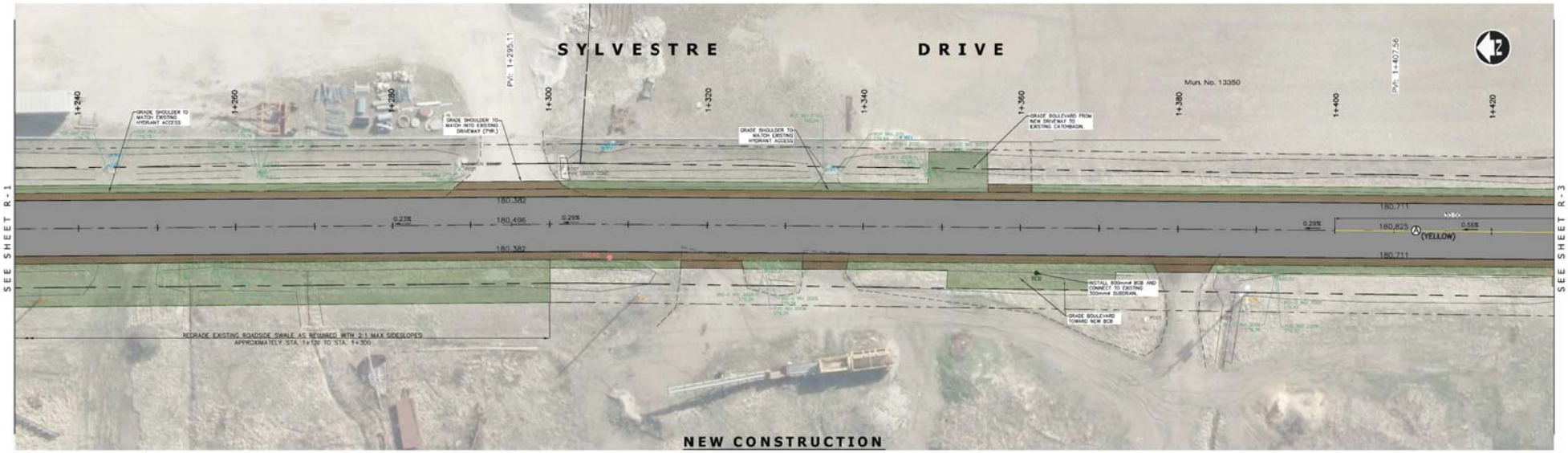
Existing Conditions, Removals & New Construction

SYLVESTRE DRIVE
STA. 1+065 TO STA. 1+230

PROJECT NO: 17-6843-3000

SHEET NO: R-1





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Sylvestre Sanitary Sewer Extension
TOWN OF TECUMSEH

Existing Conditions, Removals & New Construction

SYLVESTRE DRIVE
STA. 1+230 TO STA. 1+425

PROJECT NO. 17-6843-3000

SHEET NO. R-2

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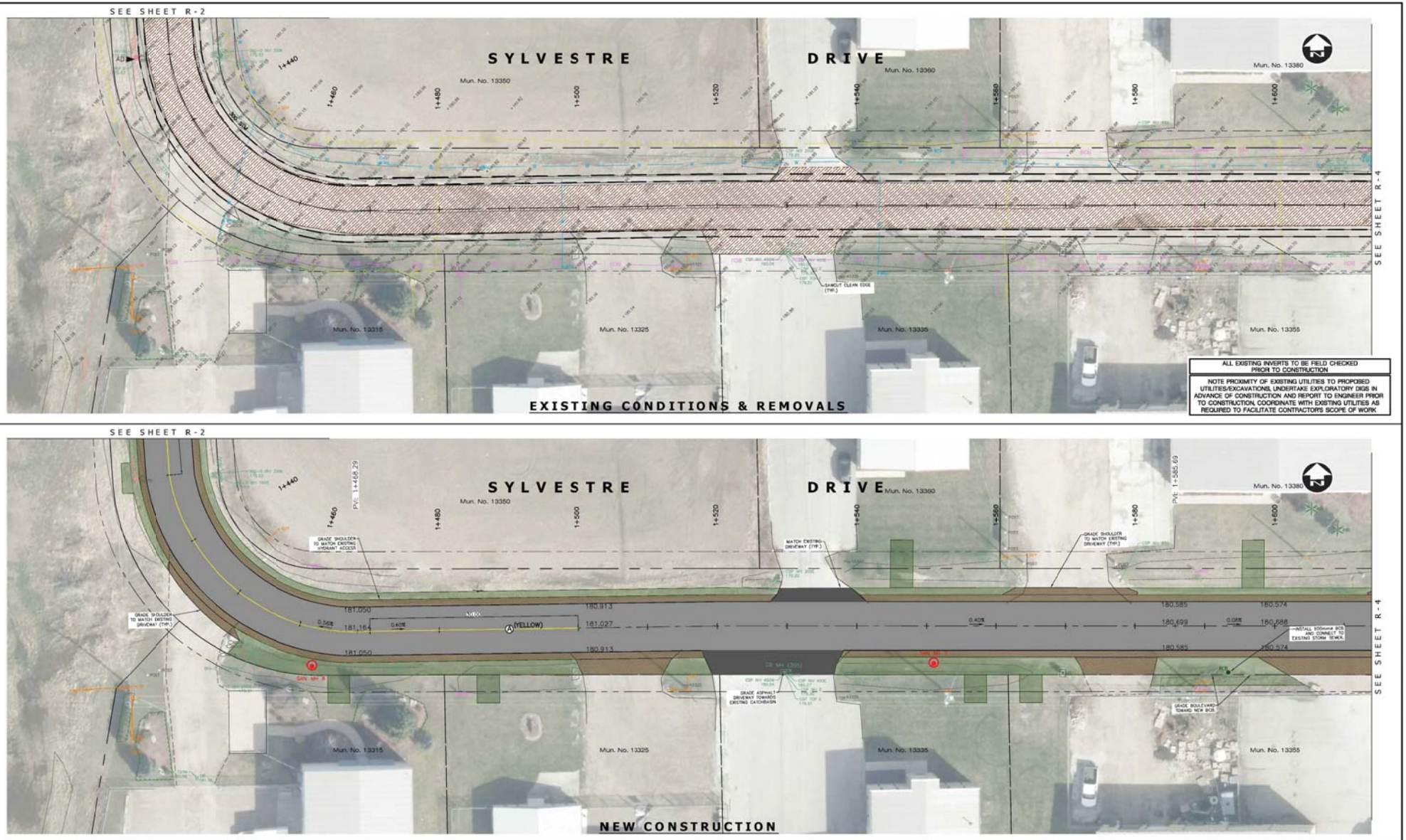

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Sylvestre Sanitary Sewer Extension
TOWN OF TECUMSEH

Existing Conditions, Removals & New Construction

SYLVESTRE DRIVE
STA. 1+425 TO STA. 1+610

PROJECT NO. 17-6843-3000

SHEET NO. **R-3**

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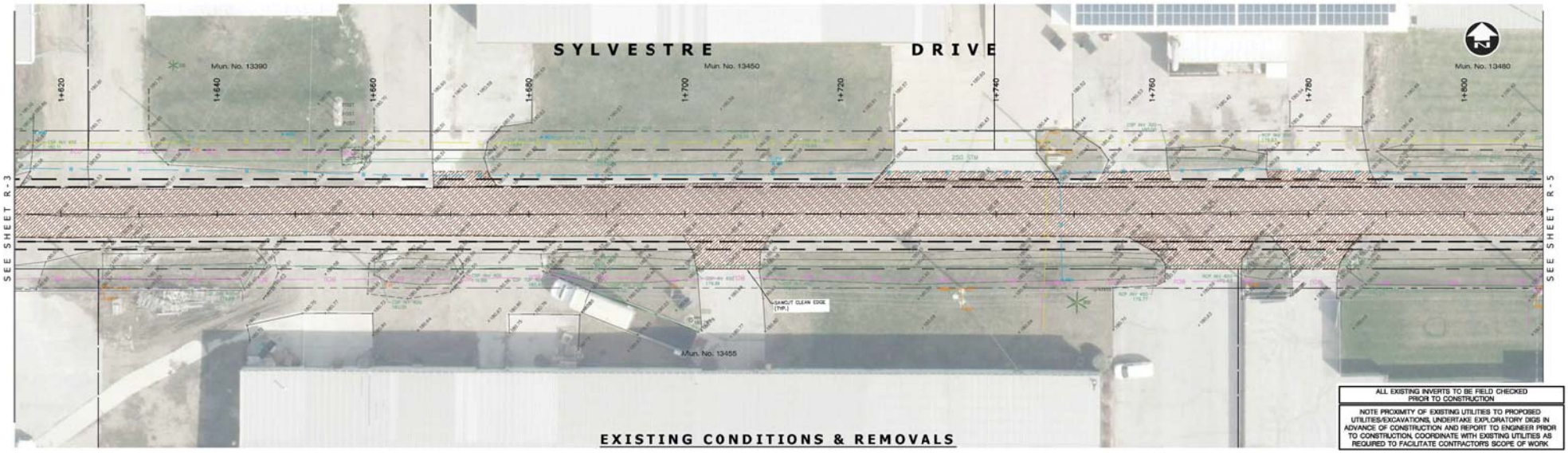
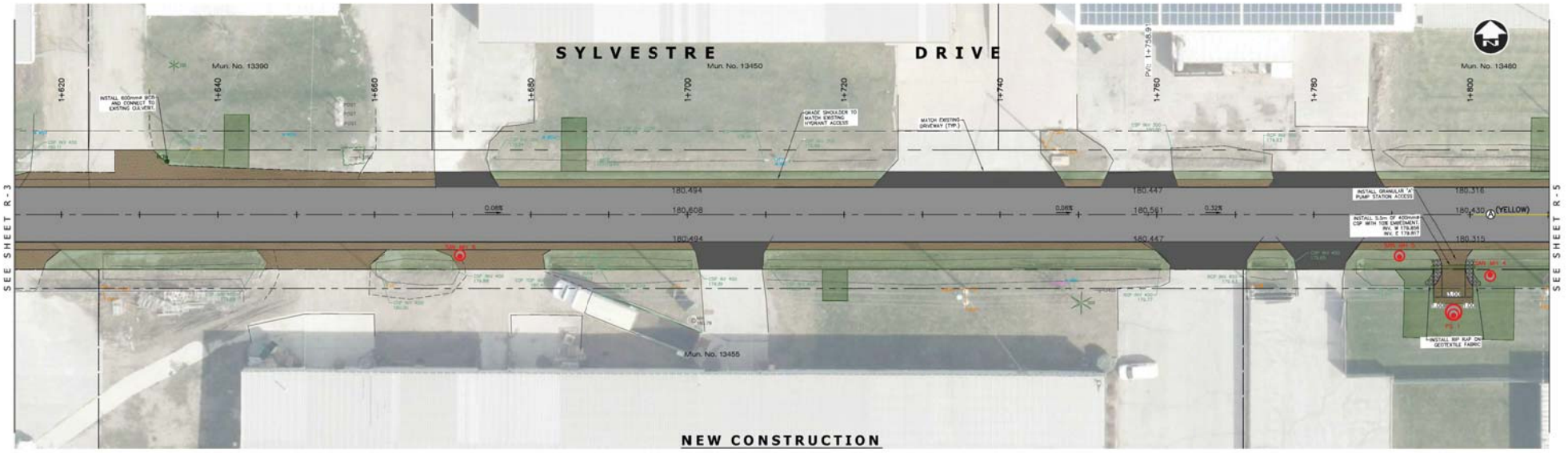


EXISTING CONDITIONS & REMOVALS



NEW CONSTRUCTION

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Sylvestre Sanitary Sewer Extension
TOWN OF TECUMSEH

Existing Conditions, Removals & New Construction

SYLVESTRE DRIVE
STA. 1+610 TO STA. 1+810

Project No. 17-6843-3000

Sheet No. **R-4**

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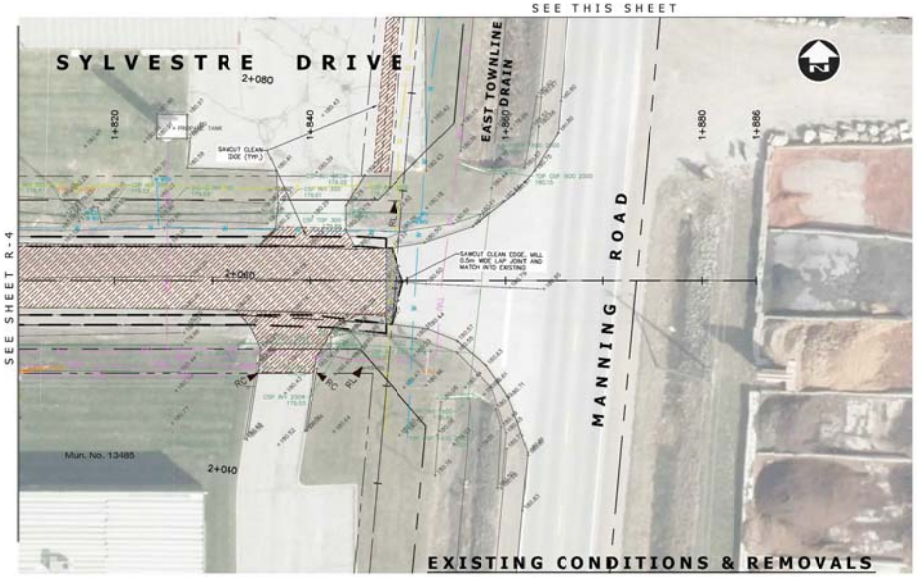

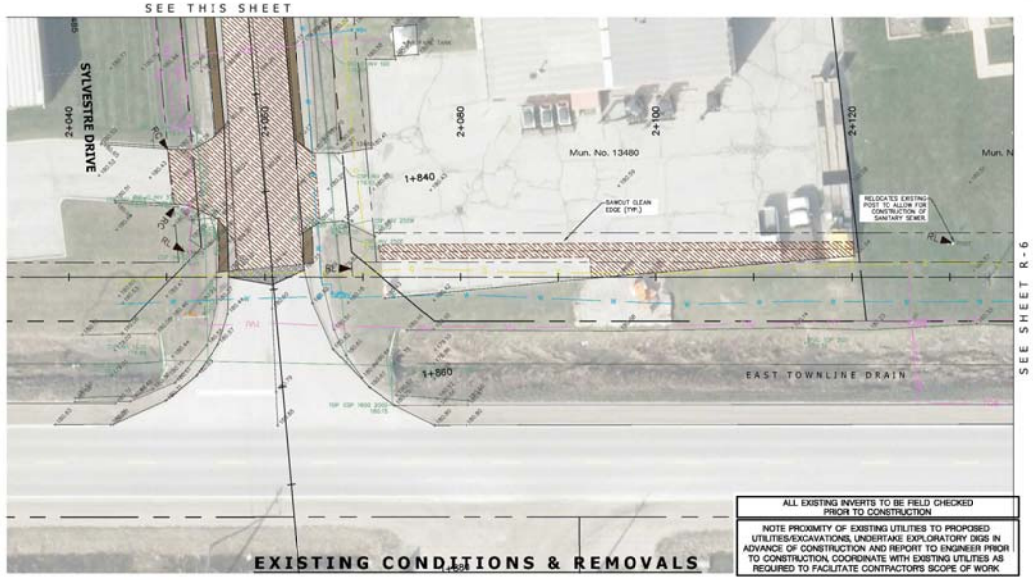

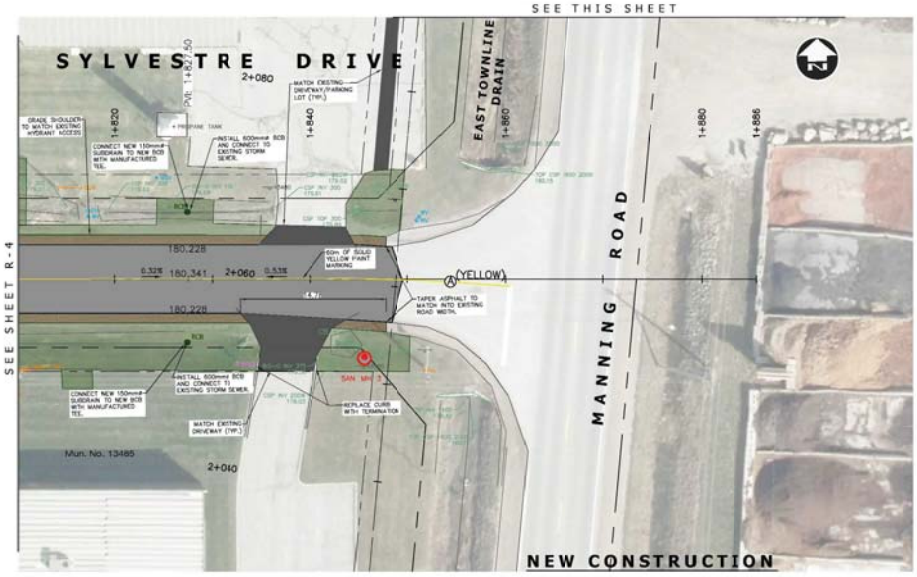

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Date	October 25, 2018
Scale	Horizontal 1:250

Sylvestre Sanitary Sewer Extension
TOWN OF TECUMSEH

Existing Conditions, Removals & New Construction

SYLVESTRE DRIVE	MANNING ROAD
STA. 1+810 TO STA. 1+886	STA. 2+035 TO STA. 2+135

Project No. 17-6843-3000

Sheet No. R-5

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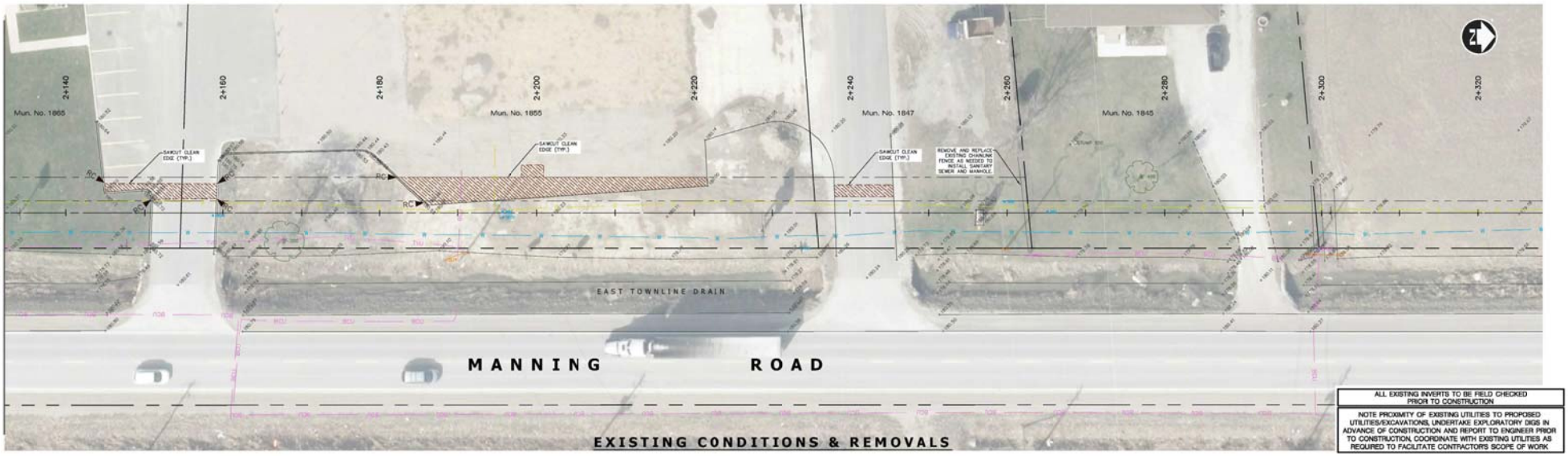

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Sylvestre Sanitary Sewer Extension
TOWN OF TECUMSEH

Existing Conditions, Removals & New Construction

MANNING ROAD
STA. 2+135 TO STA. 2+325

PROJECT NO. 17-6843-3000
SHEET NO. R-6

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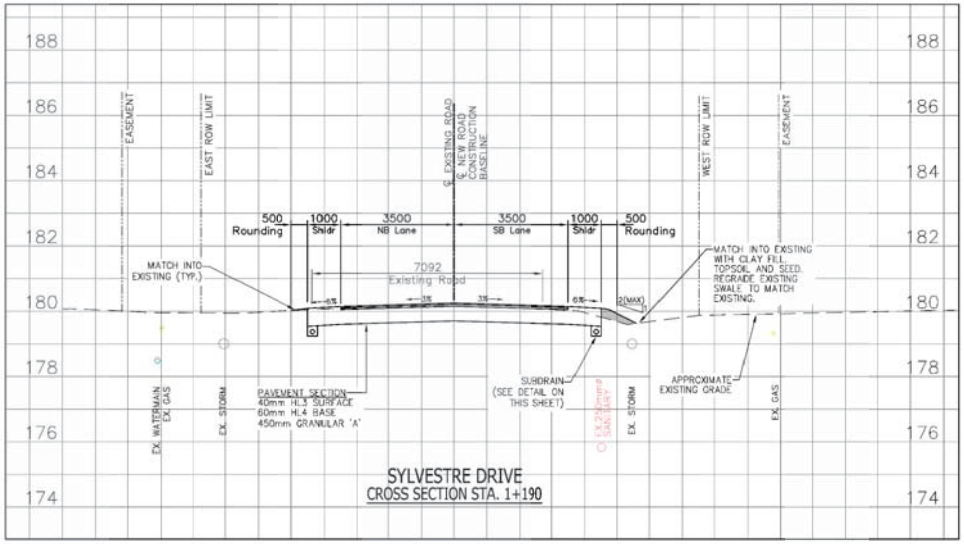
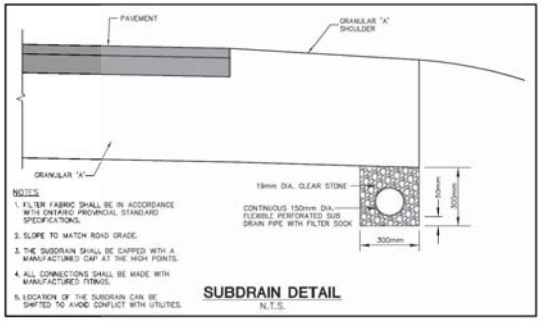
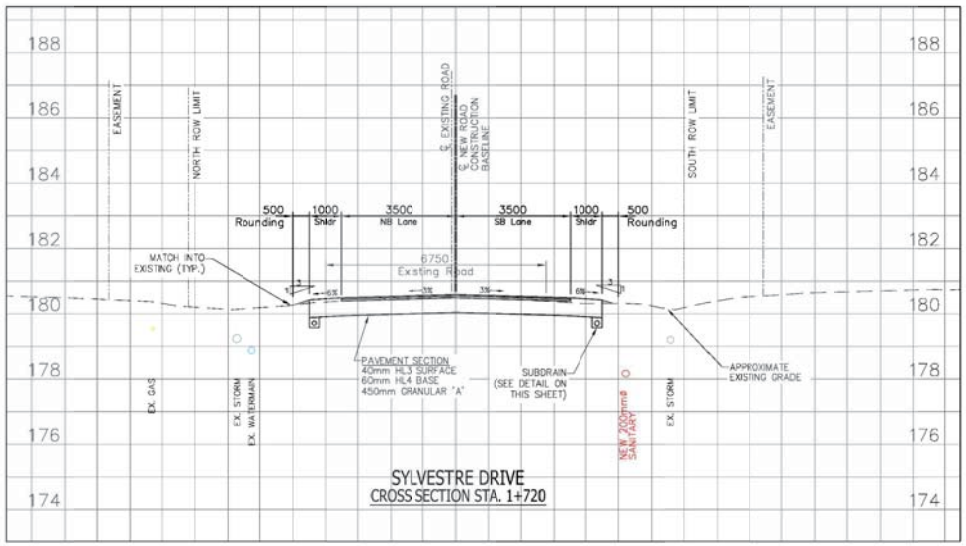


SYLVESTRE DRIVE
CROSS SECTION STA. 1+190

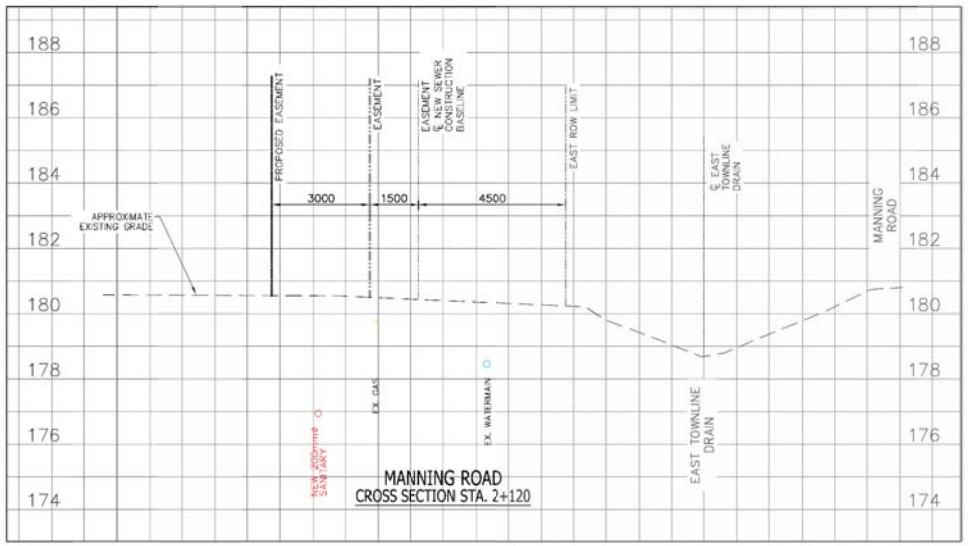


SUBDRAIN DETAIL
N.T.S.

NOTE:
ELEVATIONS OF EXISTING UTILITIES ARE UNKNOWN AND ONLY SHOWN SCHEMATICALLY



SYLVESTRE DRIVE
CROSS SECTION STA. 1+720



MANNING ROAD
CROSS SECTION STA. 2+120

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Town of Tecumseh
Ontario, Canada

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1	EA Report	NOV 07/18	ACW

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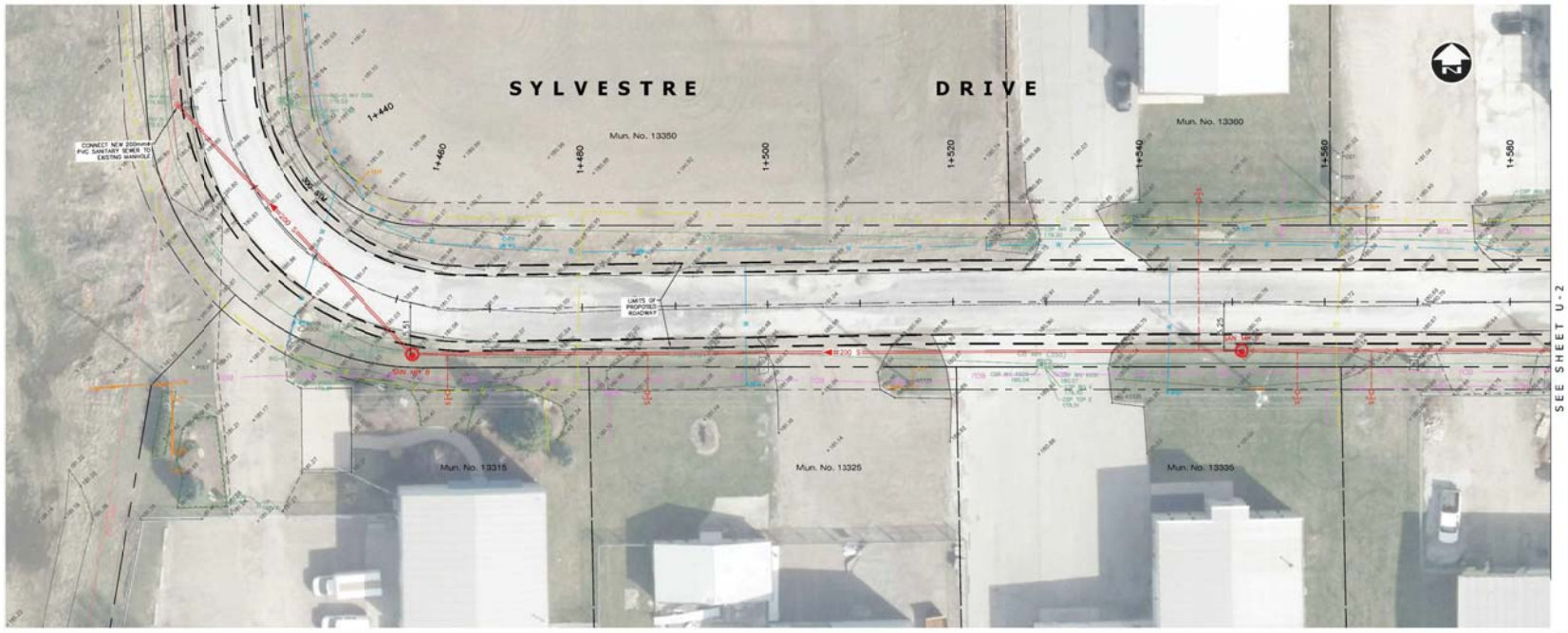
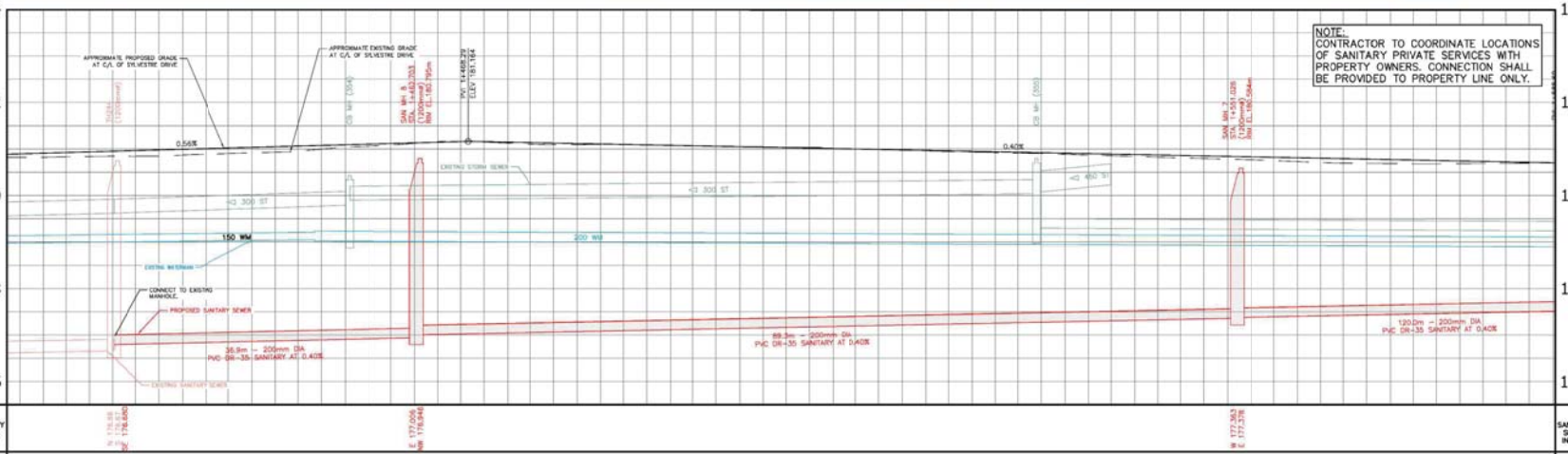
Sylvestre Sanitary Sewer Extension
TOWN OF TECUMSEH
Sections
TYPICAL ROAD & UTILITY CROSS SECTIONS

PROJECT NO. 17-6843-3000
SHEET NO. R-7





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2. ALL WORKS TO BE CONSTRUCTED TO A TOLERANCE OF 5mm±.
3. ALL DIMENSIONS AND RADII ARE TO CONSTRUCTION BASELINE OR EDGE OF PAVEMENT.
4. CHAINAGES SHOWN REFER TO CONSTRUCTION BASELINE.
5. SEWER BEDDING TO BE CLASS 'B' (EXCEPT CLASS 'A' TO FIRST PIPE JOINT OUTSIDE OF MANHOLE FOR RIGID PIPE).
6. BACKFILL OF SEWER AND UTILITY TRENCHES SHALL BE IN ACCORDANCE WITH TRENCH BACKFILL DETAILS ON DETAIL SHEETS AND "SPECIFICATIONS FOR USE OF GRANULAR 'B', TYPE 1 AGGREGATE".
7. ALL PRIVATE DRAIN CONNECTIONS TO EXTEND TO THE PROPERTY LINE OR THROUGH EASEMENT WHERE SHOWN.
8. CONNECTIONS TO P.V.C. PIPE:
   CONNECTIONS SHALL BE REQUIRED TO USE ONLY PLANT MANUFACTURED TEES WHEN INSTALLING PRIVATE DRAIN CONNECTIONS. THE ANGULAR RISE OF THE CONNECTIONS SHALL BE BETWEEN 'X' AND 85'. IF THE ANGULAR RISE EXCEED 45', THE CONTRACTOR SHALL PROVIDE AN ADDITIONAL P.V.C. COUPLING WITH STOP IMMEDIATELY BEYOND THE FITTING. A SHORT SECTION OF P.V.C. PIPE IS TO BE USED TO CONNECT THE COUPLING TO THE TEE FITTING. THE COUPLING SHALL REST DIRECTLY UPON THE BELL PORTION OF THE FITTING.
9. CONNECTIONS TO CONCRETE PIPE:
   ALL FIELD MANUFACTURED TEES SHALL BE CORED AND CONNECTED USING AN APPROVED MANUFACTURED TEE INCLUDING A STOPPER TO PREVENT THE PROTRUSION OF THE INCOMING PIPE.
10. CLEANOUTS ARE REQUIRED ON ALL SANITARY SERVICES THAT CONNECT TO EXISTING SERVICES.
11. SANITARY SERVICES ARE TO BE 150mm DIA. UNLESS NOTED OTHERWISE.
12. ALL ADJUSTMENT RINGS ARE TO BE IPEX RISER RINGS.
13. A UNION GAS REPRESENTATIVE IS TO BE ON SITE DURING ANY EXCAVATION WITHIN 1.5m ABOVE OR ADJACENT TO ANY UNION GAS FACILITIES.
14. ALL WORK TO MAINTAIN A MINIMUM 0.3m CLEARANCE FROM ALL GAS.
15. ALL SANITARY MANHOLES SHALL BE EQUIPPED WITH RAIN SHIELDS.
16. ALL SANITARY MANHOLES SHALL BE WRAPPED IN BLUESKIN.

ALL EXISTING INVERTS TO BE FIELD CHECKED PRIOR TO CONSTRUCTION

NOTE PROXIMITY OF EXISTING UTILITIES TO PROPOSED UTILITIES/EXCAVATIONS, UNDERTAKE EXPLORATORY DIGS IN ADVANCE OF CONSTRUCTION AND REPORT TO ENGINEER PRIOR TO CONSTRUCTION, COORDINATE WITH EXISTING UTILITIES AS REQUIRED TO FACILITATE CONTRACTOR'S SCOPE OF WORK

Conditions of Use

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Town of Tecumseh
Ontario, Canada

DILLON CONSULTING

No.	Issued For	Date	By
1	EA Report	NOV 07/18	ACW

DESIGN: DCR | REVIEWED BY: ACW
DRAWN: DCR | CHECKED BY: RBH
DATE: October 25, 2018
SCALE: Horizontal 1:250 Vertical 1:50

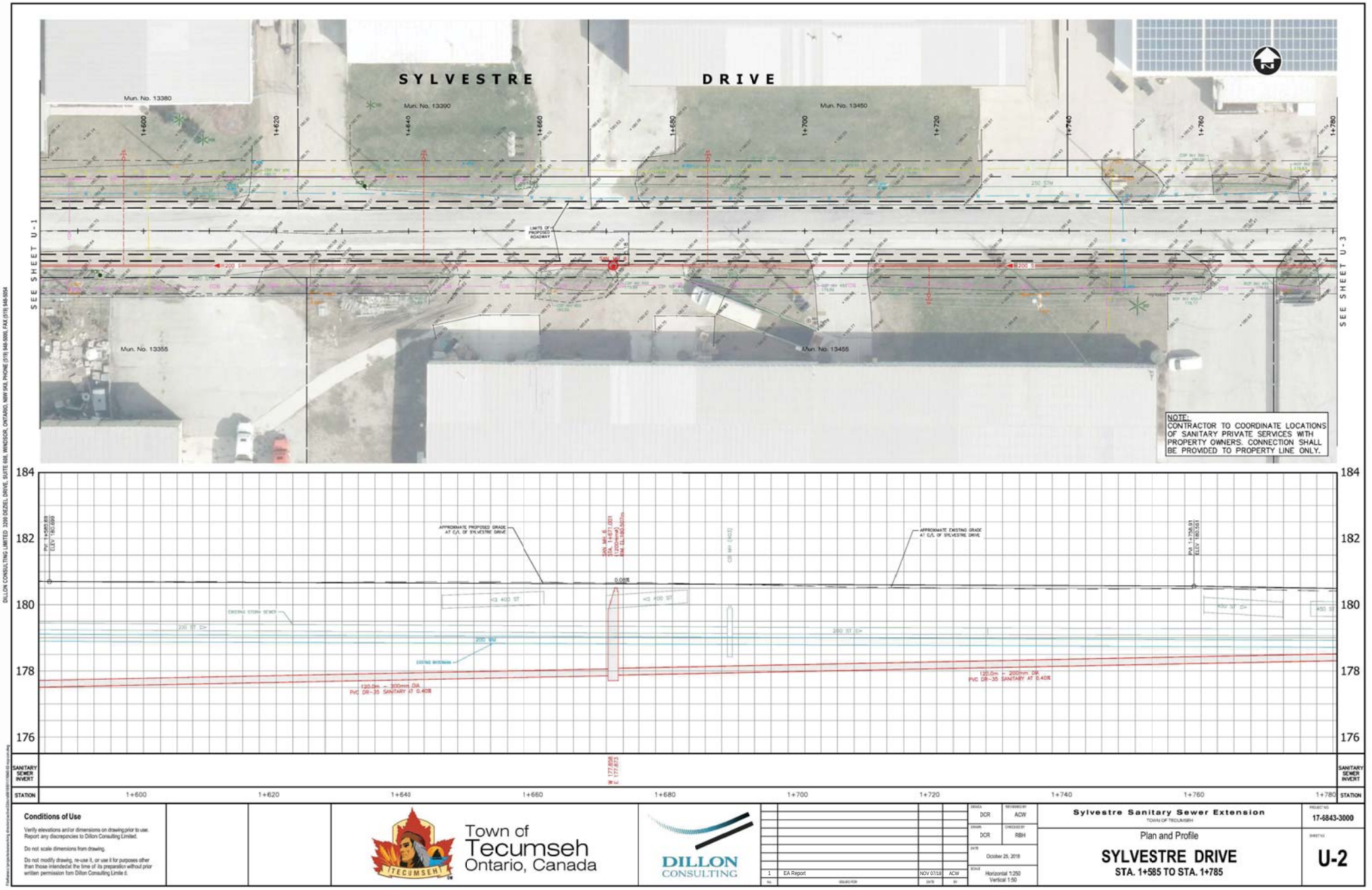
Sylvestre Sanitary Sewer Extension
TOWN OF TECUMSEH

Plan and Profile

SYLVESTRE DRIVE
STA. 1+420 TO STA. 1+585

PROJECT NO: 17-6843-3000
SHEET NO: U-1

DILLON CONSULTING LIMITED 3200 DEZEL DRIVE, SUITE 608, WINDSOR, ONTARIO, N8W 5K8, PHONE (519) 948-5000, FAX (519) 948-5054



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SCALE: Horizontal 1:250 Vertical 1:50

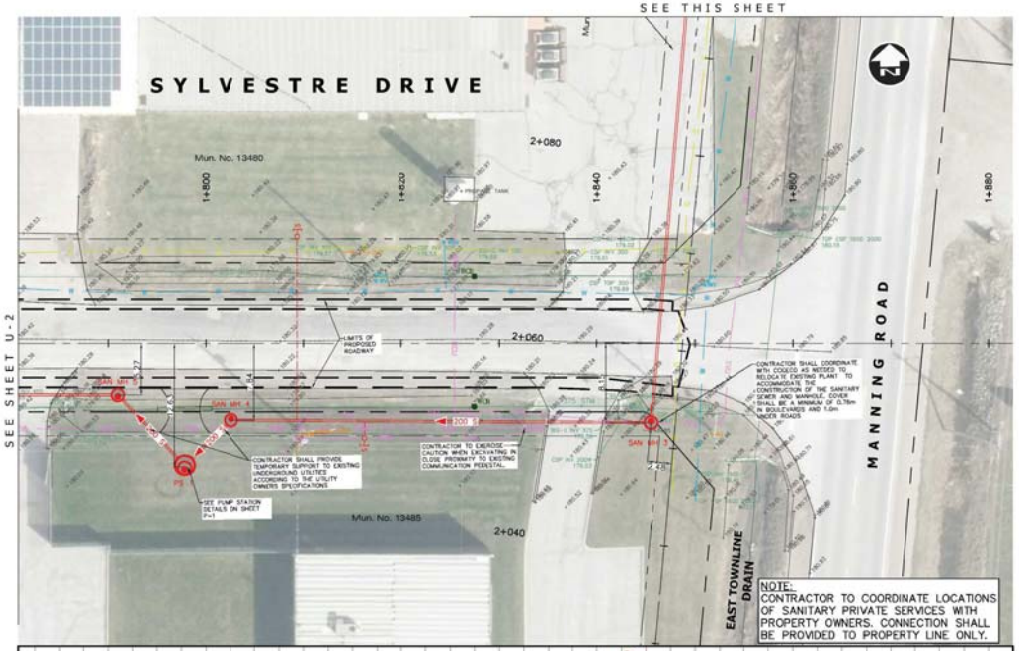
Sylvestre Sanitary Sewer Extension
TOWN OF TECUMSEH

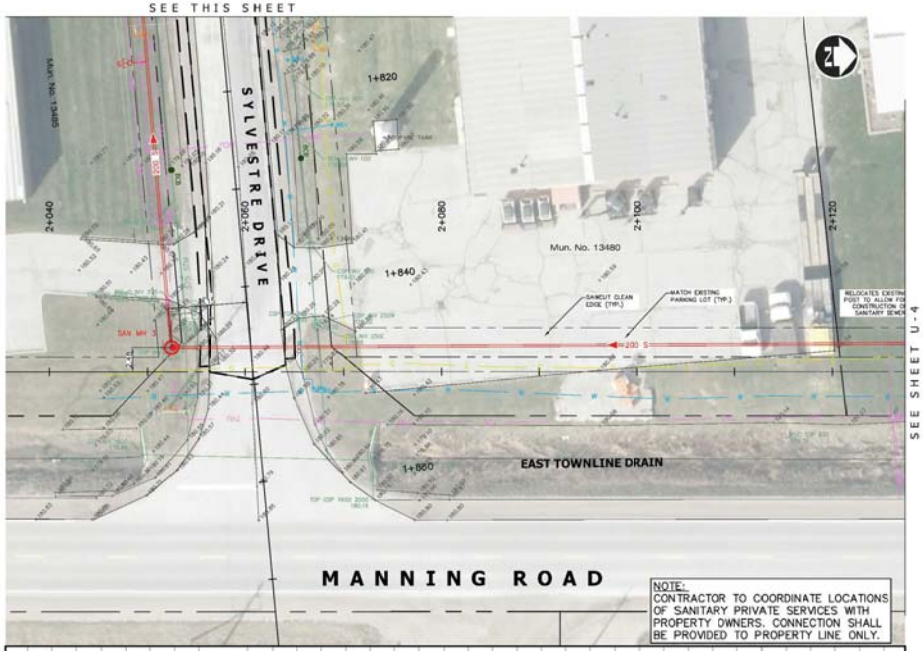
Plan and Profile

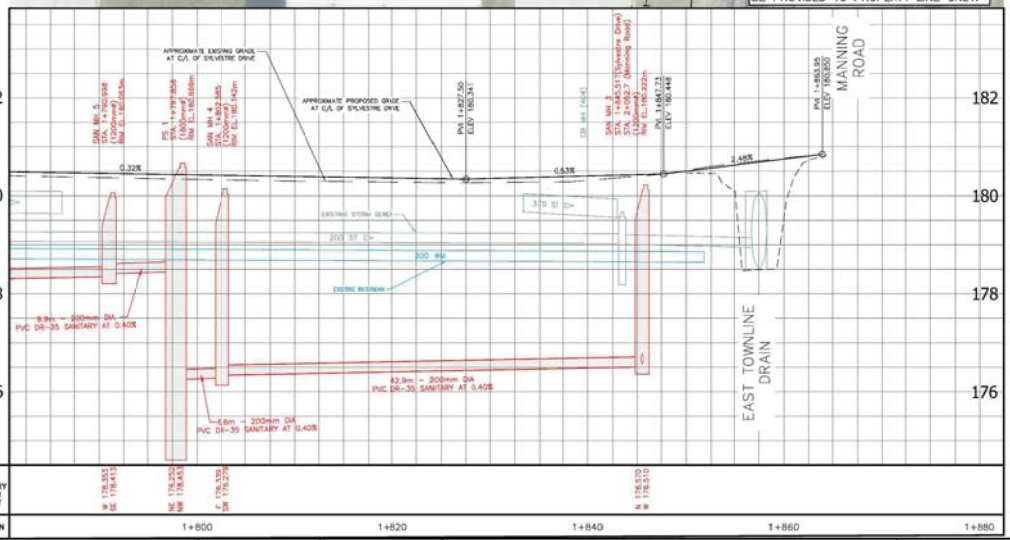
SYLVESTRE DRIVE
STA. 1+585 TO STA. 1+785

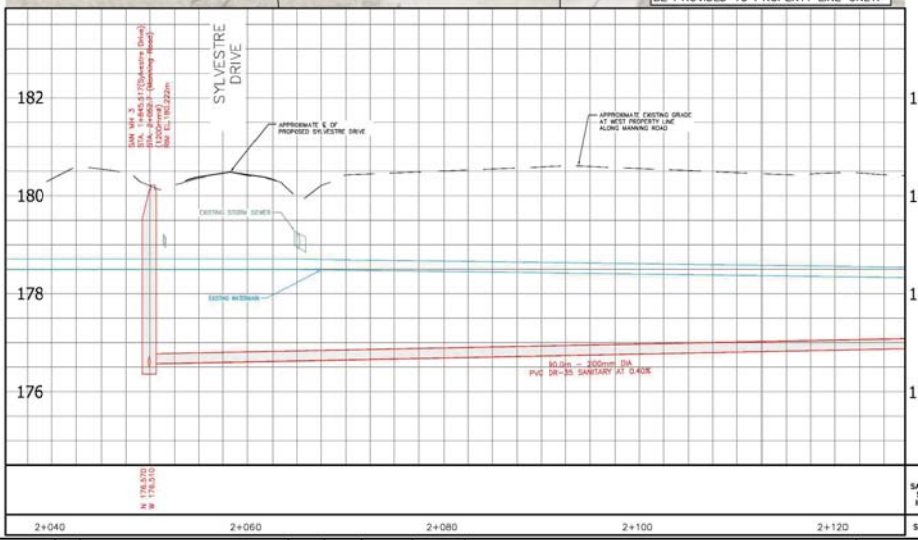
PROJECT NO. 17-6843-3000

SHEET NO. **U-2**









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Town of Tecumseh
Ontario, Canada

DILLON CONSULTING

No.			
1	EA Report	NOV 07/18	ACW

DESIGN: DCR | REVIEWED BY: ACW
DRAWN: DCR | CHECKED BY: RBH
DATE: October 25, 2018
SCALE: Horizontal 1:250 Vertical 1:50

Sylvestre Sanitary Sewer Extension
TOWN OF TECUMSEH

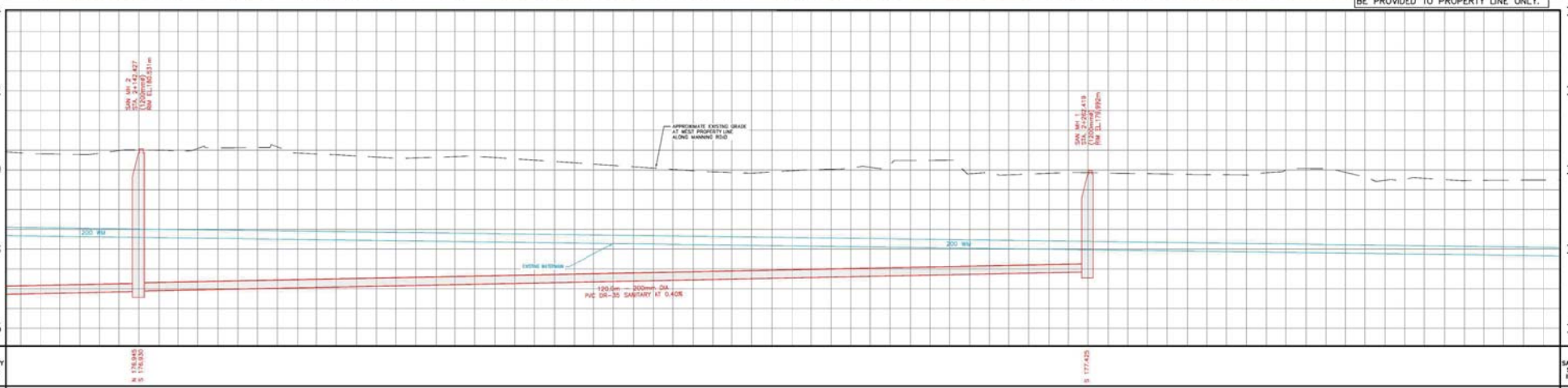
PROJECT NO. 17-6843-3000

Plan and Profile
SYLVESTRE DRIVE
STA. 1+765 TO STA. 1+880

Plan and Profile
MANNING ROAD
STA. 2+040 TO STA. 2+125

SHEET NO. **U-3**

DILLON CONSULTING LIMITED 3200 DEZIEL DRIVE, SUITE 608, WINDSOR, ONTARIO, N8W 5K8, PHONE (519) 948-5000, FAX (519) 948-5054



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Town of Tecumseh
Ontario, Canada

DILLON CONSULTING

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1	EA Report	NOV 07/18	ACW

Design	DCR
Reviewed By	ACW
Drawn	DCR
Checked By	RBH
Date	October 25, 2018
Scale	Horizontal 1:250 Vertical 1:50

Sylvestre Sanitary Sewer Extension
TOWN OF TECUMSEH

Plan and Profile

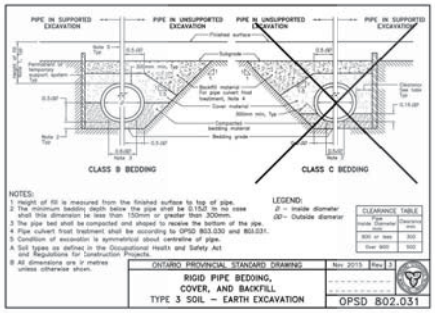
MANNING ROAD
STA. 2+125 TO STA. 2+320

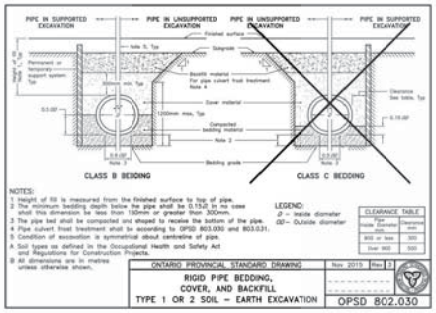
Project No. 17-6843-3000

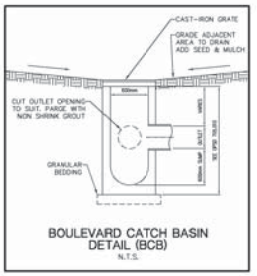
Sheet No. **U-4**

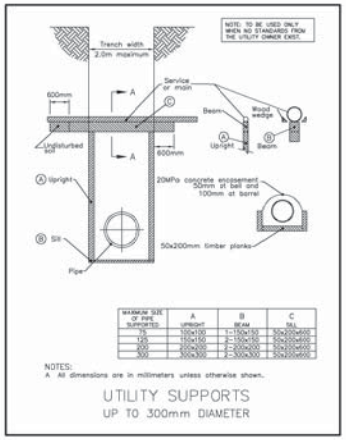
DILLON CONSULTING LIMITED 3200 DEZEL DRIVE, SUITE 608, WINDSOR, ONTARIO, N8W 5K8, PHONE (519) 948-5000, FAX (519) 948-5054

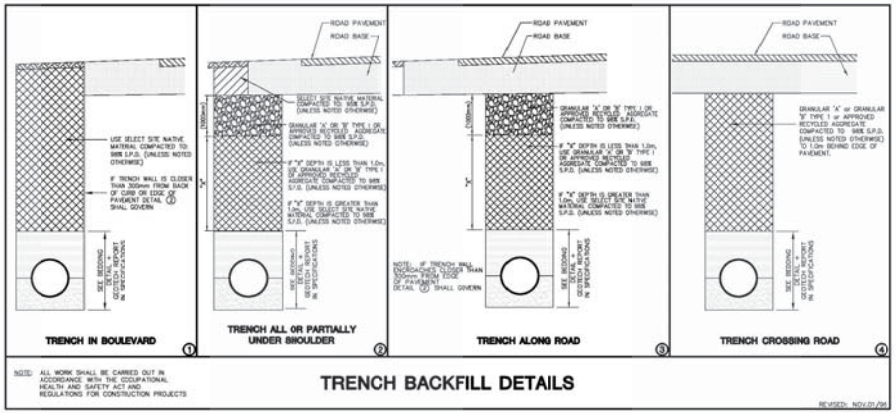
THE FOLLOWING ONTARIO PROVINCIAL STANDARD DRAWINGS SHALL APPLY TO THIS CONTRACT	
219.130	HEAVY-DUTY SILT FENCE BARRIER
401.020	CAST IRON, CIRCULAR FRAME WITH CIRCULAR COVER FOR MAINTENANCE HOLES
405.020	MAINTENANCE HOLE STEPS SOLID
509.010	PAVEMENT REINSTATEMENT FOR UTILITY CUTS
701.010	PRECAST CONCRETE MAINTENANCE HOLE, 1200mm DIAMETER
701.021	MAINTENANCE HOLE BENCHING AND PIPE OPENING DETAILS
701.030	PRECAST CONCRETE MAINTENANCE HOLE COMPONENTS, 1200mm DIAMETER, TAPPERED TOP AND FLAT CAP
708.020	SUPPORT FOR PIPE AT CATCH BASIN OR MAINTENANCE HOLE
802.010	FLEXIBLE PIPE EMBEDMENT AND BACKFILL EARTH EXCAVATION
802.030	RIGID PIPE BEDDING, COVER AND BACKFILL TYPE 1 OR 2 SOIL – EARTH EXCAVATION
802.031	RIGID PIPE BEDDING, COVER AND BACKFILL TYPE 3 SOIL – EARTH EXCAVATION
1006.010	SEWER SERVICE CONNECTIONS FOR RIGID MAIN PIPE SEWER
1006.020	SEWER SERVICE CONNECTIONS FOR FLEXIBLE MAIN PIPE SEWER

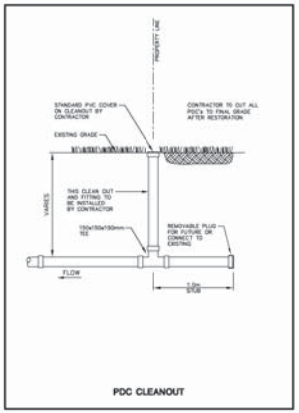


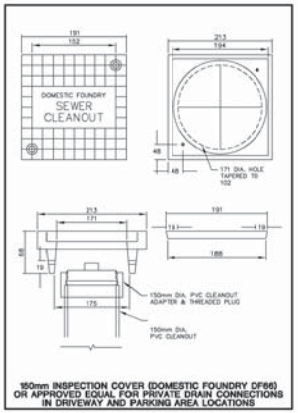












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Town of Tecumseh
Ontario, Canada

DILLON CONSULTING

No.	ISSUE/REVISION	DATE	BY
1	EA Report	NOV 07/18	ACW

DESIGN: DCR | REVIEWED BY: ACW
DRAWN: DCR | CHECKED BY: RBH
DATE: October 25, 2018
SCALE: As Shown

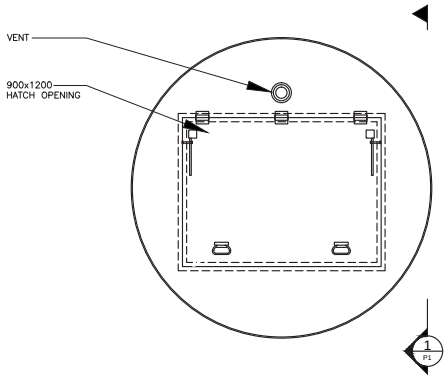
Sylvestre Sanitary Sewer Extension
TOWN OF TECUMSEH

Sections and Details

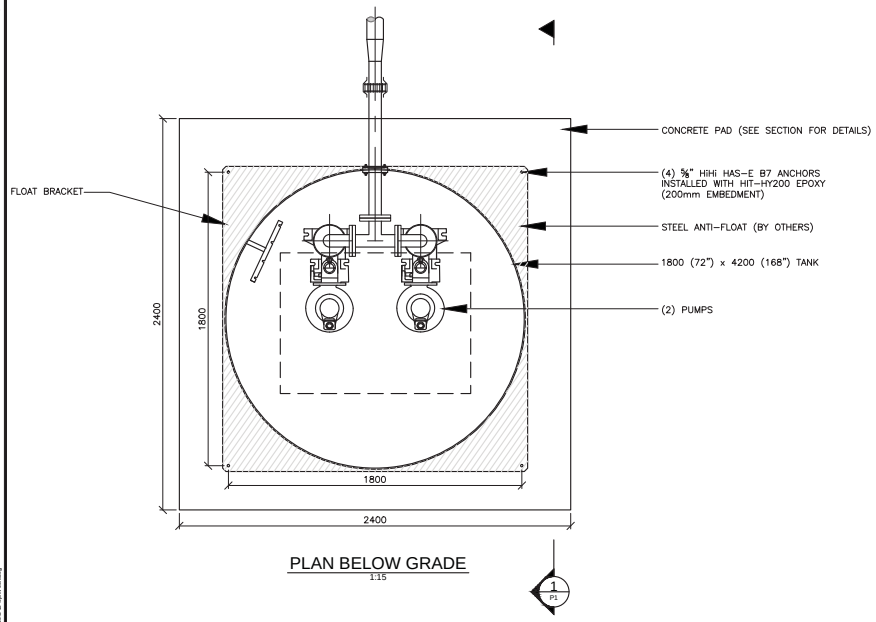
MISCELLANEOUS DETAILS

PROJECT NO. 17-6843-3000
SHEET NO. U-5

DILLON CONSULTING LIMITED 3200 DEZIEL DRIVE, SUITE 608, WINDSOR, ONTARIO, N8W 5K8, PHONE (519) 948-5000, FAX (519) 948-5054



PLAN ABOVE GRADE
1:15



PLAN BELOW GRADE
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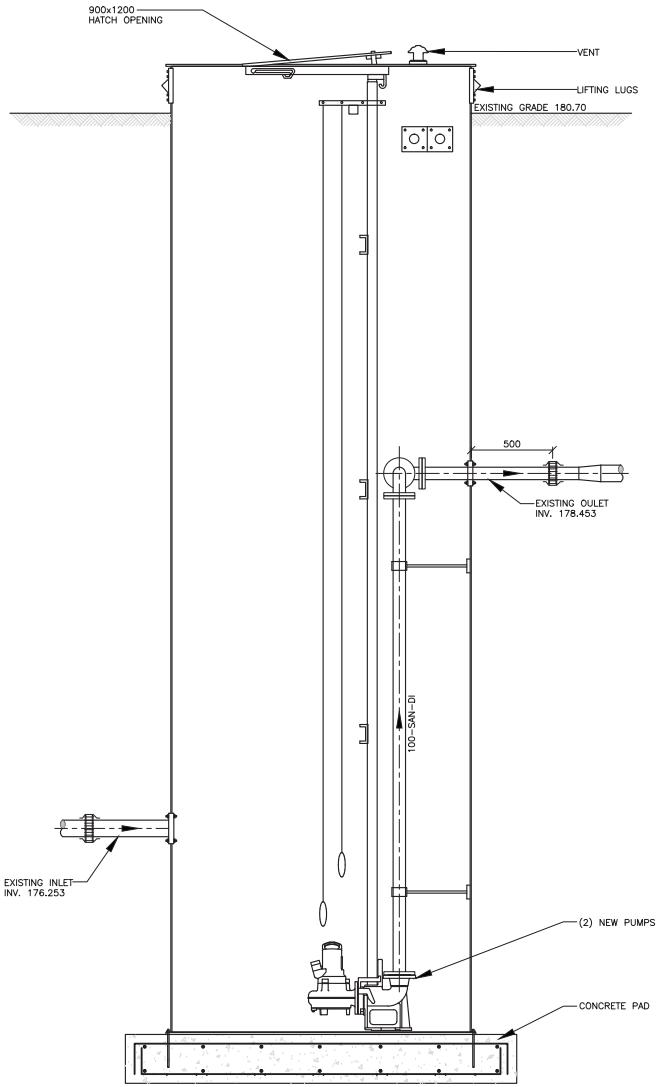

1 P1 SECTION
1:10

FIBERGLASS BASIN PACKAGES INCLUDES:

QTY 2 – SULZER ABS SUBMERSIBLE PIMP MODEL AS0830.D130-S10/4W, 1.3 HP, 1700 RPM, 230/1/60, 10m CABLE, CAST IRON CONSTRUCTION, VORTEX IMPELLER, HEAT AND SEAL PROTECTION, DN80 DISCHARGE.

QTY 1 – FIBERGLASS BASIN: 72" (1800mm) DIAMETER x 168" (4200mm) DEPTH FIBERGLASS BASIN – 3" ANTI-FLOTATION FLANGES & (4) STEEL LIFTING LUGS BOLTED AT EVERY 45 DEGREES. GAS TIGHT .375 STEEL HINGED ACCESS COVER – STEEL-POWDER COATED MUSHROOM VENT & NIPPLE SHIPPED LOOSE, DISCHARGE PIPING, 1-1/4" 304 STAINLESS STEEL, (1) 1-1/4" SS TEE W/ 2" X 1-1/4" REDUCER, (2) 1-1/4" C.I. MODEL 208 BALL CHECK VALVE W/ PVC AIR BLEEDER-ANTI-SYPHON VALVES, (2) 304 STAINLESS STEEL GUIDE RAIL PIPE, (2) 1-1/4" QUARTER TURN BRASS BALL SHUT-OFF VALVES, (2) ⅝" STAINLESS STEEL BALL VALVE EXTENSION ROD/HANDLE & SUPPORT BRACKETS, (2) 1-1/4" STAINLESS STEEL ELBOWS & TRUE UNION DISCONNECTS, (1) NEMA 4X DUPLEX JUNCTION BOX, (2) 20' 316 STAINLESS STEEL LIFTING CHAIN W/ ⅝" SHACKLES, (1) 2" STAINLESS STEEL NPT DISCHARGE COUPLING, (2) 2" NYLON NPT CONDUIT FLANGES, (4) FLOATS WITH 30' LENGTH.

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Town of Tecumseh
Ontario, Canada

DILLON CONSULTING

No.	ISSUED FOR	DATE	BY
1	EA Report	NOV 07/18	ACW

DESIGN: DCR/RBH | REVIEWED BY: ACW
DRAWN: RBH/DCR | CHECKED BY: DAM
DATE: October 17, 2018
SCALE: 1:75

Sylvestre Sanitary Sewer Extension
TOWN OF TECUMSEH

PROJECT NO. 17-6843-3000

NEW PUMPING STATION
PLAN AND SECTION

SHEET NO. P-1

DILLON CONSULTING LIMITED 3200 DEZIEL DRIVE, SUITE 608, WINDSOR, ONTARIO, N8W 5K8, PHONE (519) 948-8000, FAX (519) 948-5054

FILENAME: C:\PROJECTMISC\WORKING DIRECTORY\ACTIVE\32DCR\D0899964\17843-10-##PW--CON.DWG PLOTTED BY: RICE, DEAN

Windsor\Completed\working\Revit\central\32dcr.d0899964.17843-10-##pw--con.dwg

Appendix E

Cost Estimates

SYLVESTRE SANITARY SEWER EXTENSION OPTION A
TOWN OF TECUMSEH
ESTIMATE OF PROBABLE CONSTRUCTION COSTS

OPTION 'A'

3/12/2019

DETAILED SCHEDULE OF ITEMS AND PRICES:

ITEM NO.	DESCRIPTION	UNIT	EST. QTY.	UNIT PRICE	AMOUNT
SECTION 'A' - ROAD WORK					
1	Clearing, Grubbing, Stripping of Topsoil	L.S.	---	---	$10,000.00
2	Full Depth Asphalt/Concrete Pavement Removal and Disposal	m^2	5,950	$15.00	$89,250.00
3	Existing Driveway Removal and Disposal:				
	a) Asphalt Driveway	m^2	520	$8.00	$4,160.00
	b) Concrete Driveway	m^2	90	$10.00	$900.00
4	Earth Excavation and Grading:				
	a) Excavation of Existing Road Base	m^3	3,600	$20.00	$72,000.00
5	Granular "A" for Roadway Base and Shoulder (based on theoretical):				
	a) Road Base (450 mm thick)	Tonnes	6,500	$24.00	$156,000.00
	b) Shouldering (110 mm thick) after placement of surface course	Tonnes	500	$32.00	$16,000.00
*	c) Temporary Granular Access (300 mm thick) **(Provisional)**	Tonnes	200	$28.00	$5,600.00
6	150 mm dia. Big "O" Perforated Subdrains with Filter Cloth	m	1,700	$25.00	$42,500.00
7	Driveway Restoration Including Granular Base:				
	a) Asphalt Driveways (Base and Surface)	m^2	525	$95.00	$49,875.00
	b) Granular Driveways	m^2	740	$20.00	$14,800.00
	c) Concrete Driveways	m^2	90	$80.00	$7,200.00
8	Asphalt Pavement:				
	a) HL4 Surface Course (40 mm)	Tonnes	700	$125.00	$87,500.00
	b) HL8 Base Course (60 mm)	Tonnes	1,000	$125.00	$125,000.00
9	Asphalt Milling:				
	a) Cold Mill Asphalt 40 mm deep, 0.5 m wide for lap joint for base course	m^2	7	$150.00	$1,050.00
	b) Surface Asphalt Headers (40 mm depth), 2 m Wide	m^2	28	$65.00	$1,820.00
10	Asphalt Cement (Liquid Asphalt) Price Adjustment	Allow.	---	---	**$15,000.00**
11	Pavement Markings:				
	a) Permanent - At intersection of Manning Road only.	L.S.	---	---	$2,500.00
12	Dust Control:				
	a) Magnesium Chloride (25 kg bags)	Each	28	$100.00	$2,800.00
	b) Water	m^3	100	$12.00	$1,200.00
13	Traffic Control:				
	a) Construction Staging and Signage - maintain local business access	L.S.	---	---	$10,000.00
*	b) Two Portable Message Boards **(Provisional)**	Weeks	4	$650.00	$2,600.00
TOTAL SECTION 'A' - ROAD WORK					**$717,755.00**
SECTION 'B' - STORM SEWERS					
14	Catchbasins - NEW				
	a) 600mm dia HDPE boulevard Catchbasin	Each	5	$1,250.00	$6,250.00
TOTAL SECTION 'B' - STORM SEWERS					**$6,250.00**

*** PROVISIONAL ITEMS**

SYLVESTRE SANITARY SEWER EXTENSION OPTION A
TOWN OF TECUMSEH
ESTIMATE OF PROBABLE CONSTRUCTION COSTS

OPTION 'A'

3/12/2019

DETAILED SCHEDULE OF ITEMS AND PRICES:

ITEM			EST.	UNIT	
SECTION 'C' - SANITARY SEWERS					
15	Supply and Install Sanitary Sewers, open cut including full granular backfill:				
	a) 200mm dia. PVC DR 35	m	970	$300.00	$291,000.00
16	Supply and Install Sanitary Manholes:				
	a) 1200 mm dia.	Each	11	$9,000.00	$99,000.00
17	Sewer Video Inspection Allowance	m	970	$10.00	$9,700.00
18	Sanitary Private Drain Connections:				
	a) 150 mm dia. Long	Each	5	$2,000.00	$10,000.00
	b) 150 mm dia. Short	Each	10	$1,600.00	$16,000.00
TOTAL SECTION 'C' - SANITARY SEWERS					**$425,700.00**
SECTION 'D' - MISCELLANEOUS & PROVISIONAL					
19	Imported Topsoil (100 mm Thick)	m^2	12,000	$5.00	$60,000.00
20	Hydroseed and Mulch:				
	a) Supply and Place Hydroseed and Mulch	m^2	12,000	$2.00	$24,000.00
	b) Maintenance of Seed	L.S.	---	---	$10,000.00
21	Install Project Signs	Each	2	$700.00	$1,400.00
22	Temporary Support of Existing Utility Poles	Allow.	---	---	$3,000.00
23	Coordination With Utilities	L.S.	---	---	$2,000.00
24	Supply and Install Construction Hoarding	L.S.	---	---	$7,000.00
25	Erosion, and Sediment Control	L.S.	---	---	$2,500.00
26	Maintenance of Flows	L.S.	---	---	$3,000.00
27	Pre-condition Survey	L.S.	---	---	$2,000.00
28	Contingency Allowance	L.S.	---	---	**$120,000.00**
29	Storm sewer outlet to East Townline Drain (**Provisional**)	L.S.	---	---	$2,000.00
30	Big 'O' 300mm (**Provisional**)	m	25	$100.00	$2,000.00
31	Remove and Dispose of Existing Culverts (Various Sizes) (**Provisional)**	L.S.	---	---	$10,000.00
32	Supply and Install Storm Sewers, Including Backfill (**Provisional**):				
	a) 600mm dia. HDPE BOSS 2000	m	22	$400.00	$8,800.00
	b) 200mm dia. PVC DR-35	m	16	$200.00	$3,200.00
	c) 450mm dia. CSP	m	5	$300.00	$1,500.00
TOTAL SECTION 'D' - MISCELLANEOUS					**$238,900.00**

SUMMARY OF TENDER	
SECTION 'A' - ROAD WORK	$717,755.00
SECTION 'B' - STORM SEWERS	$6,250.00
SECTION 'C' - SANITARY SEWERS	$425,700.00
SECTION 'D' - MISCELLANEOUS	$238,900.00
TOTAL TENDER PRICE (Excluding H.S.T.)	**$1,388,605.00**

Construction Cost Excluding Roadwork, storm, provisional items and easements $523,350.00

*** PROVISIONAL ITEMS**

SYLVESTRE SANITARY SEWER EXTENSION OPTION B
TOWN OF TECUMSEH
ESTIMATE OF PROBABLE CONSTRUCTION COSTS

OPTION 'B'

3/12/2019

DETAILED SCHEDULE OF ITEMS AND PRICES:

ITEM NO.	DESCRIPTION	UNIT	EST. QTY.	UNIT PRICE	AMOUNT
SECTION 'A' - ROAD WORK					
1	Clearing, Grubbing, Stripping of Topsoil	L.S.	---	---	$10,000.00
2	Full Depth Asphalt/Concrete Pavement Removal and Disposal	m^2	5,950	$15.00	$89,250.00
3	Existing Driveway Removal and Disposal:				
	a) Asphalt Driveway	m^2	520	$8.00	$4,160.00
	b) Concrete Driveway	m^2	90	$10.00	$900.00
4	Earth Excavation and Grading:				
	a) Excavation of Existing Road Base	m^3	3,600	$20.00	$72,000.00
5	Granular "A" for Roadway Base and Shoulder (based on theoretical):				
	a) Road Base (450 mm thick)	Tonnes	6,500	$24.00	$156,000.00
	b) Shouldering (110 mm thick) after placement of surface course	Tonnes	500	$32.00	$16,000.00
*	c) Temporary Granular Access (300 mm thick) **(Provisional)**	Tonnes	200	$28.00	$5,600.00
6	150 mm dia. Big "O" Perforated Subdrains with Filter Cloth	m	1,700	$25.00	$42,500.00
7	Driveway Restoration Including Granular Base:				
	a) Asphalt Driveways (Base and Surface)	m^2	525	$95.00	$49,875.00
	b) Granular Driveways	m^2	740	$20.00	$14,800.00
	c) Concrete Driveways	m^2	90	$80.00	$7,200.00
8	Asphalt Pavement:				
	a) HL4 Surface Course (40 mm)	Tonnes	700	$125.00	$87,500.00
	b) HL8 Base Course (60 mm)	Tonnes	1,000	$125.00	$125,000.00
9	Asphalt Milling:				
	a) Cold Mill Asphalt 40 mm deep, 0.5 m wide for lap joint for base course	m^2	7	$150.00	$1,050.00
	b) Surface Asphalt Headers (40 mm depth), 2 m Wide	m^2	28	$65.00	$1,820.00
10	Asphalt Cement (Liquid Asphalt) Price Adjustment	Allow.	---	---	**$15,000.00**
11	Pavement Markings:				
	a) Permanent - At intersection of Manning Road only.	L.S.	---	---	$2,500.00
12	Dust Control:				
	a) Magnesium Chloride (25 kg bags)	Each	28	$100.00	$2,800.00
	b) Water	m^3	100	$12.00	$1,200.00
13	Traffic Control:				
	a) Construction Staging and Signage - maintain local business access	L.S.	---	---	$10,000.00
*	b) Two Portable Message Boards **(Provisional)**	Weeks	4	$650.00	$2,600.00
TOTAL SECTION 'A' - ROAD WORK					**$717,755.00**
SECTION 'B' - STORM SEWERS					
14	Catchbasins - NEW				
	a) 600mm dia HDPE boulevard Catchbasin	Each	5	$1,250.00	$6,250.00
TOTAL SECTION 'B' - STORM SEWERS					**$6,250.00**

*** PROVISIONAL ITEMS**

SYLVESTRE SANITARY SEWER EXTENSION OPTION B
TOWN OF TECUMSEH
ESTIMATE OF PROBABLE CONSTRUCTION COSTS

OPTION 'B'

3/12/2019

DETAILED SCHEDULE OF ITEMS AND PRICES:

SECTION 'C' - SANITARY SEWERS					
15	Supply and Install Sanitary Sewers, open cut including full granular backfill: a) 200mm dia. PVC DR 35	m	360	$300.00	$108,000.00
	b) 50mm dia. PVC SDR 26 (E/One System) Including all fittings and bends and connection to manhole	m	280	$150.00	$42,000.00
	c) 32mm dia. PVC SDR 26 (E/One System) connection from pump to main; including all neccesary fittings	Each	4	$1,500.00	$6,000.00
16	Supply and Install Sanitary Manholes: a) 1200 mm dia.	Each	4	$9,000.00	$36,000.00
17	E/One DH071 Grinder Pump with Installation and Connection to existing	Each	4	$7,000.00	$28,000.00
18	Sewer Video Inspection Allowance	m	640	$10.00	$6,400.00
19	Sanitary Private Drain Connections: a) 150 mm dia. Long	Each	5	$2,000.00	$10,000.00
	b) 150 mm dia. Short	Each	6	$1,600.00	$9,600.00
TOTAL SECTION 'C' - SANITARY SEWERS					**$246,000.00**
SECTION 'D' - MISCELLANEOUS & PROVISIONAL					
20	Imported Topsoil (100 mm Thick)	m^2	6,000	$5.00	$30,000.00
21	Hydroseed and Mulch: a) Supply and Place Hydroseed and Mulch	m^2	6,000	$2.00	$12,000.00
	b) Maintenance of Seed	L.S.	---	---	$10,000.00
22	Install Project Signs	Each	2	$700.00	$1,400.00
23	Temporary Support of Existing Utility Poles	Allow.	---	---	$3,000.00
24	Coordination With Utilities	L.S.	---	---	$2,000.00
25	Supply and Install Construction Hoarding	L.S.	---	---	$7,000.00
26	Erosion, and Sediment Control	L.S.	---	---	$2,500.00
27	Maintenance of Flows	L.S.	---	---	$3,000.00
28	Pre-condition Survey	L.S.	---	---	$2,000.00
29	Contingency Allowance	L.S.	---	---	**$120,000.00**
30	Storm sewer outlet to East Townline Drain (**Provisional**)	L.S.	---	---	$2,000.00
31	Big 'O' 300mm (**Provisional**)	m	25	$100.00	$2,000.00
32	Remove and Dispose of Existing Culverts (Various Sizes) (**Provisional**)	L.S.	---	---	$10,000.00
33	Supply and Install Storm Sewers, Including Backfill (**Provisional**): a) 600mm dia. HDPE BOSS 2000	m	22	$400.00	$8,800.00
	b) 200mm dia. PVC DR-35	m	16	$200.00	$3,200.00
	c) 450mm dia. CSP	m	5	$300.00	$1,500.00
TOTAL SECTION 'D' - MISCELLANEOUS					**$196,900.00**

SUMMARY OF TENDER	
SECTION 'A' - ROAD WORK	$717,755.00
SECTION 'B' - STORM SEWERS	$6,250.00
SECTION 'C' - SANITARY SEWERS	$246,000.00
SECTION 'D' - MISCELLANEOUS	$196,900.00
TOTAL TENDER PRICE (Excluding H.S.T.)	**$1,166,905.00**

Construction Cost Excluding Roadwork, storm, provisional items and easements $301,650.00

*** PROVISIONAL ITEMS**

SYLVESTRE SANITARY SEWER EXTENSION OPTION C
TOWN OF TECUMSEH
ESTIMATE OF PROBABLE CONSTRUCTION COSTS

OPTION 'C'

3/12/2019

DETAILED SCHEDULE OF ITEMS AND PRICES:

ITEM NO.	DESCRIPTION	UNIT	EST. QTY.	UNIT PRICE	AMOUNT
SECTION 'A' - ROAD WORK					
1	Clearing, Grubbing, Stripping of Topsoil	L.S.	---	---	$10,000.00
2	Full Depth Asphalt/Concrete Pavement Removal and Disposal	m^2	5,950	$15.00	$89,250.00
3	Existing Driveway Removal and Disposal:				
	a) Asphalt Driveway	m^2	520	$8.00	$4,160.00
	b) Concrete Driveway	m^2	90	$10.00	$900.00
4	Earth Excavation and Grading:				
	a) Excavation of Existing Road Base	m^3	3,600	$20.00	$72,000.00
5	Granular "A" for Roadway Base and Shoulder (based on theoretical):				
	a) Road Base (450 mm thick)	Tonnes	6,500	$24.00	$156,000.00
	b) Shouldering (110 mm thick) after placement of surface course	Tonnes	500	$32.00	$16,000.00
*	c) Temporary Granular Access (300 mm thick) **(Provisional)**	Tonnes	200	$28.00	$5,600.00
6	150 mm dia. Big "O" Perforated Subdrains with Filter Cloth	m	1,700	$25.00	$42,500.00
7	Driveway Restoration Including Granular Base:				
	a) Asphalt Driveways (Base and Surface)	m^2	525	$95.00	$49,875.00
	b) Granular Driveways	m^2	740	$20.00	$14,800.00
	c) Concrete Driveways	m^2	90	$80.00	$7,200.00
8	Asphalt Pavement:				
	a) HL4 Surface Course (40 mm)	Tonnes	700	$125.00	$87,500.00
	b) HL8 Base Course (60 mm)	Tonnes	1,000	$125.00	$125,000.00
9	Asphalt Milling:				
	a) Cold Mill Asphalt 40 mm deep, 0.5 m wide for lap joint for base course	m^2	7	$150.00	$1,050.00
	b) Surface Asphalt Headers (40 mm depth), 2 m Wide	m^2	28	$65.00	$1,820.00
10	Asphalt Cement (Liquid Asphalt) Price Adjustment	Allow.	---	---	**$15,000.00**
11	Pavement Markings:				
	a) Permanent - At intersection of Manning Road only.	L.S.	---	---	$2,500.00
12	Dust Control:				
	a) Magnesium Chloride (25 kg bags)	Each	28	$100.00	$2,800.00
	b) Water	m^3	100	$12.00	$1,200.00
13	Traffic Control:				
	a) Construction Staging and Signage - maintain local business access	L.S.	---	---	$10,000.00
*	b) Two Portable Message Boards **(Provisional)**	Weeks	4	$650.00	$2,600.00
TOTAL SECTION 'A' - ROAD WORK					**$717,755.00**
SECTION 'B' - STORM SEWERS					
14	Catchbasins - NEW				
	a) 600mm dia HDPE boulevard Catchbasin	Each	5	$1,250.00	$6,250.00
TOTAL SECTION 'B' - STORM SEWERS					**$6,250.00**

*** PROVISIONAL ITEMS**

SYLVESTRE SANITARY SEWER EXTENSION OPTION C
TOWN OF TECUMSEH
ESTIMATE OF PROBABLE CONSTRUCTION COSTS

OPTION 'C'

3/12/2019

DETAILED SCHEDULE OF ITEMS AND PRICES:

SECTION 'C' - SANITARY SEWERS					
15	Supply and Install Sanitary Sewers, open cut including full granular backfill:				
	a) 200mm dia. PVC DR 35	m	430	$300.00	$129,000.00
	Supply and install sanitary sewers, trenchless HDD (Manning Road frontage)				
	a) 200mm dia. PVC DR 35	m	210	$450.00	$94,500.00
16	Supply and Install Sanitary Manholes:				
	a) 1200 mm dia.	Each	8	$9,000.00	$72,000.00
	Sanitary Pump Station	Each	1	$70,000.00	$70,000.00
17	Sewer Video Inspection Allowance	m	640	$10.00	$6,400.00
18	Sanitary Private Drain Connections:				
	a) 150 mm dia. Long	Each	5	$2,000.00	$10,000.00
	b) 150 mm dia. Short	Each	10	$1,600.00	$16,000.00
TOTAL SECTION 'C' - SANITARY SEWERS					**$397,900.00**
SECTION 'D' - MISCELLANEOUS & PROVISIONAL					
19	Imported Topsoil (100 mm Thick)	m^2	6,000	$5.00	$30,000.00
20	Hydroseed and Mulch:				
	a) Supply and Place Hydroseed and Mulch	m^2	6,000	$2.00	$12,000.00
	b) Maintenance of Seed	L.S.	---	---	$10,000.00
21	Install Project Signs	Each	2	$700.00	$1,400.00
22	Temporary Support of Existing Utility Poles	Allow.	---	---	$3,000.00
23	Coordination With Utilities	L.S.	---	---	$2,000.00
24	Supply and Install Construction Hoarding	L.S.	---	---	$7,000.00
25	Erosion, and Sediment Control	L.S.	---	---	$2,500.00
26	Maintenance of Flows	L.S.	---	---	$3,000.00
27	Pre-condition Survey	L.S.	---	---	$2,000.00
28	Contingency Allowance	L.S.	---	---	**$120,000.00**
29	Storm sewer outlet to East Townline Drain (**Provisional**)	L.S.	---	---	$2,000.00
30	Big 'O' 300mm PROVISIONAL	m	25	$100.00	$2,000.00
31	Remove and Dispose of Existing Culverts (Various Sizes)(**Provisional)**	L.S.	---	---	$10,000.00
32	Supply and Install Storm Sewers, Including Backfill (**Provisional)**:				
	a) 600mm dia. HDPE BOSS 2000	m	22	$400.00	$8,800.00
	b) 200mm dia. PVC DR-35	m	16	$200.00	$3,200.00
	c) 450mm dia. CSP	m	5	$300.00	$1,500.00
TOTAL SECTION 'D' - MISCELLANEOUS					**$196,900.00**

SUMMARY OF TENDER	
SECTION 'A' - ROAD WORK	$717,755.00
SECTION 'B' - STORM SEWERS	$6,250.00
SECTION 'C' - SANITARY SEWERS	$397,900.00
SECTION 'D' - MISCELLANEOUS	$196,900.00
TOTAL TENDER PRICE (Excluding H.S.T.)	**$1,318,805.00**

Construction Cost Excluding Roadwork, storm, provisional items and easements $453,550.00

*** PROVISIONAL ITEMS**

Appendix F

Consultation Summary

Town of Tecumseh Contact List

Sylvestre Street EA

Sal.	Surname	First Name	Organization	Department	Title	Address	City	Province	Postal Code	Tel.	E-Mail
Elected Officals											
Mr.	Mcnamara	Gary	Town of Tecumseh		Mayor	917 Lesperance Road	Tecumseh	ON	N8N 1W9	(519) 735-2184	gmcnamara@tecumseh.ca
Mr.	Bachetti	Joe	Town of Tecumseh		Deputy Mayor	917 Lesperance Road	Tecumseh	ON	N8N 1W9	(519) 979-3339	jbachetti@tecumseh.ca
Mr.	Dowie	Andrew	Town of Tecumseh		Ward 1 Councillor	917 Lesperance Road	Tecumseh	ON	N8N 1W9	(226) 773-1910	adowie@tecumseh.ca
Ms.	Ossington	Rita	Town of Tecumseh		Ward 1 Councillor	917 Lesperance Road	Tecumseh	ON	N8N 1W9	(519) 735-8251	rossington@tecumseh.ca
Mr.	Altenhof	Bill	Town of Tecumseh		Ward 2 Councillor	917 Lesperance Road	Tecumseh	ON	N8N 1W9	(519) 818-1067	baltenhof@tecumseh.ca
Mr.	Houston	Brian	Town of Tecumseh		Ward 3 Councillor	917 Lesperance Road	Tecumseh	ON	N8N 1W9	(519) 819-5782	bhouston@tecumseh.ca
Ms.	Jobin	Tania	Town of Tecumseh		Ward 4 Councillor	917 Lesperance Road	Tecumseh	ON	N8N 1W9	(519) 791-4213	tjobin@tecumseh.ca
Town of Tecumseh											
Ms.	Moy	Laura	Town of Tecumseh		Director of Staff Services & Clerk	917 Lesperance Road	Tecumseh	ON	N8N 1W9	519-735-2184 ext 116	lmoy@tecumseh.ca
Mr.	Bartnik	Phil	Town of Tecumseh		Manager Engineering Services	917 Lesperance Road	Tecumseh	ON	N8N 1W9	519-735-2184 ext 148	pbartnik@tecumseh.ca
Mr.	Piescic	Dan	Town of Tecumseh		Director Public Works & Environmental Services	917 Lesperance Road	Tecumseh	ON	N8N 1W9	519-735-2184 ext 140	dpiescic@tecumseh.ca
Mr.	Berthiaume	Denis	Town of Tecumseh		Manager Water & Wastewater	917 Lesperance Road	Tecumseh	ON	N8N 1W9	519-735-2184 ext 148	dberthiaume@tecumseh.ca
Mr.	McArdle	Kirby	Town of Tecumseh		Manager Roads & Fleet	917 Lesperance Road	Tecumseh	ON	N8N 1W9	519-735-2184 ext 144	kmcardle@tecumseh.ca
Ms.	Rorai	Paula	Town of Tecumseh		Tecumseh BIA Coordinator	1189 Lacasse Boulevard	Tecumseh	ON	N8N 2C7	519-735-3795	bia@tecumseh.ca
County of Essex											
Ms.	Brennan	Mary	County of Essex		Director of Council Services / Clerk	360 Fairview Avenue West, Suite 202	Essex	ON	N8M 1Y6	519-776-6441 ext 1335	clerk@countyofessex.on.ca
Mr.	Bateman	Tom	County of Essex	Engineering Department	County Engineer	360 Fairview Avenue West	Essex	ON	N8M 1Y6	519-776-6441 ext 1317	tbateman@countyofessex.on.ca
Provincial Agency Contacts											
Ms.	Hatcher	Laura	Ministry of Tourism, Culture, and Sport	Culture Services Unit, Programs and Services Branch	Team Lead - Heritage Land Use Planning	401 Bay Street, Suite 1700	Toronto	ON	M7A 0A7	(416) 314-3108	laura.e.hatcher@ontario.ca
Ms.	Manson-Smith	Rachel	Indigineous Relations and Reconciliation	Indigenous Relations and Programs Division	(Acting) Manager, Ministry Partnerships Unit	160 Bloor Street East, 9th Floor	Toronto	ON	M7A 2E6	(416)-325-7032	MAA.EA.Review@ontario.ca
Mr.	Newton	Craig	Ministry of the Environment, Climate Change and Parks	Southwestern Region, London Regional Office	Environmental Planner	733 Exeter Road	London	ON	N6E 1L3	(519)-873-5014	craig.newton@ontario.ca
Ms.	Paller	Claire	Ministry of Natural Resources and Forestry	Aylmer District	(Acting) District Planner	615 John Street	Aylmer	ON	N5H 2S8	(519)-773-9241	claire.paller@ontario.ca
First Nations											
Chief	Henry	A. Myeengun	Chippewas of the Thames First Nation			320 Chippewa Road	Muncey	ON	N0L 1Y0	(519)-289-5555	Send Via Mail
Ms.	Burch	Fallon	Chippewas of the Thames First Nation		Consultation Coordinator	320 Chippewa Road	Muncey	ON	N0L 1Y0	(519)-289-2662	Send Via Mail
Chief	Bressette	Thomas	Chippewas of Kettle & Stony Point First Nation			6247 Indian Lane	Lambton Shores	ON	N0N 1J1	(519)-786-2125	Send Via Mail
Ms.	George	Valerie	Chippewas of Kettle & Stony Point First Nation		Consultation Coordinator	6247 Indian Lane	Lambton Shores	ON	N0N 1J1	(519)-786-2125	Send Via Mail
Chief	Rogers	Joanne	Chippewas of Aamjiwnaang			978 Tashmoo Avenue	Sarnia	ON	N7T 7H5	(519) 336-8410	Send Via Mail
Ms.	Johnston	Sharilyn	Chippewas of Aamjiwnaang		Environmental Coordinator	978 Tashmoo Avenue	Sarnia	ON	N7T 7H5	(519) 336-8410	Send Via Mail
Chief	Miskokomon	Daniel	Walpole Island First Nation			RR3	Wallaceburg	ON	N8A 4K9	(519)-627-1481	Send Via Mail
Chief	Hillier	Louise	Caldwell First Nation			P.O Box 388	Leamington	ON	N8H 3W3	(519) 322-1766	Send Via Mail
Chief	Peters	Greg	Moravian of the Thames			14760 School House Line, RR3	Thamesville	ON	N0P 2K0	(519) 692-3936	Send Via Mail
Ms.	Norheim Brookes	Linda	Metis Nation of Ontario		Manager, Lands, Resources and Consultations	75 Sherbourne Street	Toronto	ON	M5A 2P9	(416) 977-9881	Send Via Mail
			Southern First Nations Secretariat			22361 Austin Line	Bothwell	ON	N0P 1C0	(519) 692-5868	
Conservation Authority											
Mr.	Byrne	Tim	Essex Region Conservation Authority		Director, Watershed Management Services	360 Fairview Avenue West, Suite 311	Essex	ON	N8M 1Y6	(519) 776-5209 ext 350	tbyrne@erca.org
Mr.	Henderson	John	Essex Region Conservation Authority		Water Resources Engineer	360 Fairview Avenue West, Suite 311	Essex	ON	N8M 1Y6	(519) 776-5209 ext 246	jhenderson@erca.org
Mr.	Nelson	Mike	Essex Region Conservation Authority		Watershed Planner	360 Fairview Avenue West, Suite 311	Essex	ON	N8M 1Y6	(519) 776-5209	mnelson@erca.org
Emergency Services											
Mr.	Souchuk	Robin	Central Ambulance Communications Centre			4510 Rhodes Drive, Suite 320	Windsor	ON	N8W 5K5	519-256-2373	robin.souchuk@ontario.ca
Sergeant	Gruszka	Mike	Ontario Provincial Police	Essex County North Operations		963 Lesperance Road	Tecumseh	ON	N8N 1W9	519-728-1810	Ricardo.Tonial@opp.ca
Chief	Krauter	Bruce	Essex-Windsor EMS			360 Fairview Avenue West, Suite 115	Essex	ON	N8M 1Y6	519-776-6441 ext 2654	bkrauter@countyofessex.on.ca
Utilites											
Mr.	Cowing	Dave	Bell Canada		Access Network Coordinator	1149 Goyeau Street, Floor 1	Windsor	ON	N9A 1H9	519-973-6702	david.cowing@bell.ca
Mr.	Trepanier	Clifford	Bell Canada		Implementation Specialist	1149 Goyeau Street, Floor 1	Windsor	ON	N9A 1H9	519-973-6761	clifford.trepanier@bell.ca
Mr.	Sorrell	Bill	Cogeco Cable Solutions		Planning Leadhand - West Region	2525 Dougall Ave.	Windsor	ON	N8X 5A7	519-972-4013	bill.sorrell@cogeco.com
Mr.	Hartleib	Dave	MNSI		Network Planner	3363 Tecumseh Road East	Windsor	ON	N8W 1H4	519-985-8435	hartleib@mnsi.net
Ms.	Faflak	Carolyn	Hydro One Networks Inc.			56 Embro Street	Beachville	ON	N0J 1A0	(519) 423-6921	z1planning@hydroone.com
No Contact - Send to General Email			Hydro One	Real Estate Services / Land Use Planning		P.O. Box 4300	Markham	ON	L3R 5Z5		WesternFBCPlanning@hydroone.com
Mr.	Alzner	Mark	Essex Power Lines		Engineering & Asset Manager	2730 Highway 3	Oldcastle	ON	N0R 1L0	519-737-6640	malzner@essexpowerlines.ca
Mr.	Tracey	Ray	Essex Power Services		CEO	2730 Highway 3	Oldcastle	ON	N0R 1L0	519-737-6640	rtracey@essexpowerlines.ca
Ms.	Patrick	Mary Jane	Union Gas	Lands Department		50 Keil Drive North	Chatham	ON	N7M 5M1	519-436-4600	ontugllandsing@uniongas.com
Mr.	Quennville	Neil	Union Gas		Manager, Construction and Growth	3840 Rhodes Drive	Windsor	ON	N9A 6N7	519-251-6812 ext 529812	NQuenneville@uniongas.com
Mr.	Ceccacci	Will	Union Gas		Construction Project Manager	3840 Rhodes Drive	Windsor	ON	N9A 6N7	519-251-6810	wceccacci@uniongas.com
Mr.	MacAulay	Norm	Elk Energy Inc.		Operations Manager	172 Forest Avenue	Essex	ON	N8M 3E4	519-776-5291	nmacaulay@elkenergy.com

Town of Tecumseh Contact List

Sylvestre Street EA

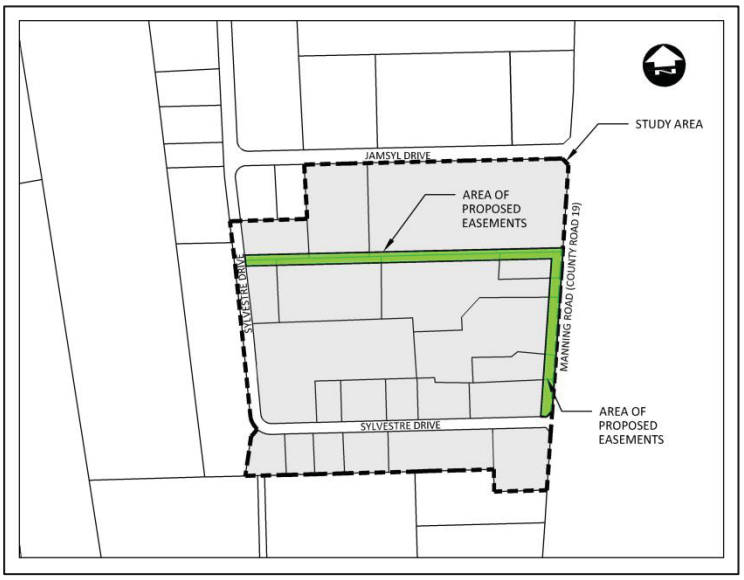
Sal.	Surname	First Name	Organization	Department	Title	Address	City	Province	Postal Code	Tel.	E-Mail
Ms.	Rapin	Susan	Ontario Power Generation Inc.	Law & Development	Director of Environmental Services	700 University Avenue	Toronto	ON	M5G 1X6	416-592-6399	susan.rapin@opg.com
Mr.	Petruk	Robert D.	Gosfield North Communications Co-operative Limited		Chief Executive and Technology Officer	128 County Road 34	Cottam	ON	N0R 1B0	519-839-4734	rob.petruk@gosfieldtel.ca
Mr.	Poggio	Norbert	Windsor Utilities Commission		Director, Water Engineering	787 Ouellette Avenue, P.O. Box 1625, Station A	Windsor	ON	N9A 5T7	519-251-7300	npoggio@enwin.com
Property Owners											
			1560896 ONTARIO INC			13380 SYLVESTRE DR RR 1	WINDSOR	ON	N8N 2L9		
			2211211 ONTARIO LIMITED			735 BRENDA CRES	TECUMSEH	ON	N8N 2L9		
			2402448 ONTARIO INC			13315 SYLVESTRE DR	TECUMSEH	ON	N8N 2L9		
			7264119 CANADA COPORATION			1592 OAKWOOD AVE	BELLE RIVER	ON	N0R 1A0		
			CLK MACHINING LTD			385 SACRED HEART DR	LASALLE	ON	N9J 1T1		
			DC HOLDINGS LTD.			3342 GUNDY PARK	WINDSOR	ON	N9E 4R5		
			DIESEL ROOFING & SIDING INC. ATTN: D. & I BIGRAS			1428 ARGYLE RD	WINDSOR	ON	N8Y 3K7		
			JAMES SYLVESTRE DEVELOPMENTS LTD			1865 MANNING RD RR1	WINDSOR	ON	N8N 2L9		
			JAMSYL GROUP INC			1865 MANNING RD	WINDSOR	ON	N8N 2L9		
			JAMSYL GROUP INC LIMITED PARTNERSHIP			1847 MANNING RD	WINDSOR	ON	N8N 2L9		
			JSNC HOLDINGS INC			1865 MANNING RD RR1	TECUMSEH	ON	N8N 2L9		
			J Y INTERNATIONAL INC			13335 SYLVESTRE DR	TECUMSEH	ON	N8N 2L9		
	[redacted]	[redacted]				1845 MANNING RD RR1, STN TECUMSEH	WINDSOR	ON	N8N 2L9		

Notice of Study Commencement

Corporation of the Town of Tecumseh
Sylvestre Drive Sanitary Sewer Extension
Class Environmental Assessment

The Corporation of the Town of Tecumseh has retained Dillon Consulting Limited to complete the Preliminary Design and Municipal Class Environmental Assessment (EA) for the extension of sanitary sewers to service a portion of the Sylvestre Industrial Park Area that is generally located on Sylvester Drive, south of Jamsyl Drive, and west of Manning Road. Permanent sanitary sewer easements must be established on private property across a portion of the areas highlighted as *"Area of Proposed Easements"* in order to connect the proposed sanitary sewers from the Study Area to the existing local sanitary sewer located on Sylvestre Drive. Preliminary Design will also be completed for the reconstruction of Sylvestre Drive between Manning Road and Jamsyl Drive, including local storm drainage improvements.

This study will follow the process outlined in the Municipal Class Environmental Assessment (2015) for a Schedule B undertaking. The process involves developing and evaluating alternative alignments for permanent sanitary sewer easements and temporary working easements on private property in the *"Area of Proposed Easements"*, assessing potential environmental impacts, and public and agency consultation. Directly affected property owners will be contacted to review these alternatives in further detail.



The results of the study will be documented in a Project File Report that will be available for a 30-day public review period at the conclusion of this study.

Public Comments Invited

At any time during this study, interested persons have an opportunity to provide comments, questions or concerns to the study team. Information will be collected in accordance with the Municipal Freedom of Information and Protection of Privacy Act. With the exception of personal information, all comments will become part of the public record and will be included in the final Project File Report.

To provide comments or for further information on this project, please contact:

Flavio Forest, P.Eng.
Project Manager
Dillon Consulting Limited
3200 Deziel Drive, Suite 608
Windsor, Ontario, N8W 5K8
Phone: 519-948-4243, ext. 3233
Email: SylvestreEA@dillon.ca

Phil Bartnik, P.Eng.
Manager, Engineering Services
Town of Tecumseh
917 Lesperance Road
Tecumseh, Ontario, N8N 1W9
Phone: 519-735-2184, ext. 148
Email: pbartnik@tecumseh.ca

Our file: 17-6843

March 13, 2018

Covering letter sent to contact list with
Notice of Study Commencement

DILLON CONSULTING

3200 Deziel Drive
Suite 608
Windsor, Ontario
Canada
N8W 5K8
Telephone
519.948.5000
Fax
519.948.5054

Notice of Study Commencement
Sylvestre Industrial Park Area Sanitary Sewer Extension
Class Environmental Assessment

Dear Stakeholder:

As outlined in the attached notice, the Town of Tecumseh has retained Dillon Consulting Limited to complete the Preliminary Design and Municipal Class Environmental Assessment (EA) for the extension of sanitary sewers to service a portion of the Sylvestre Industrial Park Area. Permanent sanitary sewer easements must be established on private property across a portion of the areas highlighted as *"Area of Proposed Easements"* in order to connect the proposed sanitary sewers from the Study Area to the existing local sanitary sewer located on Sylvestre Drive. Preliminary Design will also be completed for the reconstruction of Sylvestre Drive between Manning Road and Jamsyl Drive, including storm drainage local improvements and any necessary utility improvements that may be required.

The Study will follow the process outlined in the Municipal Class Environmental Assessment (2015) for a Schedule B undertaking. During the study, interested persons are encouraged to provide comments or concerns to the study team, as described in the attached notice.

Yours sincerely,

DILLON CONSULTING LIMITED

Flavio R. Forest, P.Eng.
Project Manager

AMF:ks
Encl.
cc: Mr. Phil Bartnik, P.Eng. - Town of Tecumseh

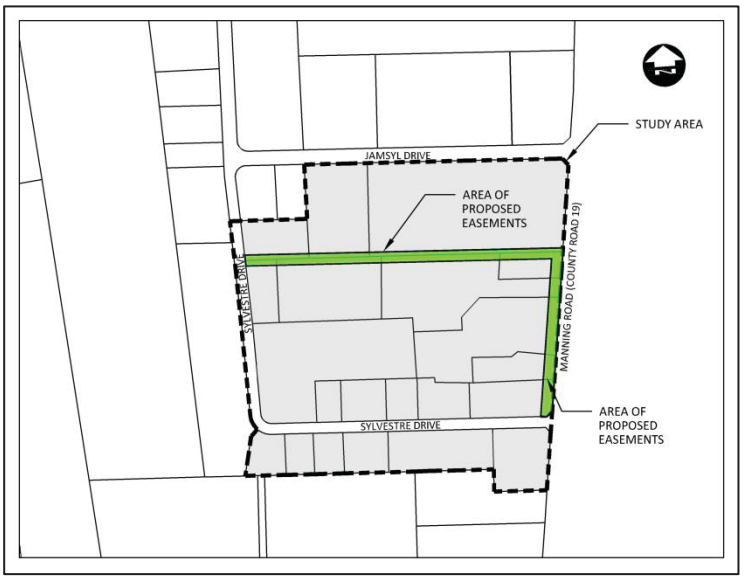
Dillon Consulting Limited

Notice of Study Commencement

Corporation of the Town of Tecumseh
Sylvestre Drive Sanitary Sewer Extension
Class Environmental Assessment

The Corporation of the Town of Tecumseh has retained Dillon Consulting Limited to complete the Preliminary Design and Municipal Class Environmental Assessment (EA) for the extension of sanitary sewers to service a portion of the Sylvestre Industrial Park Area that is generally located on Sylvester Drive, south of Jamsyl Drive, and west of Manning Road. Permanent sanitary sewer easements must be established on private property across a portion of the areas highlighted as *"Area of Proposed Easements"* in order to connect the proposed sanitary sewers from the Study Area to the existing local sanitary sewer located on Sylvestre Drive. Preliminary Design will also be completed for the reconstruction of Sylvestre Drive between Manning Road and Jamsyl Drive, including local storm drainage improvements.

This study will follow the process outlined in the Municipal Class Environmental Assessment (2015) for a Schedule B undertaking. The process involves developing and evaluating alternative alignments for permanent sanitary sewer easements and temporary working easements on private property in the *"Area of Proposed Easements"*, assessing potential environmental impacts, and public and agency consultation. Directly affected property owners will be contacted to review these alternatives in further detail.



The results of the study will be documented in a Project File Report that will be available for a 30-day public review period at the conclusion of this study.

Public Comments Invited

At any time during this study, interested persons have an opportunity to provide comments, questions or concerns to the study team. Information will be collected in accordance with the Municipal Freedom of Information and Protection of Privacy Act. With the exception of personal information, all comments will become part of the public record and will be included in the final Project File Report.

To provide comments or for further information on this project, please contact:

Flavio Forest, P.Eng.
Project Manager
Dillon Consulting Limited
3200 Deziel Drive, Suite 608
Windsor, Ontario, N8W 5K8
Phone: 519-948-4243, ext. 3233
Email: SylvestreEA@dillon.ca

Phil Bartnik, P.Eng.
Manager, Engineering Services
Town of Tecumseh
917 Lesperance Road
Tecumseh, Ontario, N8N 1W9
Phone: 519-735-2184, ext. 148
Email: pbartnik@tecumseh.ca

Ministry of the Environment and Climate Change

733 Exeter Road
London ON N6E 1L3
Tel': 519 873-5000
Fax: 519 873-5020

Ministère de l'Environnement et de l'Action en matière de changement climatique

733, rue Exeter
London ON N6E 1L3
Tél.: 519 873-5000
Fax: 519 873-5020

Ontario

March 23, 2018

Town of Tecumseh
917 Lesperance Road
Tecumseh, ON N8N 1W9

Attention: Phil Bartnik, Manager Engineering Services

Re: Class EA for the Sanitary Sewer Extension at the Sylvestre Industrial Park

Dear Phil Bartnik:

This letter acknowledges this ministry's receipt of the Notice of Commencement for the above noted project.

It is this ministry's understanding that the Town of Tecumseh is initiating a Class EA process to extend the sanitary sewers to service a portion of Sylvestre Industrial Park.

As you know, the Class Environmental Assessment (Class EA) planning process includes consultation with interested stakeholders, evaluation of alternatives, assessment of the effects of the proposed works and identification of measures to mitigate any adverse impacts.

Source Water Protection

As per the recent amendments to the Municipal Engineers Association (MEA) Class Environmental Assessment parent document approved October 2015, proponents undertaking a Municipal Class EA project must identify early in the process whether a project is occurring within a source water protection vulnerable area. This must be clearly documented in a Project File report or ESR. If the project is occurring in a vulnerable area, then there may be policies in the local Source Protection Plan (SPP) that need to be addressed (requirements under the *Clean Water Act*). The proponent should contact and consult with the appropriate Conservation Authority/Source Protection Authority (CA/SPA) to discuss potential considerations and policies in the SPP that apply to the project.

Please include a section in the report on Source Water Protection. Specifically, it should discuss whether or not the project is located in a vulnerable area or changes or creates new vulnerable areas, and provide applicable details about the area. If located in a vulnerable area, proponents should document whether any project activities are a prescribed drinking water threat and thus pose a risk to drinking water (this should be consulted on with the appropriate CA/SPA). Where an activity poses a risk to drinking water, the proponent must document and discuss in the Project File Report/ESR how the project adheres to or has regard to applicable policies in the local SPP. If creating or changing a vulnerable area, proponents should document whether any existing uses or activities may potentially be affected by the implementation of source protection policies. This section should then be used to inform and should be reflected in other sections of the report, such as the identification of net positive/ negative effects of alternatives, mitigation measures, evaluation of alternatives etc. As a note, even if the project activities in a vulnerable

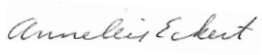
area are deemed not to be a drinking water risk, there may be other policies that apply and so consultation with the local CA/SPA is important.

Conclusion

Thank you for the opportunity to comment on this project. Please keep this office fully informed of the status of this project as it proceeds through the Class EA process.

Please send all future correspondence with respect to this project to my attention, as I am this ministry's one window contact for this project: Anneleis Eckert, Regional Environmental Planner / Regional EA Coordinator at the address below; email address: anneleis.eckert@ontario.ca ; telephone number: 519-873-5115.

Yours truly,



Anneleis Eckert
Regional Environmental Planner / Regional EA Coordinator
Ministry of Environment and Climate Change
733 Exeter Road
London ON, N6E 1L3
519-873-5115

Copy:
Flavio Forest, Dillon Consulting
Mark Smith, MOECC
Marc Bouchard, MOECC

DILLON CONSULTING

Durocher, Maggie <mdurocher@dillon.ca>

MNRF Comments: Sylvestre Industrial Park Area Sanitary Sewer Extension

1 message

MNRF Ayl Planners (MNRF) <MNRF.Ayl.Planners@ontario.ca> Fri, Mar 23, 2018 at 2:50 PM
To: "SylvestreEA@dillon.ca" <SylvestreEA@dillon.ca>

Ministère des Richesses naturelles et des Forêts

Ontario

Ministry of Natural

Resources and Forestry

615, rue John Nord

Aylmer ON N5H 2S8

Tél: 519-773-9241

Téléc: 519-773-9014

615 John Street North

Aylmer, ON N5H 2S8

Tel: 519-773-9241

Fax: 519-773-9014

March 23, 2018

Flavio Forest, Project Manager

Dillon Consulting Limited

3200 Deziel Drive, Suite 608

Windsor, ON N8W 5K8

Subject: Sylvestre Industrial Park Area Sanitary Sewer Extension – Notice of Study Commencement

Dear Mr. Forest,

Ministry of Natural Resources and Forestry (MNRF) Aylmer District received the Notice of Study Commencement for the Sylvestre Industrial Park Area sanitary sewer extension on March 21, 2018. Thank for you for circulating this notice to our office, however, **please note that we have not completed a screening of natural heritage (including species at risk) or other resource values for the project at this time**. Please also note that it is your responsibility to be aware of and comply with all relevant federal or provincial legislation, municipal by-laws or other agency approvals.

This response provides information to guide you in identifying and assessing natural features and resources as required by applicable policies and legislation, and engaging with MNRF Aylmer District for advice as needed.

Natural Heritage & Endangered Species Act

- Please refer to Aylmer District's *Species at Risk Screening Process Technical Bulletin* (attached) for information about the process for seeking *Endangered Species Act 2007* advice, including the information required and where to submit a request.

Petroleum Wells & Oil, Gas and Salt Resource Act

There may be petroleum wells within the proposed project area. Please consult the Ontario Oil, Gas and Salt Resources Library website (www.ogsrlibrary.com) for the best known data on any wells recorded by MNRF. Please reference the 'Definitions and Terminology Guide' listed in the publications on the Library website in order to better understand the well information available. Any oil and gas wells in your project area are regulated by the *Oil, Gas and Salt Resource Act*, and the supporting regulations and operating standards. If any unanticipated wells are encountered during development of the project, or if the proponent has questions regarding petroleum operations, the proponent should contact the Petroleum Operations Section at 519-873-4634.

Public Lands Act & Lakes and Rivers Improvement Act

Some Municipal projects may be subject to the provisions of the *Public Lands Act* or *Lakes and Rivers Improvement Act*. Please review the information on MNRF's web pages provided below regarding when an approval is required or not. Please note that many of the authorizations issued under the *Lakes and Rivers Improvement Act* are administered by the local Conservation Authority.

- For more information about the *Public Lands Act*: https://www.ontario.ca/page/crown-land-work-permits
- For more information about the *Lakes and Rivers Improvement Act*: https://www.ontario.ca/document/lakes-and-rivers-improvement-act-administrative-guide

After reviewing the information provided, if you have not identified any of MNRF's interests stated above, there is no need to circulate any subsequent notices to our office. If you have any questions or concerns, please feel free to contact me.

Sincerely,

Laura Warner

Planning Intern

Ministry of Natural Resources and Forestry, Aylmer District

615 John St. N. Aylmer, ON, N5H 2S8

E-mail: MNRF.Ayl.Planners@ontario.ca

2 attachments

image001.jpg
153K

2017-04_SAR Screening Process_Technical Bulletin.pdf
142K

Ministry of Natural Resources and Forestry
615 John Street North
Aylmer ON N5H 2S8
Tel: 519-773-9241
Fax: 519-773-9014

Ministère des Richesses naturelles et des Forêts
615, rue John Nord
Aylmer ON N5H 2S8
Tél: 519-773-9241
Téléc: 519-773-9014

Ontario

Technical Bulletin: Aylmer District Species at Risk Screening Process

This technical bulletin outlines the process for engaging the Ministry of Natural Resources and Forestry (**MNRF**) Aylmer District Office regarding the *Endangered Species Act, 2007* (**ESA**).

The ESA provides protection for species listed as Endangered or Threatened on the Species at Risk in Ontario List. Individuals receive protection under Section 9 and their habitat is protected under Section 10. The ESA is a law of general application that is binding on everyone in the province of Ontario, and applies to both private and public lands. MNRF Aylmer District provides review of a project's compliance under the ESA by responding to species at risk (**SAR**) information requests (Stage 1) and project screening requests (Stage 2) only when both of the following conditions are met:

1. The request comes directly from the property owner or their delegate (e.g. consultants) on their behalf; and,
2. A specific project/activity is proposed.

MNRF Aylmer District Contact Information

All ESA-related requests must be submitted to MNRF Aylmer District via our ESA inbox at ESA.Aylmer@ontario.ca

> ***NOTE:*** *MNRF response time is between 8 and 10 weeks after receipt of all required information, due to the high volume of requests received.*

Stage 1: Information Request

To ensure due diligence under the ESA, MNRF encourages property owners and/or their delegates proposing to conduct site alteration (such as construction, vegetation/debris removal, site grading, etc.) to request SAR information from Aylmer District prior to beginning site alteration and/or conducting SAR surveys. For MNRF to respond to an information request, the following information is required:

- Proponent information (name, mailing address, and email address);
- Property location and mapping (municipal address and/or lot and concession);
- Digital photos of the property, including the vegetation on-site, if available;
- General description of all proposed activities and extent of development footprint (e.g. residential, driveway, vegetation clearing). Maps / site layout drawings are beneficial;
- Current state of vegetation, property maintenance/management (e.g. frequency of mowing), and recent property landscape history/changes (within the last five years);
- Timing and duration of proposed activities;
- Copies of past correspondence with MNRF about the property, if applicable; and,
- Status of municipal planning or Environmental Assessment process, if any.

Once the above information has been provided, MNRF will review available SAR data to determine if SAR species and/or their habitat(s) are known or likely to occur on or in the general area of the property. MNRF's response will be one of the following:

Ministry of Natural Resources and Forestry
615 John Street North
Aylmer ON N5H 2S8
Tel: 519-773-9241
Fax: 519-773-9014

Ministère des Richesses naturelles et des Forêts
615, rue John Nord
Aylmer ON N5H 2S8
Tél: 519-773-9241
Téléc: 519-773-9014

1. There is a **low** likelihood for SAR species and/or habitat to occur and/or be impacted
   - Further project screening will not be needed unless recommendations to avoid impacts cannot be followed or significant changes to the project are made (e.g. natural vegetation proposed to be removed).

2. SAR species and/or habitat are **known** to occur on or near the property, or there is a **high** likelihood for SAR species and/or habitat to occur
   - MNRF may recommend that field assessments by a qualified biologist are needed to determine whether the proposed project may contravene the ESA.
     - It is expected that the retained qualified biologist will use the information provided by MNRF to scope and design the field assessments, including identifying appropriate species-specific survey methodologies and timing.
     - MNRF can provide guidance on field assessments (i.e. protocols or proposed work plans). Some field assessment methodologies may require MNRF authorizations under the ESA and the *Fish and Wildlife Conservation Act*.
   - After field assessments have been completed, proceed to Stage 2.

   NOTE: *MNRF strongly recommends that no on-site activity (i.e. site alteration, vegetation/debris removal, etc.) occur until Stage 2 is complete, in order for proponents to demonstrate due diligence and remain in compliance with the ESA. Failure to comply with this recommendation could result in a contravention of the ESA and possible compliance / enforcement action.*

Stage 2: Project Screening / IGF Review

Following MNRF's recommendations, a qualified biologist should complete appropriate field assessments and submit the results in an Information Gathering Form (**IGF**) to initiate a project screening request.

Link to IGF:
http://www.forms.ssb.gov.on.ca/mbs/ssb/forms/ssbforms.nsf/MinistryResults?Openform&SRT=T&MAX=5&ENV=WWE&STR=1&TAB=PROFILE&MIN=018&BRN=21&PRG=31

MNRF will review the IGF to determine whether the project is likely to contravene the ESA (Section 9 and/or Section 10). MNRF's response will be one of the following:

1. Contravention under the ESA is **not likely** to occur:
   - A response will be provided, which could include recommendations necessary to avoid impacts to SAR; or,

2. Contravention under the ESA is **likely** to occur:
   - MNRF will recommend options for seeking approval under the ESA, such as applying for a permit or assessing eligibility for alternative regulatory processes. Please be advised that applying for a permit does not guarantee approval and processes can take several months before a permit may be issued.

DILLON CONSULTING

Stanlake-Wong, Sabrina <sstanlake@dillon.ca>

Sylvestre Dr Sanitary Sewer Ext

Jennifer Nicholls <Jennifer.Nicholls@uniongas.com> Thu, Mar 22, 2018 at 2:11 PM
To: "sylvestreEA@dillon.ca" <sylvestreEA@dillon.ca>, "pbartnik@tecumseh.ca" <pbartnik@tecumseh.ca>
Cc: Mike Cincurak <MJCincurak@uniongas.com>, Will Ceccacci <wceccacci@uniongas.com>

Hi Flavio and Phil,

Thanks for the Notice of Study Commencement for the Sylvestre Industrial Park area. I have copied Union Gas Construction Project Managers Mike Cincurak and Will Ceccacci on this email so that they are aware of potential future work that may need to be completed based on the outcome of your study.

Attached is a PDF showing Union Gas active plant in the area being studied. Please note on the East-West portion of Sylvestre, there are 3 services as well as the main that cross the road. There is a 12” steel main that crosses Sylvestre at Manning. For any proposed work in the area of the 12” steel main, 3rd party observation will be required. Please also note that piping location locations are approximate and for information purposes only, the PDF drawing is not to scale, this PDF drawing does not replace field locates.

Thanks,

Jennifer

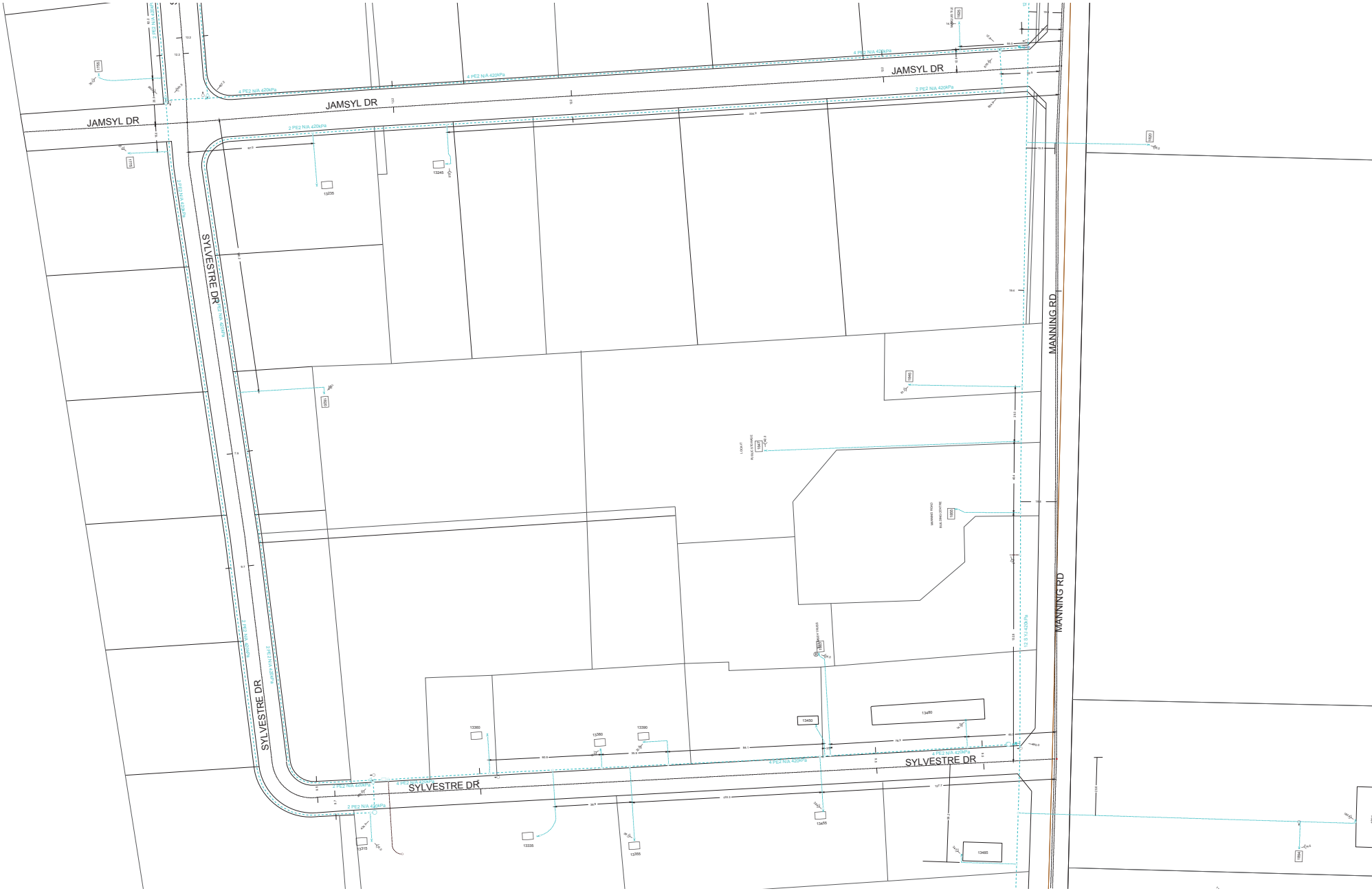
Jennifer Nicholls, Ba.S.C, C.Tech

New Business Project Coordinator

Union Gas Limited | An Enbridge Company

TEL: 519-250-2200 ext 5296773 | Jennifer.Nicholls@uniongas.com

3840 Rhodes Dr Windsor, ON N9A 6N7



Please Note:

1. The shown piping locations are approximate and for information purposes only
2. The drawings are not to scale
3. This drawing does not replace field locates. Please contact Ontario One Call for onsite locates prior to excavating, digging, etc

Phil Bartnik

From: [redacted]
Sent: March-27-18 2:26 PM
To: Phil Bartnik
Cc: COUNCIL; Tony Haddad; Brian Hillman; Daniel Piescic
Subject: RE: Sylvestre Drive Sanitary Sewer Extension - RE: notice of study.RE: notice of study.
Attachments: property areas manning road.JPG; 1820 Sylvestre drive.JPG

Mr. Bartnik,

I appreciate the offer to a meeting regarding this subject and will likely have an opportunity to do so, if this continues. Given the discrepancy in our recollections, this trail will better preserve them until that time.

Thank you for your comments, they are well thought out and assembled in an easy to follow manner. I will try to model your manner when I offer the following observations/comments:

I've attached a pair of screenshots I've made from the County Mapping website. The landlocked piece you are referring to is at 1820 Sylvestre Drive and is separated from Sylvestre Drive by an oddly shaped parcel that at its narrowest point is just over 37m from the road. I'm assuming that the lot lines are actually there. I understand, if that is the case, that legally, that parcel could be sold and effectively landlock that building that is shown to be 1820 Sylvestre Drive. It isn't likely to happen that way, and on our end, an application could be made to clean the lines up to the satisfaction of the Town.

The remaining parcels can be serviced from a sanitary sewer from the east end of the Sylvestre Drive reconstruction with a length of sewer running North along Manning Rd. approximately 150m long. Your study proposes servicing my office at 1865 Manning Rd. from the west end of Sylvestre drive through existing developed properties along with restoring the existing gravel lots, it will run a sewer approximately 650m for the same 4 parcels. The meetings will need to have the level of information I need to make an informed assessment of the requirement of an independent sewer 650m long, when it appears a 150m sewer from the east end of Sylvestre Drive will do the same job.

The frustration I feel is that this work/study was proposed without consultation with us. We are in fact the developers who serviced this subdivision and should have been asked for our opinion for a solution to this 'problem'. This is not a typical situation. I understand how a broad solution is applied to the Town-wide problem of servicing developed property with sanitary sewers. This is similar to what is happening on North Talbot and the 8th Concession in that the industrial land is already developed without municipal sewers. But it is dramatically different in that nearly all of the parcels are owned by one group who is able to participate actively in a solution without the requirements of an expensive study.

The sooner we can meet the sooner we can narrow the scope of the study to save the town time and money on this effort.

[redacted]

From: Phil Bartnik <pbartnik@tecumseh.ca>
Sent: March 21, 2018 3:27 PM
To: [redacted]

Cc: COUNCIL <COUNCIL@tecumseh.ca>; Tony Haddad <thaddad@tecumseh.ca>; Brian Hillman <bhillman@tecumseh.ca>; Daniel Piescic <dpiescic@tecumseh.ca>
Subject: Sylvestre Drive Sanitary Sewer Extension - RE: notice of study.RE: notice of study.

[redacted]

Thank you for your email and your interest in this project.

Firstly with respect to your memory of a discussion surrounding the servicing of 1855 Manning Road, I do not share the same recollection of such a discussion. Having said that, the Town continues to be open to having a dialog regarding the appropriate means of providing long term infrastructure solutions for this area.

With respect to your various comments, I would offer the following:

- The Town's preference is to provide all municipal services within the right-of-way. The exception would be where there are unavoidable circumstances where services have to be provided through easements on private property. For this particular project, the servicing of the properties along County Road 19 (between Sylvestre and Jamsyl) is challenging due to the depths of the existing sanitary sewers, the congested County right-of-way (containing utilities, watermains, the East Townline Drain, etc.), and the property fabric rendering some parcels 'landlocked'. In order to fully appreciate these servicing constraints and the impact they will have on an ultimate servicing solution, it would be most appropriate to meet and discuss these matters in detail.

- Council approved the Public Works & Environmental Services 2018 Capital Works Plan at the December 12, 2017 Regular Meeting of Council. Contained within the works slated for 2018 was the engineering design and related Class Environment Assessment of the sanitary sewer extension on Sylvestre Drive from 13315 Sylvestre Drive to County Road 19, as well as a servicing scheme (via easement) to service those properties located along County Road 19 (north of Sylvestre Drive). Construction of the works is planned for 2019 contingent on Council approval and funding allocations. In addition to the sanitary sewer works, the project also consists of storm sewer improvements and road reconstruction of Sylvestre Drive from Jamsyl Drive to County Road 19. It should also be noted that this project has been contained within our 5-year capital works plan since 2014;

- It is important to note that given the nature and scale of the proposed works, the Town is following the process outlined in the Municipal Class EA for a Schedule B undertaking. This is the means by which the Town can properly evaluate servicing alternatives and to seek input from all stakeholders. The intent of the Notice of Project Commencement was to publicly announce the commencement of this study, to formally engage with the various parties, and fulfill the Town's obligations under the Municipal Class EA.

- Prior to issuing the attached Notice of Study Commencement, preliminary engineering solutions to service the properties along County Road 19 were identified and reviewed. Although the Notice has identified a possible location for the sanitary easement, we welcome and encourage public input throughout the entire Municipal Class EA process and are open to a financially viable and sustainable servicing solution;

- The Town has recently been making great strides at extending sanitary services to those properties located within designated settlement areas of the Town. Examples of such are the North Talbot Road and 8th Concession Road service areas located within Oldcastle Hamlet. The extension of sanitary sewers on Sylvestre Drive at this time was driven by the required road reconstruction, as it is the Town's practice to combine infrastructure projects to achieve efficiencies. As you can appreciate, it is preferable to install the underground infrastructure at the time of road reconstruction, as oppose to cutting into a newly installed road within the next couple of years. It should also be noted that the extension of the sewers are also being installed in accordance with the Town's Water & Wastewater Master Plan, the Provincial Policy Statement, the County Official Plan and the Town's Official Plan to provide water and wastewater servicing to all properties located within designated settlement areas.

As previously stated we would like to meet with you at your convenience to discuss the project and address any other concerns you may have. Please advise as to your availability over the next few weeks so we may schedule a meeting.

Should you have any additional questions or concerns, please do not hesitate to contact me.
Regards,

Phil Bartnik, P.Eng.
Manager Engineering Services
The Corporation of the Town of Tecumseh

From: [redacted]
Sent: March-19-18 4:06 PM
To: Phil Bartnik
Cc: Brian Houston; Bill Altenhof; Andrew Dowie; Tania Jobin
Subject: notice of study.

Hi Phil,

I saw the notice of study in the shoreline for the Sylvestre Drive Sanitary extension. I had spoken to you 18 months ago about installing a sanitary sewer along Manning Road to service the property at 1855 Manning Road. According to my memory of the discussion with you at the time, the Town wouldn't support public infrastructure across private property without easements and generally it is not supported. I spent $50,000 on a new tertiary weeping bed to service an occupancy of up to 50 people on this parcel and am not interested in a sanitary sewer across private land for this purpose.

I also am curious as to why the sanitary sewer isn't brought up Sylvestre drive to service the existing properties along the length that would be wasted along the back of land that is already serviced? And if it MUST be brought across the frontage of the four remaining properties along Manning Road, then bring it across from the South side at a much lower cost? The length of the run would be similar with benefit to a much larger number of rate payers. Sylvestre Drive has been in significant need of repair for years, as well as lacking sanitary service. The original phase of Sylvestre Drive was built in the late 80's with no improvements made to it since then.

In the mid 90's the Second Phase of Sylvestre Drive was constructed and a sanitary sewer was installed to the South West corner of Sylvestre Dr. It was installed deep enough to continue servicing the lands we own to the South. I'm certain it is deep enough to turn East and run to Manning Road and provide services to the existing industrial buildings along that original phase.

I am opposed to this study as it is a waste of time and town's resources. I did not request this service to be made available. The largest portion of land, that this easement will be on, is owned by corporations owned by my family and not one of those corporations made any request for service. The only two other parcels are owned by Riverside Rentals (who resides on Sylvestre Drive) and my aunt and uncle, Mary Edna and Daniel Marion. I've left messages for them to inquire about their interest.

I'm disappointed to see this, we should have been consulted before this study was contracted out. With so many residents and businesses in the Town with real concerns that could be presently met or considered with the funds that are being wasted on this study, I'm surprised that this project would be conjured up out of nothing. The level of interest from myself and the other corporations my parents own is zero.

[redacted]

Area: 0.78 ac
Perimeter: 247.91 m
Area: 6.22 ac
Perimeter: 931.09 m
Area: 3.83 ac
Perimeter: 618.90 m
Area: 1.00 ac
Perimeter: 301.01 m
87.23 m
87.63 m
172.59 m
111.32 m
113.40 m
53.74 m
53.85 m
53.05 m
95.22 m
42.62 m
67.56 m
65.09 m
86.00 m
34.57 m
25.17 m
17.89 m
36.65 m
38.27 m
11.63 m
1847
1865
1859

Area: 2.96 ac
Perimeter: 456.38 m
Total: 37.65 m
136.27 m
139.48 m
91.30 m
37.65 m

regs@erca.org
P.519.776.5209
F.519.776.8688
360 Fairview Avenue West
Suite 311, Essex, ON N8M 1Y6

March 21, 2018

Town of Tecumseh
917 Lesperance Road
Tecumseh, Ontario
N8N 1W9

Dear Mr. Forest:

RE: Sylvestre Drive Sanitary Sewer Extension Municipal Class EA Notice of Study Commencement

This letter is in response to our receipt and review of the following Notice of Study Commencement for the Sylvestre Drive Sanitary Sewer Extension. It is our understanding that this process is following the Municipal Class Environmental Assessment undertaking in accordance with the planning and design process for "Schedule B" projects as outlined in the Municipal Class Environmental Assessment (June 2000, as amended in 2007, 2011 and 2015) under the Ontario Environmental Assessment Act.

ERCA appreciates the opportunity to provide input into this study. It is understood that the intent of this process will be identify and evaluate options for easements for sanitary and other servicing to be located in the subject area. As the Town is aware, the East Townline Drain is a regulated watercourse and and site alteration is subject to future ERCA approvals.

The circulation notes that the Preliminary Design will include storm drainage considerations for the reconstruction of Sylvestre Drive between Manning Road and Jamsyl Drive. We would be interested in reviewing these preliminary design considerations and would have some input towards the storm water management considerations at that time.

Our office has no concerns with the study as outlined. We would appreciate being circulated as the study proceeds. If there are any questions or concerns please contact the undersigned.

Michael Nelson
Watershed Planner
/mn

C: Phil Bartnik, Manager, Engineering Services

Essex Region Conservation Authority
sustaining the place for life

Our File: 17-6843

April 6, 2018

3200 Deziel Drive
Suite 608
Windsor, Ontario
Canada
N8W 5K8
Telephone
519.948.5000
Fax
519.948.5054

Notice of Property Owner Meeting
Sylvestre Industrial Park Area Sanitary Sewer Extension
Class Environmental Assessment

Dear Stakeholder:

Further to our initial notification of project commencement, we have received feedback from residents fronting Manning Road with respect to sanitary servicing options for your properties. We would like to discuss these options and receive your input towards the various options through a meeting on **Wednesday, April 18, 2018.** The meeting will be held at the Town of Tecumseh office located at 917 Lesperance Road and will begin at 2:00 p.m.

Should you have any further questions with respect to the project in advance of the meeting, please contact us via at one of the following addresses:

Flavio Forest, P.Eng.
Project Manager
Dillon Consulting Limited
3200 Deziel Drive, Suite 608
Windsor, Ontario N8W 5K8
Phone: 519-948-4243, Ext. 3233
Email: SylvestreEA@dillon.ca

Phil Bartnik, P.Eng.,
Manager, Engineering Services
Town of Tecumseh
917 Lesperance Road
Tecumseh, Ontario, N8N 1W9
Phone: 519-735-2184, Ext. 148
Email: pbartnik@tecumseh.ca

Yours sincerely,

DILLON CONSULTING LIMITED

Flavio R. Forest, P.Eng.,
Project Manager

ACW:d
Encl.
cc: Mr. Phil Bartnik, P.Eng. - Town of Tecumseh

Community Name	Contact(s)	Date	Method of Communication	Dillon Consulting Limited Message	Community Comments/Questions
Chippewas of the Thames First Nation	Chief Henry A. Myeengun Fallon Burch	March 13, 2018	Mailed Notice of Study Commencement with covering letter	Public comments invited at any time during the study.	
		March 26, 2018	Written response to Notice of Study Commencement		Expressed minimal concern with the project, but requested to be kept informed of any substantive changes. They require notification of any Archaeological Assessment and opportunity to participate. Requested a copy of Class EA and Environmental Study upon completion.
		June 12, 2018	Telephone	Left voicemail detailing the project and that it was a follow up call to see if they had any questions or comments. Provided phone number to call back.	
Chippewas of Kettle & Stony Point First Nation	Chief Thomas Bressette Valerie George	March 13, 2018	Mailed Notice of Study Commencement with covering letter	Public comments invited at any time during the study.	
	Valerie George	June 12, 2018	Telephone	Explained the project and asked if they had any comments or questions since the Notice of Commencement.	Responded that she would call back.
	Valerie George	January 29, 2019	Telephone	Explained the project and asked if they had any comments or questions.	Cannot comment on this proposal because it is not within their traditional territory. Requested to still be contacted for future projects in the area.
Moravian of the Thames	Chief Greg Peters	March 13, 2018	Mailed Notice of Study Commencement with covering letter	Public comments invited at any time during the study.	
	Colleen (Administration)	June 12, 2018	Telephone	Explained the project and asked if they had any comments or questions since the Notice of Commencement.	Would forward information to appropriate individuals for review.
	Colleen (Administration)	January 29, 2019	Telephone	Explained the project and asked if they had any comments or questions.	Colleen explained that she had previously forwarded our information to the appropriate contacts, and who did not express concerns.
Aamjiwnaang First Nation	Chief Joanne Rogers Sharilyn Johnston	March 13, 2018	Mailed Notice of Study Commencement with covering letter	Public comments invited at any time during the study.	
	Christine James	June 12, 2018	Telephone	Explained the project and asked if they had any comments or questions since the Notice of Commencement.	Will review information and advise of any concerns/comments.
		January 29, 2019	Telephone	Left voicemail explaining the project and asking to call back if they had any comments or questions.	

Community Name	Contact(s)	Date	Method of Communication	Dillon Consulting Limited Message	Community Comments/Questions
Walpole Island First Nation	Chief Daniel Miskokomon	March 13, 2018	Mailed Notice of Study Commencement with covering letter	Public comments invited at any time during the study.	
	Dean Jacobs	June 12, 2018	Telephone	Left voicemail detailing the project and that it was a follow up call to see if they had any questions or comments. Provided phone number to call back.	
		January 29, 2019	Telephone	Left voicemail explaining the project and asking to call back if they had any comments or questions.	
Caldwell First Nation	Chief Louise Hillier	March 13, 2018	Mailed Notice of Study Commencement with covering letter	Public comments invited at any time during the study.	
	Nikki Orosz	June 12, 2018	Telephone	Explained the project and asked if they had any comments or questions since the Notice of Commencement.	Requested that future correspondence be done by email
Metis Nation of Ontario	Linda Norheim Brookes	March 13, 2018	Mailed Notice of Study Commencement with covering letter	Public comments invited at any time during the study.	
Southern First Nations Secretariat		March 13, 2018	Mailed Notice of Study Commencement with covering letter	Public comments invited at any time during the study.	

CHIPPEWAS OF THE THAMES FIRST NATION

March 26, 2018

Phil Bartnik, P.Eng.
Manager, Engineering Services
Town of Tecumseh
917 Lesperance Road
Tecumseh, Ontario, N8N 1W9

RE: Class EA Sylvestre Drive Sanitary Sewer Extension

Mr. Bartnik,

We have received information concerning the abovementioned project, dated March 13, 2018. The proposed work will be conducted within the McKee Treaty (1790) area to which Chippewas of the Thames First Nation (COTTFN) is a signatory. The proposed work is also located within the Big Bear Creek Additions to Reserve (ATR) land selection area, as well as COTTFN Traditional territory.

At this time, with the information that has been provided to us, we have minimal concern with this project. However, if there are any substantive changes to this project, we ask that you keep us informed. As well, if there is an Archaeological Assessment conducted, we require notification and the opportunity to actively participate by sending First Nation monitors on behalf of this First Nation. Upon completion of the Class EA and Environmental Study, we request that a copy be sent to COTTFN.

We look forward to continuing this open line of communication. To implement meaningful consultation, COTTFN has developed its own protocols — a document and a process that will guide positive working relationships. We would be happy to meet with you to review COTTFN's Consultation Protocols.

Please do not hesitate to contact me if you need further clarification of this letter.

Sincerely,

Rochelle Smith
Consultation Coordinator
Chippewa of the Thames First Nation
(519) 289-5555 Ext. 252
rsmith@cottfn.com

Our file: 17-6843
April 4, 2019

Notice was provided to all property owners within the Study Area

Notice of Study Completion
Sylvestre Industrial Park Area Sanitary Sewer Extension
Class Environmental Assessment

Dear Stakeholder:

Further to previous notifications, the Preliminary Design and Municipal Class Environmental Assessment (EA) for the Sylvestre Industrial Park Area Sanitary Sewer Extension has been completed by Dillon Consulting Limited and the Town of Tecumseh. Through the EA process, a recommended alternative has been determined for implementation of the above-noted project.

We would like to discuss the recommended alternative through a meeting on Tuesday, April 16, 2019. The meeting will be held at the Town of Tecumseh office located at 917 Lesperance Road and is scheduled from 9:30 a.m. until 11:00 a.m. Following the meeting, we will prepare a Notice of Study Completion for 30 day public review.

Should you have any further questions with respect to the project in advance of the meeting, please contact us via at one of the following addresses:

Flavio Forest, P.Eng.
Project Manager
Dillon Consulting Limited
3200 Deziel Drive, Suite 608
Windsor, Ontario N8W 5K8
Phone: 519-948-4243, Ext. 3233
Email: SylvestreEA@dillon.ca

Phil Bartnik, P.Eng.,
Manager, Engineering Services
Town of Tecumseh
917 Lesperance Road
Tecumseh, Ontario, N8N 1W9
Phone: 519-735-2184, Ext. 148
Email: pbartnik@tecumseh.ca

Yours sincerely,
DILLON CONSULTING LIMITED

Flavio R. Forest, P.Eng.
Project Manager

ACW:
cc: Mr. Phil Bartnik, P.Eng. - Town of Tecumseh

DILLON CONSULTING

3200 Deziel Drive
Suite 608
Windsor, Ontario
Canada
N8W 5K8
Telephone
519.948.5000
Fax
519.948.5054

Dillon Consulting Limited

MEMO

TO:	Affected Landowners
FROM:	Andrea Winter, P.Eng. Dillon Consulting Limited
cc:	Phil Bartnik, P.Eng. Director Public Works and Environmental Services, Town of Tecumseh John Henderson, P.Eng. Manager Engineering Services, Town of Tecumseh Flavio Forest, P.Eng. Dillon Consulting Limited
DATE:	May 16, 2019
SUBJECT:	Sylvestre Sanitary Sewer Extension|Alternative Sewer Alignment
OUR FILE:	17-6843

During the Sylvestre Sanitary Sewer Extension Environmental Assessment Landowners Meeting held on April 16, 2019, an alternative sewer alignment was proposed by the landowners in place of the presented preferred Option C. This alternative (herein referred to as Option D) would utilize an existing watermain easement along the east-west property line between 1849 and 13350 Sylvestre Drive, similar to the sewer alignment proposed in Option A. It was purported that this option would allow properties fronting Manning Road (1845, 1847, 1855, 1865) to be serviced from the rear, removing the need for a pumping station (see the attached figure for a conceptual layout of Option D). The Town of Tecumseh requested that Dillon Consulting Limited (Dillon) investigate this option to determine feasibility and provide a recommendation on the preferred servicing option.

Through use of available as-constructed drawings and existing LiDAR topographic data, Dillon completed an initial review of Option D.

The initial review of the conceptual Option D sewer layout (see attached) determined the alignment would provide adequate grade (relative to existing servicing options) to service municipal addresses 1845, 1847, 1855, and 1865 Manning Road with a gravity sewer through the existing watermain easement. This option would require sanitary services to 13480 and 13485 Sylvestre Drive to outlet to the upstream end of the proposed gravity sewer along the east-west leg of Sylvestre Drive. There are however, concerns with constructability, maintenance access, and construction costs as listed below:

- Based on as-constructed information, the existing watermain easement terminates at the western property boundary of municipal address 1855. Additional easements through municipal addresses 1847 and 1855 would be required and would result in an additional 32m of easement compared to Option C.
- It is assumed that the existing watermain is centrally located within the 6.1m wide easement; locates were not completed as part of the concept review. At this assumed alignment, the existing easement width would not accommodate the required 2.5m separation from the proposed sanitary sewer. This constraint is exacerbated at proposed manhole locations and between buildings/structures on private property. Additional width would be required along the existing watermain easement to allow for adequate separation and ease of construction and maintenance. Additional easement width is not expected to be feasible between existing buildings/structures.

- Existing structures and existing private utilities located on private property may impede sewer construction.
- An additional 180m of sewer pipe and two additional manholes will be required (compared to Option C) to implement Option D.
- Due to the mostly commercial property usage, flows within the proposed sewer are minimal. This will require additional maintenance to ensure longevity and service level (for all options). Constructing the sewer within private property with limited access may cause access issues in the short and long term and may impact future development.
- Additional restoration within private property would be required compared to Option C.

Taking into consideration the cost for additional sewer pipe, manholes, and easements combined with construction and maintenance concerns, it is recommended that Option C remain the preferred servicing solution.

Based on the findings outlined above, the Town of Tecumseh will be proceeding with Option C as the preferred servicing strategy and will be issuing the Notice of Completion for the Sylvestre Sanitary Sewer Extension, which is subject to a 30-day review period.

JAMSYL DRIVE
SYLVESTRE DRIVE
TOWN OF TECUMSEH
TOWN OF LAKESHORE
MANNING ROAD (COUNTY ROAD 19)
1845
1849
1847
1855
1865
13350
13315
13325
13335
13355
13455
13485
13360
13380
13390
13450
13480
SERVICED BY EXISTING ON SITE SEPTIC
COVER =2.1m
EXISTING HYDRANT
CONNECTION TO EXISTING MANHOLE
COVER =2.32m
REQUIRED EASEMENT
APPROXIMATE LIMITS OF EXISTING EASEMENT
EXISTING 6.1m (20.03') WIDE EASEMENT
EXISTING 150mmØ WATERMAIN
COVER =2.44m
CONNECTION TO EXISTING MANHOLE
LEGEND
PROPOSED SANITARY SEWER ALIGNMENT
EXISTING SANITARY SEWER
EXISTING EASEMENT LIMITS (6.1m WIDTH)
REQUIRED EASEMENT LIMITS
DILLON CONSULTING
Town of Tecumseh Ontario Canada
Dillon Project No.: 17-6843
DATE: MAY 2019
SCALE
0 10 25 100m
Sylvestre Sanitary Sewer
Class Environmental Assessment
TOWN OF TECUMSEH
ALIGNMENT OPTION D

The Corporation of the Town of Tecumseh

Public Works & Environmental Services

To: Mayor and Members of Council

From: Kirby McArdle, Manager Roads & Fleet

Date to Council: July 23, 2019

Report Number: PWES-2019-41

Subject: Tar and Chip Tender Award 2019

Recommendations

It is recommended:

That the sole tender from Shepley Road Maintenance Ltd. in the amount of $218,500 plus non-rebatable HST, for the 2019 Tar and Chip Tender, **be approved;**

And that the Mayor and Clerk **be authorized** to enter into a contract for the services with Shepley Road Maintenance Ltd.;

And further that, should the final costs of the 2019 Tar and Chip Program exceed the approved budgeted amount of $200,000, the overage **be funded** from the Roads Lifecycle Reserve.

Background

At the December 11, 2018 Regular Meeting of Council, Council approved recommendations of Report No. PWES-2018-08 titled “2019-2023 Public Works & Environmental Services Five Year Capital Works Plan” that authorized Administration to proceed with the 2019 capital works projects including the 2019 Tar & Chip Program (Motion: RCM-361/18).

The Tar and Chip Program includes the tar and chip of the entire length of Snake Lane (approximately 2.9 km), as well as tar and chip repair work and crack sealing at various locations throughout the municipality. The budgeted cost for these works is $200,000.

The Town's Purchasing By-law 2017-63 and accompanying Purchasing Policy require Town Council approval for contracts in certain circumstances, as is detailed in the Comments section of this report.

Comments

A tender call was advertised on the Town's website on May 31, 2019 along with direct notification to the Windsor Construction Association. One tender submission was received on June 13, 2019.

The Town of Tecumseh Purchasing Policy Section 4.5(b) & (c): Only One Bid Received, indicates that:

b) "In the event that only one bid is received in response to a request for tender, the bid may be opened and evaluated in accordance with the Town's usual procedures when, in the opinion of the Department Director and Purchasing Officer, the bid should be considered by the Town. If, after evaluation by the Department Director and Purchasing Officer, the bid is found not to be acceptable, they may follow the procedures set out in Subsection 4.4 a) to d).

c) In the event that the bid received is found acceptable, it will be awarded as an Irregular result under Schedule "A" of the Purchasing By-law."

With reference to the Town's Purchasing Policy section 4.5 (b), a decision was made to open the sole tender as, in the opinion of the Department Director, via delegation to Manager Roads and Fleet, it was not reasonably expected that additional tenders would be received if this project was re-tendered. The Town's experience over the past several years has shown that there are very few tar and chip contractors available to bid on this type of work. The Purchasing Officer concurred with the option to open the single tender.

Furthermore, Shepley Road Maintenance Ltd. has been awarded the Tar and Chip Tenders by the Town of Tecumseh over the past seven years – every year since 2012 – and the work was completed in a professional and timely manner.

Contractor	Tender (excluding HST)
Shepley Road Maintenance Ltd.	$218,500

Administration reviewed the tender and found that it was acceptable, i.e. no mathematical errors, etc.

With reference to the Town's Purchasing Policy section 4.5 (c), Schedule "A" of the Purchasing By-law requires Town Council approval for "Irregular results" where the dollar value of the contract is greater than $100,000.

Additionally, the Town's Purchasing By-law, 2017-63, section 3.8 states, "Despite any other provision of this By-law, the following contracts are subject to Town Council approval:

(iii) "where the cost amount proposed for acceptance is higher than the Town Council approved budget for that expenditure or where the expenditure would result in insufficient remaining funds in the project budget to complete the project as budgeted".

The tender price is based on estimated quantities of material. There is an opportunity for cost containment with the crack sealing portion of this project.

Based on the limited number of contractors available to do this work, past good experience with the sole contractor who did bid on this project and the nature of this type of work with respect to estimated quantity of material and potential for some cost containment, Administration recommends that the sole tender from Shepley Road Maintenance Ltd. in the amount of $218,500 plus non-rebatable HST, for the 2019 Tar and Chip Tender, be approved and that the Mayor and Clerk be authorized to enter into a contract for the services with Shepley Road Maintenance Ltd.

Consultations

Financial Services

Financial Implications

Council approved an allocation of $200,000 for the Tar and Chip and Crack Sealing as recommended with Report No. PWES-2018-08. The tender as received is $22,346 more than the approved allocation.

Item	Amount
Tar and Chip Tender Cost	$218,500
Non-rebatable HST (1.76%)	$3,846
Subtotal	**$222,346**
Approved allocation per Report No. PWES-2018-08	**$200,000**
Tar and Chip (Snake Lane, entire length and various repairs)	$100,000
Crack Sealing (various locations)	$100,000
Allocation deficit	**$22,346**

It should be noted that the tender is based on estimated quantities. The final actual costs will be determined based on actual quantities required. Every attempt will be made to keep the expenditures close to the allocated amount of $200,000.

Based on the above-noted, Administration recommends that the tender of $218,500 plus non-rebatable HST as provided by Shepley Road Maintenance Ltd., be accepted and that should the final actual costs exceed the budgeted amount of $200,000, the overage be funded from the Roads Lifecycle Reserve.

Link to Strategic Priorities

Applicable	2019-22 Strategic Priorities
☐	Make the Town of Tecumseh an even better place to live, work and invest through a shared vision for our residents and newcomers.
☒	Ensure that Tecumseh's current and future growth is built upon the principles of sustainability and strategic decision-making.
☐	Integrate the principles of health and wellness into all of Tecumseh's plans and priorities.
☒	Steward the Town's "continuous improvement" approach to municipal service delivery to residents and businesses.
☐	Demonstrate the Town's leadership role in the community by promoting good governance and community engagement, by bringing together organizations serving the Town and the region to pursue common goals.

Communications

Not applicable ☒

Website ☐ Social Media ☐ News Release ☐ Local Newspaper ☐

This report has been reviewed by Senior Administration as indicated below and recommended for submission by the Chief Administrative Officer.

Prepared by:

Cheryl Curran, BES
Clerk I Administrative Clerk

Reviewed by:

Kirby McArdle, P.Eng.
Manager Roads & Fleet

Reviewed by:

Phil Bartnik, P.Eng.
Director Public Works & Environmental Services

Reviewed by:

Tom Kitsos, CPA, CMA, BComm
Director Financial Services & Chief Financial Officer

Recommended by:

Margaret Misek-Evans, MCIP, RPP
Chief Administrative Officer

Attachment Number	**Attachment Name**
None	None

The Corporation of the Town of Tecumseh

By-Law Number 2019 - 54

Being a bylaw to provide for the repair and improvements to the Wellwood Drain

Whereas the Council of The Corporation of the Town of Tecumseh (hereafter "Town") has been requested to provide for the repair and improvement of the Wellwood Drain;

And Whereas the Town procured a Drainage Report for the Wellwood Drain and specifications from the consulting engineering firm of RC Spencer Associates Inc. dated May 8, 2019 (hereafter "Drainage Report");

And Whereas notice of a Public Meeting to hear comments from the affected property owners was given on May 27, 2019;

And Whereas a Public Meeting of Council was held on Tuesday, July 23, 2019, at 6:30 pm to hear from any affected property owners on the Drainage Report;

And Whereas the Council of The Corporation of the Town of Tecumseh is of the opinion that the repair and improvement of the Wellwood Drain is desirable;

Now Therefore the Council of The Corporation of The Town of Tecumseh Enacts as follows:

1. **That** the Drainage Report providing for the repair and improvement of the Wellwood Drain, dated May 8, 2019, as prepared by the consulting engineering firm RC Spencer Associates Inc. and attached hereto as Schedule "A" to this by-law, is hereby adopted and the drainage works as therein indicated and set forth is hereby approved and shall be completed in accordance therewith.

2. **That** the Treasurer, subject to the approval of Council, may agree with any bank or person for temporary advances of money to meet the costs of construction pending the completion of the drain and grants and computed payments are received.

3. **That** the Town may issue debentures for the amount borrowed and the amount of such debentures shall be reduced to the total amount of:

    a) Grants received under Section 85 of the said Act;

    b) Commuted payments made in respect of land and roads assessed.

4. **That** such debentures shall be made payable within five (5) years from the date of the debenture and shall bear interest at a rate as approved by resolution of Council.

5. **That** the specifications and General Specifications as established are adopted as set out in the Drainage Report which forms part of this by-law.

6. **That** the Mayor and Clerk are authorized to cause a contract for the construction of the works to be made and entered into with some person or persons, firm or corporations, subject to the approval of the Council to be declared by resolution.

7. **That** this by-law shall come into force upon and after the final passing thereof.

Read a first and second time this 23rd day of July, 2019.

Gary McNamara, Mayor

Laura Moy, Clerk

Read a third and final time this 24th day of September, 2019.

Gary McNamara, Mayor

Laura Moy, Clerk

The Corporation of the Town of Tecumseh

By-Law Number 2019-55

Being a by-law to appoint Robert J. Swayze as the Integrity Commissioner for The Corporation of the Town of Tecumseh pursuant to Sections 9, 10, 11 and 223.3 of the *Municipal Act, 2001 S.O. 2001, c.25*, as amended

Whereas effective January 1, 2008, Section 223.3 of the *Municipal Act*, *2001, S.O. 2001, c.25* as amended (*Municipal Act, 2001*) requires a municipal council to appoint an Integrity Commissioner who is responsible for performing in an independent manner functions related to the Code of Conduct of members of council and local boards, and the *Municipal Conflict of Interest Act 2017, c.10;*

And Whereas such services shall be undertaken by an Integrity Commissioner appointed by the Council of The Corporation of the Town of Tecumseh (Town), pursuant to Section 223.3-223.8 of the *Municipal Act, 2001*;

And Whereas the Town entered into Agreements with Robert J. Swayze for Integrity Commissioner services for the years 2015-2019;

And Whereas the Town and Robert J. Swayze are desirous of entering into a further agreement for the term January 1, 2020 – March 31, 2023 under a written agreement in the form and of the content attached as Schedule “A” hereto;

And Whereas pursuant to Section 5(3) of the *Municipal Act, 2001*, the powers of the municipality shall be exercised by by-law;

Now Therefore the Council of The Corporation of The Town of Tecumseh Enacts as follows:

1. **That** Robert J. Swayze is hereby appointed as Integrity Commissioner for the Town to perform those functions set forth in Section 223.3 through 223.8 of the *Municipal Act, 2001* including but not limited to:

    a. Advice as to the application of the Code of Conduct and Municipal Conflict of Interest Act, and any related procedures, rules, and policies governing the ethical behavior of members of council and local boards;

    b. Conducting inquiries in respect of any requests alleging contravention of the Code of Conduct, Municipal Conflict of Interest Act and/or any other procedures, rule or policy governing the ethical behavior of members of council and local boards;

    c. Reporting to the Council for the Town as to activities as Integrity Commissioner, including but not limited to reports as to the results of any inquiry into alleged contravention and/or an annual report of activities as Integrity Commissioner;

    d. Conducting inquiries upon complaint or own initiative for Municipal Conflict of Interest Act matters;

    e. Provide educational information in writing to the public, municipality and Members of Council and local boards about the Code of Conduct and Municipal Conflict of Interest Act;

2. **That** the Mayor and the Clerk be authorized to execute the Agreement attached hereto as Schedule “A” between Robert J. Swayze and The Corporation of the Town of Tecumseh, and such other or any documents necessary to give effect to the Agreement.

Read a first, second and third time and finally passed this 23rd day of July, 2019.

Gary McNamara, Mayor

Laura Moy, Clerk

Agreement Extending Term of The Integrity Commissioner

Dated as of: July 23, 2019

Between:

The Corporation of The Town of Tecumseh

(Hereinafter referred to as the "Municipality")

-and-

Robert J. Swayze, Barrister & Solicitor

(Hereinafter referred to as the "Integrity Commissioner")

Whereas the Integrity Commissioner was retained by an Agreement dated November 24, 2015, (the "Agreement") for a term expiring on November 23, 2016,

And Whereas by agreement dated August 13, 2018, the parties hereto extended the term of the Agreement to expire on December 31, 2019.

And Whereas the parties hereto wish to further extend the term of the Agreement until March 31, 2023.

Now Therefore the parties agree as follows:

1. The parties hereto agree that the term of the Agreement is hereby extended to March 31, 2023 when it will expire unless extended further by agreement of all the parties.

2. This Agreement shall enure to the benefit of and bind the parties and their respective heirs, successors and permitted assigns. This Agreement is not assignable by the Integrity Commissioner.

In Witness Hereof both of the parties hereto have executed this agreement as of the 23rd day of July, 2019.

Signed, Sealed and Delivered

The Corporation of The Town of Tecumseh

Dated: July 23, 2019

Per

Mayor

Per

Clerk

Dated:

Witness

Robert J. Swayze, Barrister & Solicitor

The Corporation of the Town of Tecumseh

By-Law Number 2018 - 56

Being a By-law to authorize a subsequent connection to the Colchester Drain under Section 65 of the Drainage Act, R.S.O. 1997 c. D.17;

Whereas the Drainage Act, R.S.O. 1997 c.D.17 (Act) in section 65(3) provides that if an owner of land that is not assessed for a drainage works subsequently connects the land with the drainage works for the purpose of drainage, the clerk of the local municipality in which the land is situate shall instruct an engineer in writing to inspect the land and assess it for a just proportion of the drainage works, taking into account any compensation paid to the owner of the land in respect of the drainage works;

And Whereas the Act provides in section 65(5) that no person shall connect to or disconnect from drainage works without the approval of the council of the municipality;

And Whereas The Corporation of the Town of Amherstburg procured a report from Rood Engineering Inc. in accordance with Section 65(3) of the Act in respect of lands municipally known as 7981 Howard Avenue, Amherstburg, Ontario for a connection to the Colchester Drain, dated May 23, 2019 (Rood Report);

And Whereas the Colchester Drain is governed by By-law No. 78-32 adopted on September 15, 1978, by the Township of Sandwich South (Town of Tecumseh);

And Whereas the Act provides in section 65(5) that no person shall connect to or disconnect from drainage works without the approval of the council of the municipality;

And Whereas the Council of The Corporation of the Town of Tecumseh gave consideration to Report PWES 2019-18 recommending the connection of 7981 Howard Avenue, Amherstburg, to the Colchester Drain and the approval of the assessments set out in the Rood Report;

Now Therefore the Council of The Corporation of The Town of Tecumseh Enacts as follows:

1. **That** the connection of 7981 Howard Avenue, Amherstburg, to the Colchester Drain, as adopted by the former Township of Sandwich South on September 15, 1978 by By-law 78-32, be approved;

2. **That** the assessments set out in the Drainage Report prepared by Rood Engineering Inc. dated May 23, 2019, prepared in accordance with section 65(3) of the Drainage Act, R.S.O. 1997 c. D.17, for the subsequent connection of 7981 Howard Avenue, Amherstburg to the Colchester Drain, be approved;

Read a first, second and third time and finally passed this 23rd day of July, 2019.

Gary McNamara, Mayor

Laura Moy, Clerk

***R**ood*
***E**ngineering*
***I**nc.*

Consulting Engineers

May 23rd, 2019

Corporation of the Town of Amherstburg
512 Sandwich Street South
Amherstburg, Ontario
N9V 3R2

Attention: Shane McVitty, P.Eng., Drainage Superintendent

Dear Shane:

COLCHESTER TOWNLINE DRAIN – SECTION 65 (7981 HOWARD AVENUE)
Project REI2018D034
Town of Amherstburg, County of Essex

1.0 Authorization

In accordance with the confirmation received from the Town on September 24th, 2018, we have made all of the necessary investigations and determinations for the preparation of a report, in accordance with Section 65 of the "Drainage Act, R.S.O. 1990, Chapter D.17, as amended 2010". This report deals with a subsequent connection to the Colchester Townline Drain for the parcel owned by Joel Bezaire at 7981 Howard Avenue. This parcel is shown on the plans attached in **Appendix "REI-B"**.

Our appointment to deal with this request, where "If an owner of land that is not assessed for a drainage works subsequently connects the land with the drainage works for the purpose of drainage", is in accordance with and pursuant to Section 65.(3) of the "Drainage Act, R.S.O. 1990, Chapter D.17, as amended 2010". We have inserted herein a copy of Section 65 for reference purposes, labeled **Appendix "REI-A"**. We have therefore performed all of the necessary research, investigations, and review of all pertinent documentation, etcetera, for the carrying out of our study and we report thereon as follows.

2.0 Background

From plans and information provided by the Owner's engineering consultant and the Town, we have established those areas that are to be connected to the "Colchester Townline Drain". Work on the parcel included preparation and approval of storm water management reports prepared by others and these reports were submitted to the Town for review and approval of a new commercial development on the site.

We have also obtained reference information from the Town Drainage Department and Town of Tecumseh for the affected portion of the drain, including the current governing By-law 78-32, the September 15th, 1978 report with the Schedule of Assessment within same for the "Colchester

Townline Drain", which was prepared by Maurice Armstrong, P.Eng. We find that the lands affected by the proposed commercial development are approximately the east portion of the parcel area located across County Road 8 from the Drain as shown in the Armstrong report. Investigations have revealed that the parcel has had a tile drainage outlet for a considerable length of time, with no adverse impact to the Drain.

3.0 Existing Drainage Conditions

From our review of the input from the Town and the plans and storm water management design completed to date on behalf of Joel Bezaire (Townline Development Truck Parking Area), by Challeng Consulting Engineers, we were able to establish the overall parcel area affected by this study is 25 acres (10.1 hectares).

We reviewed the latest engineer's report on the "Colchester Townline Drain", which is the September 15th, 1978 report by Maurice Armstrong, P.Eng. From same we were able to determine that the area within the affected parcel is currently not assessed to the Drain, but it does utilize the "Colchester Townline Drain" as an outlet as noted above.

Based on the noted research and investigations, we have prepared plans included herein as **Appendix "REI-B"** which show:

1. the boundary of the affected Parcel 470-02400 at 7981 Howard Avenue
2. the proposed layout location for the commercial site
3. the proposed commercial construction

Parcel 470-02400 currently comprises approximately 18.897 hectares (46.69 acres) and the proposed development is on the easterly portion of the parcel. The parcel is presently draining the following affected area to the "Colchester Townline Drain" through the current tile outlet under County Road 8:

a) Parcel 470-02400 10.1 hectares (25.0 acres)

This is confirmed by the correspondence between the Owner and Town of Tecumseh staff.

4.0 Allowable Release Rates and Storm Water Management

The S.W.M. report documentation provided by the Owner's Consultant to the Town shows that storm water management (S.W.M.) practices are being utilized for the proposed commercial development on the parcel. Under no circumstance would the additional runoff volumes be permitted to drain into the "Colchester Townline Drain" unless storm water management is provided. The storm water management system will ensure that the allowable release rate into the

"Colchester Townline Drain" for the parcel does not exceed the 1:2 year storm pre-development runoff rate for the original area that was affected based on utilizing a 0.20 runoff coefficient and limiting the flow discharge rate to 112 litres per second (3.96cfs). No increase shall be permitted for the area currently using the drain, which area is to be officially connected through this report. Under no circumstance should the Town consider allowing the increased total flow volumes into the "Colchester Townline Drain" unless this condition is met. Proper storm water management facilities restricting the flows to the allowable release rate of 112lps will ensure that the subsequent flows will have no significant adverse effect on the capacity of the "Colchester Townline Drain".

Final storm water management reports have been prepared by Challeng Consulting for the proposed development taking the allowable release rate into consideration, and these were submitted to the Town and the Essex Region Conservation Authority (E.R.C.A.) for review by them. Approval from the Town and E.R.C.A. will be required before any development work proceeds.

The flows from the development parcel will generally outlet near the northwest corner of the parcel area to be developed for truck parking and will outlet to the "Colchester Townline Drain" through the existing tile drain outlet that extends under the roadway. We also find that the use of S.W.M. controls will reduce the peak flows in the drain and therefore the commercial development will not adversely impact on the downstream covered drain sections. Based on our findings, we believe that it is reasonable to allow for the increased total flow volumes from the proposed commercial lands, provided that the necessary storm water management provisions are made and maintained for the proposed commercial use and expansions.

5.0 Subsequent Connection Charges

We find that the area being drained to the "Colchester Townline Drain" from the affected parcel will be a newly affected area for the commercial development. Normally adding in a new parcel area would result in buy-in charges to the affected parcel for the additional area being brought into the drain based on the remaining life of the construction and any recent maintenance work carried out on the Municipal drain. For this project we find, from our investigations with the Town, that there are no recent maintenance charges so that only the original construction cost is a factor, and that the total area from the affected parcel now draining to the "Colchester Townline Drain" will be 10.1 hectares (25.0 acres) which is the area that is currently allowed into the drain for the parcel, although not previously formalized under a report pursuant to the Drainage Act. From the information received, we understand that there is no additional area that requires a subsequent connection to the drain and consequently charges are required to the affected parcel for the area already being brought into the drain. Based on the proposed allowable area of drainage, we find that the original total assessment should be $225.00 to reflect the current area going into the drain. However, using an estimated life expectancy of 50 years and adjusting for the Consumer Price Index between 1978 and 2018, we find that the buy in should be for 20% of the estimated cost or $45.00. When adjusted for inflation of 362.3%, we recommend that the buy in cost be $163.04. Due to the increase in flow volume created by the S.W.M. system, we also recommend that the Outlet Liability

be increased by a factor of 1.5, similar to that used for greenhouse developments with S.W.M. systems. The calculated total for buy-in becomes **$244.55**. This amount is to be collected and used towards future maintenance of the "Colchester Townline Drain" pursuant to Section 65 of the Drainage Act.

As noted above, the S.W.M. controls must restrict the outflow rate to the 1:2 year predevelopment rates from the proposed affected area of the parcel up to and including for the 1:100 year storm, and therefore no adverse impact on flow rates in the Drain will occur.

6.0 Assessment for Increased Flow Volumes

With implementation of a storm water management system limiting the outflows into the "Colchester Townline Drain" to the pre-development flow rate, as outlined above, the increased total flow volumes from the affected parcel would have no adverse effect on the capacity of the "Colchester Townline Drain". Therefore, based on the above conditions, we find that the "Colchester Townline Drain" has the ability to accept the additional total flow volumes from within the affected parcel, and we are therefore prepared to recommend the approval of this commercial development.

If the Town of Tecumseh is prepared to approve the increased total flow volumes from the lands of Townline Development Truck Parking Area into the "Colchester Townline Drain" at the controlled discharge rate, an update to the assessments is to be established by the engineer and the cost for same is to be charged entirely to the owner of the affected lands. Section 65.(3) of the "Drainage Act, R.S.O. 1990, Chapter D.17, as amended 2010" requires that "*where the nature or extent of the use of a drainage works by land assessed for the drainage works is subsequently altered, an engineer appointed by the Municipality for the purpose shall make an inspection and assess the land for a just proportion of the drainage works*".

From our investigations of the Town's drainage files, we have determined that the drainage works for which the affected parcel must be assessed for a just proportion is the "Colchester Townline Drain".

The Outlet Liability charge to the owner of the affected parcel should be based on the increased total flow volumes from the assessed portions to the "Colchester Townline Drain". This parcel should be added to the September 15th, 1978 Schedule of Assessment and be shown with a value of **$338.00** for Outlet Liability. Since the parcel is located across the road from the drain, we recommend that there be $0.00 Benefit assessment. The Total Values in the assessment schedule should be increased by the new Outlet Liability charge.

7.0 Assessment Adjustments for Increased Total Flow Volume

We find that the Parcel being added to the September 15th, 1978 report and assessment schedule should have its "Value of Outlet Liability" and "Total Value" amounts set to reflect the total flow

volume that will result from the existing and proposed commercial development affected areas on the parcel. The "Value of Benefit" for this parcel will be set at zero due to its location across the roadway from the drain.

8.0 Future Maintenance Charges

Based on our review of the proposed areas of development and hard surface areas that are to be created by the development of the site, we find that the following adjustments should be made to the September 15th, 1978 assessment schedule for the Outlet and Total Values:

Description	Acres (Ha.) Afft'd	Original Value of Outlet	Original Total Value	Updated Value of Outlet	Updated Total Value
Townline Development Truck Parking Area					
Parcel 470-02400	25.0 (10.1)	$0.00	$0.00	$ 338.00	$ 338.00
	UPDATED TOTAL AMHERSTBURG			**$ 338.00**	**$ 338.00**
	UPDATED TOTAL ASSESSMENT			**$44,755.50**	**$94,072.50**

In accordance with Section 65.(3) of the "Drainage Act, R.S.O. 1990, Chapter D.17, as amended 2010", we recommend that the values in the September 15th, 1978 Schedule of Assessment which is included within the current governing by-law be amended for the current affected parcel to show the updated values as noted above.

Therefore, in accordance with Section 65.(3) of the "Drainage Act, R.S.O. 1990, Chapter D.17, as amended 2010", we recommend that the above noted updated values be collected from the affected parcel by the Town of Amherstburg on a pro-rata basis only when there is future maintenance or repairs of the "Colchester Townline Drain", pursuant to the "Drainage Act, R.S.O. 1990, Chapter D.17, as amended 2010".

9.0 Summary and Recommendations

As already established herein, we have conducted a drainage study of the "Colchester Townline Drain" and have determined that the increased total flow volumes for Parcel 470-02400 from development as a commercial site, as shown on the plans within **Appendix "REI-B"**, shall not adversely affect the performance of said Municipal Drain as long as the Storm Water

Management Facilities limit the total release rate allowed into said drain to the 1:2 year pre-development runoff from the original affected lands of 112lps.

The pre-development runoff coefficient to be utilized shall be 0.20 for these lands and shall be confirmed in the Storm Water Management Reports submitted to the Town of Amherstburg and E.R.C.A. for their approval and confirm a maximum discharge rate of 112lps.

We have also established herein updated Value of Outlet Liability charges to be paid by the affected Parcel 470-02400, which is a representation of the increased total flow volumes from the developed site.

Based on all of the above, we would therefore recommend that the Town of Amherstburg approve the proposed commercial development of Parcel 470-02400 located at 7981 Howard Avenue into the "Colchester Townline Drain", as long as all of the above requirements and conditions are complied with. We further recommend that the costs for preparation of this report be assessed 100% to the affected Parcel 470-02400 that is being developed.

If you, or Council, have any questions regarding this "Changes in Assessment Report", please do not hesitate to contact us. It is our understanding that this report is to be approved at the earliest to allow for construction works to be carried out on the proposed commercial development as soon as all approvals are received.

We respectfully remain,

Yours truly,

***R**ood **E**ngineering **I**nc.*

Gerard Rood

Gerard Rood, P.Eng.

tm

Att.

APPENDIX “REI-A”

SPECIAL PROVISIONS

Changes in assessment

Subsequent subdivision of land

65. (1) If, after the final revision of an engineer's assessment of land for a drainage works, the land is divided by a change in ownership of any part, the clerk of the local municipality in which the land is situate shall instruct an engineer in writing to apportion the assessment among the parts into which the land was divided, taking into account the part of the land affected by the drainage works. 2010, c. 16, Sched. 1, s. 2 (26).

Agreement on share of assessment

(2) If the owners of the subdivided land mutually agree on the share of the drainage assessment that each should pay, they may enter into a written agreement and file it with the clerk of the local municipality and, if the agreement is approved by the council by resolution, no engineer need be instructed under subsection (1). 2010, c. 16, Sched. 1, s. 2 (26).

Subsequent connection to drainage works, etc.

(3) If an owner of land that is not assessed for a drainage works subsequently connects the land with the drainage works for the purpose of drainage, or if the nature or extent of the use of a drainage works by land assessed for the drainage works is subsequently altered, the clerk of the local municipality in which the land is situate shall instruct an engineer in writing to inspect the land and assess it for a just proportion of the drainage works, taking into account any compensation paid to the owner of the land in respect of the drainage works. 2010, c. 16, Sched. 1, s. 2 (26).

Subsequent disconnection from drainage works

(4) If an owner of land that is assessed for a drainage works subsequently disconnects the land from the drainage works, the clerk of the local municipality in which the land is situate shall instruct an engineer in writing to inspect the land and determine the amount by which the assessment of the land should change. 2010, c. 16, Sched. 1, s. 2 (26).

Restriction on connection or disconnection

(5) No person shall connect to or disconnect from drainage works without the approval of the council of the municipality. 2010, c. 16, Sched. 1, s. 2 (26).

Notice of instructions

(6) The clerk of the local municipality shall send a copy of the instructions mentioned in subsection (1), (3) or (4) to the owners of the affected lands as soon as reasonably possible. 2010, c. 16, Sched. 1, s. 2 (26).

Engineer's assessment

(7) An engineer who prepares an assessment pursuant to instructions received under subsection (1), (3) or (4) shall file the assessment with the clerk of the local municipality. 2010, c. 16, Sched. 1, s. 2 (26).

Notice of assessment

(8) The clerk of the local municipality shall attach the engineer's assessment to the original assessment and send a copy of both to the owners of the affected lands. 2010, c. 16, Sched. 1, s. 2 (26).

Assessment binding

(9) Subject to subsection (11), the engineer's assessment is binding on the assessed land. 2010, c. 16, Sched. 1, s. 2 (26).

Costs

(10) The costs of the assessment, including the fees of the engineer, shall be paid by the owners of the lands in the proportion fixed by the engineer or, on appeal, by the Tribunal, and subsection 61 (4) applies to these costs. 2010, c. 16, Sched. 1, s. 2 (26).

Appeal of assessment

(11) If the engineer's assessment is for an amount greater than $500, the owner of the land may appeal to the Tribunal within 40 days after the date the clerk sends a copy of the assessment to the owner. 2010, c. 16, Sched. 1, s. 2 (26).

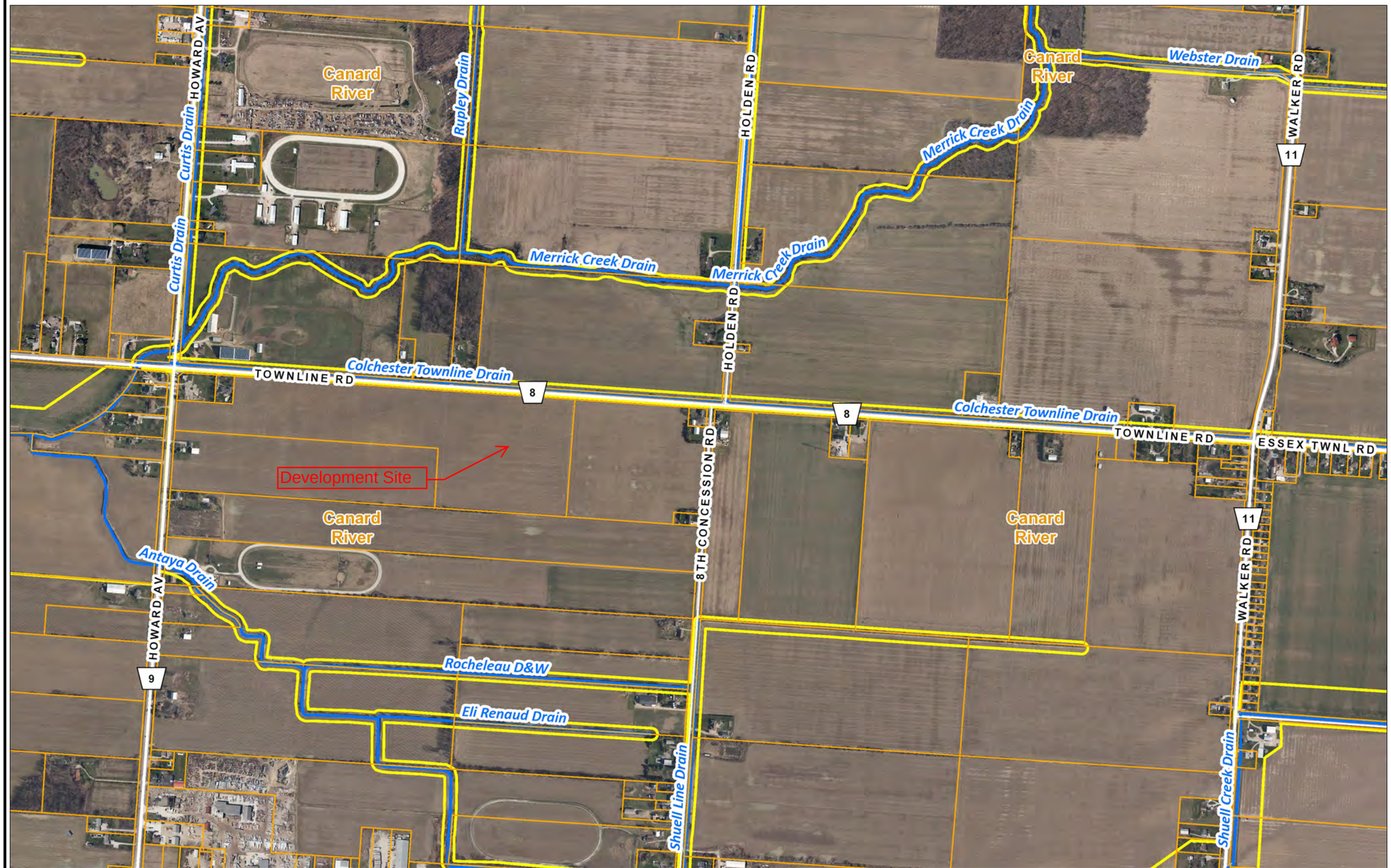
Use of amount collected

(12) Any amount collected under subsection (3) shall be credited to the account of the drainage works and shall be used only for the improvement, maintenance or repair of the whole or any part of the drainage works. 2010, c. 16, Sched. 1, s. 2 (26).

66. Repealed: 2010, c. 16, Sched. 1, s. 2 (26).

APPENDIX "REI-B"

Colchester Townline Drain



Essex Region Conservation Authority

Public Interactive Mapping

Legend

- Parcel Fabric
- 1:100 yr Flood Line
- Limit of Regulated Area
- Constructed Drains (LIO)
  - Open or Unknown
  - Closed/Tiled
- Subwatershed (Line)

Rood Engineering Inc.
Consulting Engineers
9 Nelson Street
Leamington, Ontario N8H 1G6
519-322-1621

2019-01-18

Location

0 222.25 444.5
Meters

1: 10,000 8/23/2018

ERCA Geomatics

THIS MAP HAS BEEN PRODUCED BY THE GENERAL PUBLIC AND NOT BY QUALIFIED ERCA STAFF.

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Notes

REI2018D034

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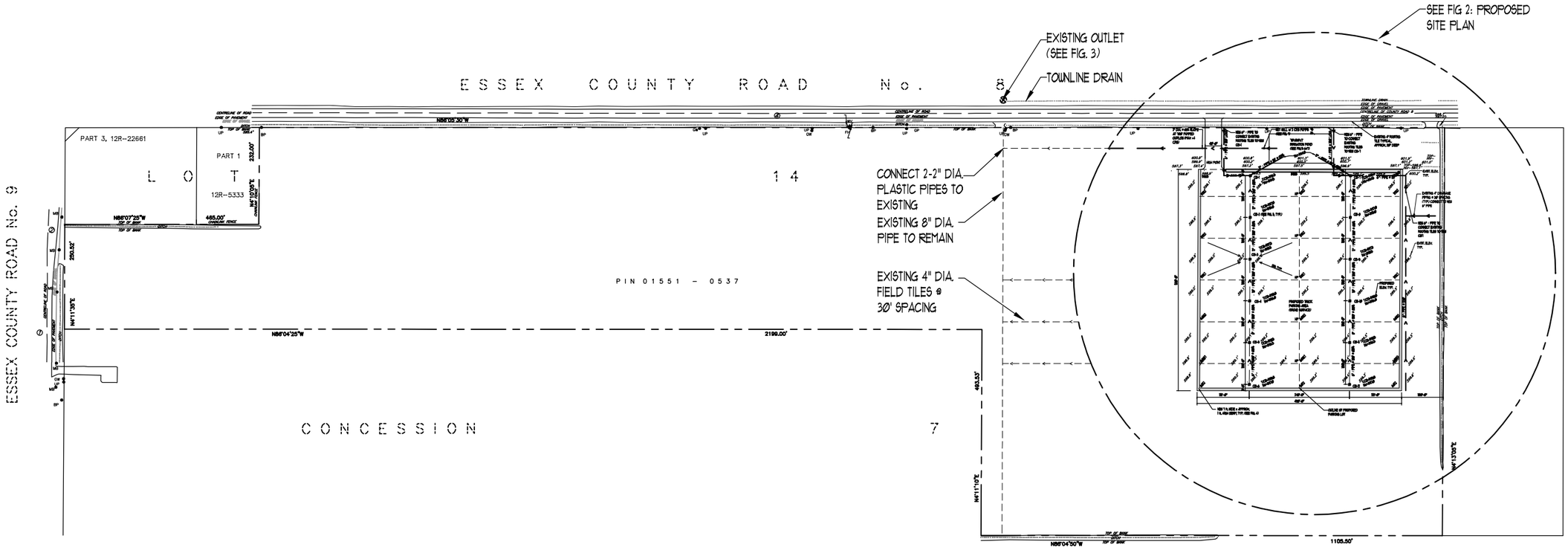


BASE PLAN BY: CLARKE SURVEYORS INC.,
JOB # 34922-01, MARCH 22, 2018.

FIGURE 1: PROPOSED SITE PLAN

SCALE: N.T.S

FIELD VERIFY ALL DIMENSIONS

Chall.Eng. CONSULTING ENGINEERS
SUITE 342,
13300 TECUMSEH ROAD EAST,
WINDSOR, ONTARIO, N8N4R8
PHONE: 519-979-7333
FAX: 519-979-7331
CEC@CEC14.COM WWW.CEC14.COM

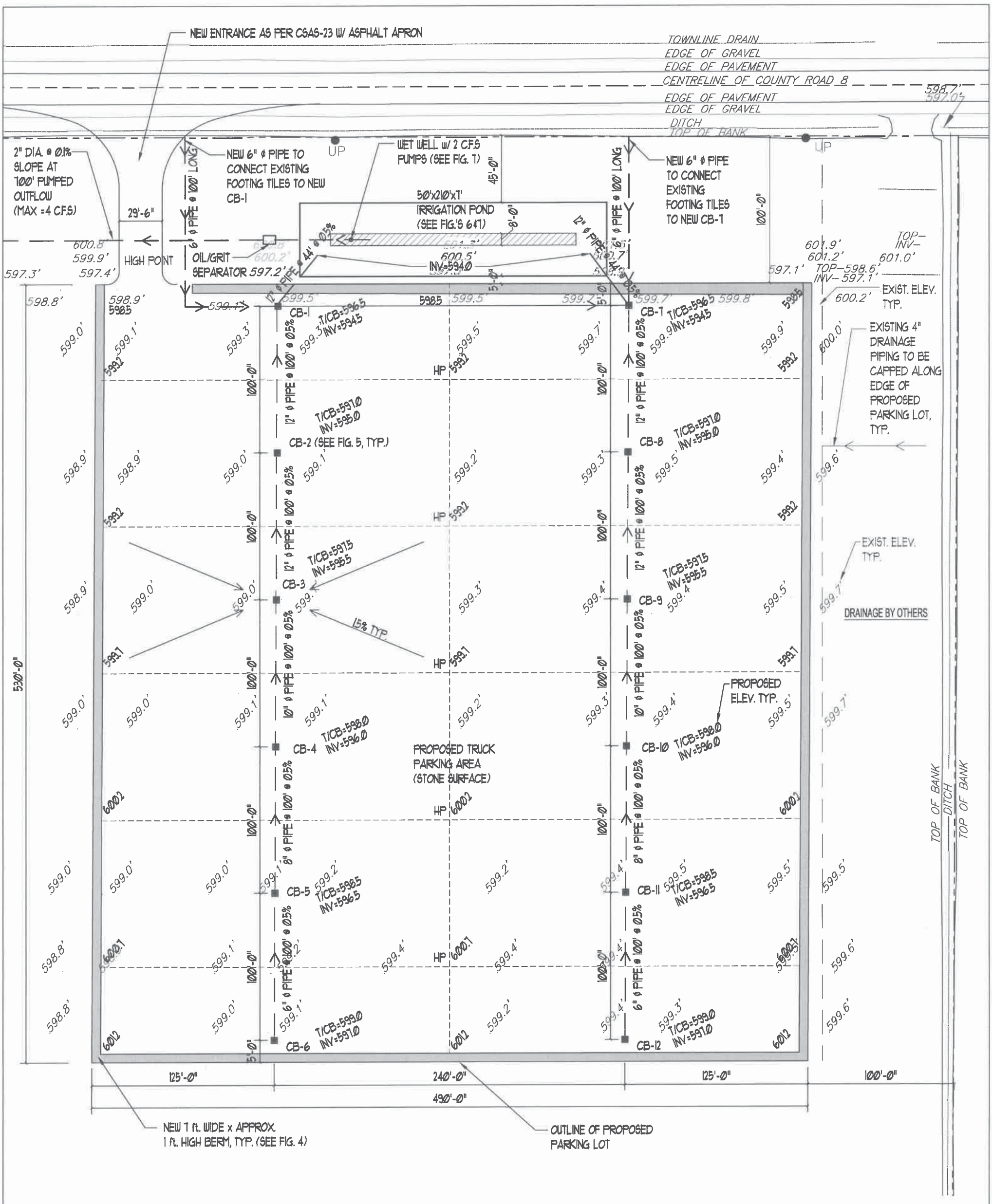
DWG. NO. S1
REV. NO.

PROPOSED SITE PLAN

ISSUED FOR:	DATE:
OWNER REVIEW	APR 10/18
OWNER REVIEW	DEC 10/18

PROJECT: BEZAIRE PROPERTY
7981 HOWARD AVENUE, AMHERSTBURG, ONTARIO

DATE: DECEMBER 10, 2018
PROJ. NO: 18014
SCALE: AS SHOWN



LEGEND

- ⊠ CB — NEW 2'x2'x6' HIGH CATCH BASIN WITH STEEL GRATE, 2" SUMP WITH GOS-GULLEY (CB-1 & CB-7 ONLY) TRAPS, AND 6'x6'x8" THK. CONC. PAD
- — — — DRAINAGE PIPE
- ○ UP — UTILITY POLE
- BERM
- — - — PROPERTY LINE
- 97.33ft — EXISTING ELEVATION
- **97.33ft** — **PROP. ELEVATION**
- TC — TOP OF COVER
- INV — PIPE INVERT

ISSUED FOR:	DATE:
OWNER REVIEW	APR 19/18
DRAFT TO AMHERSTBURG	MAY 4/18
REVISION 1	MAY 16/18
REVISION 2	NOV 12/18
REVISION 3	APR 18/19
REVISION 4	MAY 13/19

BASE PLAN BY: CLARKE SURVEYORS INC., JOB # 34922-01, MARCH 22, 2018.

FIGURE 2: PROPOSED SITE PLAN

SCALE: 1/64" = 1'-0"

NOTE: THIS DRAWING IS A PART OF SWM REPORT DATED NOV. 12, 2018

FIELD VERIFY ALL DIMENSIONS

PROJECT: BEZAIRE PROPERTY
7981 HOWARD AVENUE, AMHERSTBURG, ONTARIO

DATE: NOVEMBER 12, 2018 | PROJ. NO: 18014 | SCALE: AS SHOWN

PROPOSED SITE PLAN

DWG. NO. S2 | REV. NO. 4

Chall.Eng. CONSULTING ENGINEERS
SUITE 342, 13300 TECUMSEH ROAD EAST, WINDSOR, ONTARIO, N8N4R8
PHONE: 519-979-7333
FAX: 519-979-7331
CEC@CEC14.COM WWW.CEC14.COM

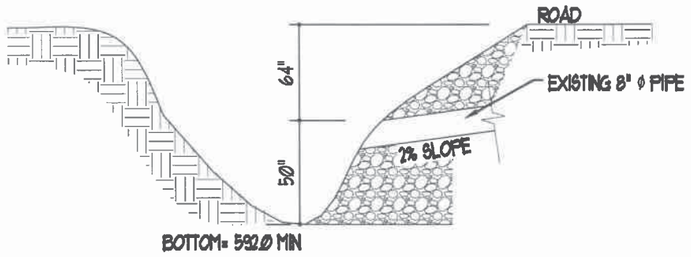


FIGURE 3: EXISTING OUTLET PIPE ELEVATION DETAIL

SCALE: 1/4" = 1'-0"

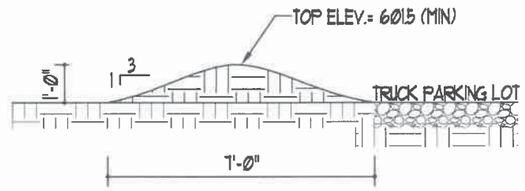


FIGURE 4: BERM WITH GRASS COVER

SCALE: 1/4" = 1'-0"

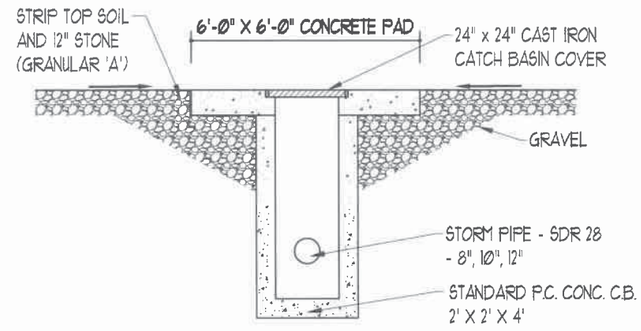


FIGURE 5: CATCH BASIN DETAIL

SCALE: 1/4" = 1'-0"

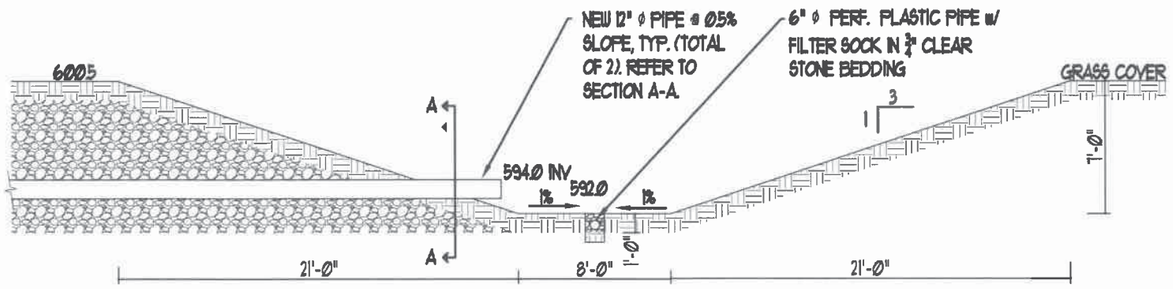
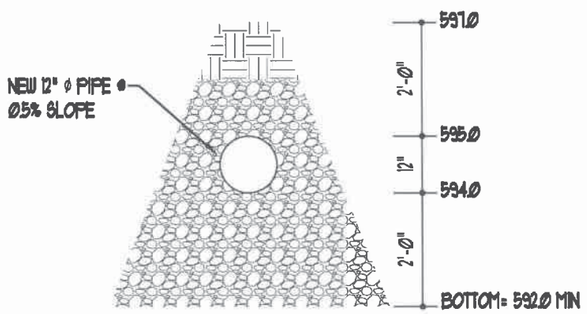


FIGURE 6: IRRIGATION POND DETAIL

SCALE: 1/8" = 1'-0"



SECTION A-A: PIPE DETAIL

SCALE: 3/8" = 1'-0"

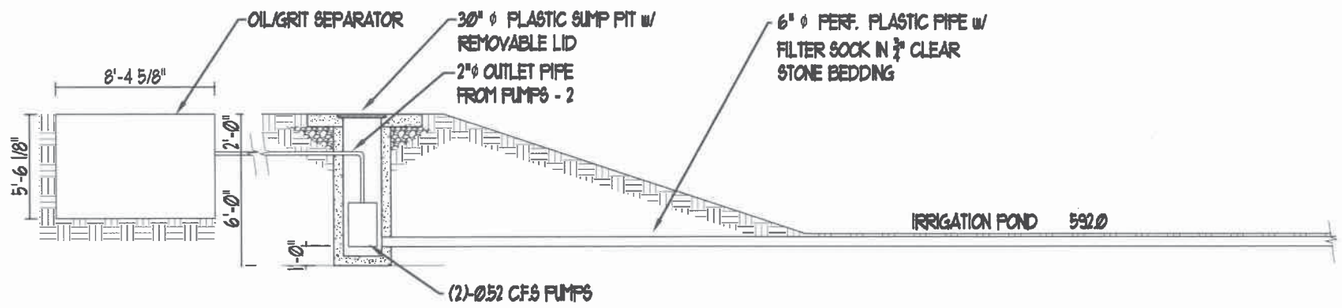


FIGURE 7: POND PUMP DETAIL

SCALE: 1/8" = 1'-0"

FIELD VERIFY ALL DIMENSIONS

SUITE 342,
13300 TECUMSEH ROAD EAST,
WINDSOR, ONTARIO, N8N4R8
PHONE: 519-979-7333
FAX: 519-979-7331
CEO@CEC14.COM WWW.CEC14.COM
ChaiLEng. CONSULTING ENGINEERS

DWG. NO. S3 | REV. NO. 3

PROPOSED SITE PLAN – DETAILS

ISSUED FOR:	DATE:
OWNER REVIEW	APR 19/18
DRAFT TO AMHERSTBURG	MAY 4/18
REVISION 1	NOV 12/18
REVISION 2	APR 18/19
REVISION 3	MAY 13/19

PROJECT: BEZAIRE PROPERTY
7981 HOWARD AVENUE, AMHERSTBURG, ONTARIO

DATE: NOVEMBER 12, 2018 | PROJ. NO: 18014 | SCALE: AS SHOWN

Town Of Tecumseh

Amendment No. 40

To The Official Plan For The Town Of Tecumseh

For Those Lands In The Former Town Of Tecumseh

(Planning File: D19 VALTEC – 11870 Tecumseh Road)

July 2019

Prepared by
Town of Tecumseh Planning and Building Services Department
(519) 735-2184

Town Of Tecumseh

Amendment No. 40 To The Official Plan

For The Town Of Tecumseh

For Those Lands In The Former Town Of Tecumseh

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Town Of Tecumseh

Amendment No. 40 To The Official Plan

For The Town Of Tecumseh

For Those Lands In The Former Town Of Tecumseh

I, Laura Moy, Clerk of the Town of Tecumseh, certify that this is a/the original/duplicate original/certified copy of Amendment No. 40 to the Official Plan for the Town of Tecumseh, for those lands in the former Town of Tecumseh.

_____

Laura Moy, Clerk

This Amendment No. 40 to the Official Plan for the Town of Tecumseh, for those lands in the former Town of Tecumseh, which has been adopted by the Council for the Corporation of the Town of Tecumseh, is hereby approved in accordance with Section 21 of the *Planning Act, R.S.O. 1990* as Amendment No. 40 to the Official Plan for the former Town of Tecumseh.

_____ _____

Date

Town Of Tecumseh

By-Law Number **2019-57**

Now Therefore the Council of the Corporation of the Town of Tecumseh in accordance with the provisions of Section 21 of the *Planning Act, R.S.O. 1990* hereby enacts as follows:

1. Amendment No. 40 to the Official Plan for the Town of Tecumseh, for those lands in the former Town of Tecumseh, consisting of the attached explanatory text and map schedule, is hereby adopted;

2. That the Clerk is hereby authorized and directed to make application to the County of Essex for approval of Amendment No. 40 to the Official Plan for the Town of Tecumseh, for those lands in the former Town of Tecumseh;

3. This By-law shall come into force and take effect on the day of the final passing thereof.

Enacted and passed this 23rd day of July, 2019.

Signed _____ Signed _____
Clerk Mayor

Corporate Seal
Of Municipality

Certified that the above is a true copy of By-law No. **2019-57** passed by the Council of the Town of Tecumseh on the **23rd day of July, 2019.**

Signed _____
Clerk

The Constitutional Statement

Part A - The Preamble, does not constitute part of this amendment.

Part B - The Amendment, consisting of the following explanatory text and map schedule, constitutes Amendment No. 40 to the Official Plan for the Town of Tecumseh, for those lands in the former Town of Tecumseh.

Also attached is Part C - The Appendices which does not constitute part of this amendment. These appendices contain the planning analysis and public involvement associated with this amendment.

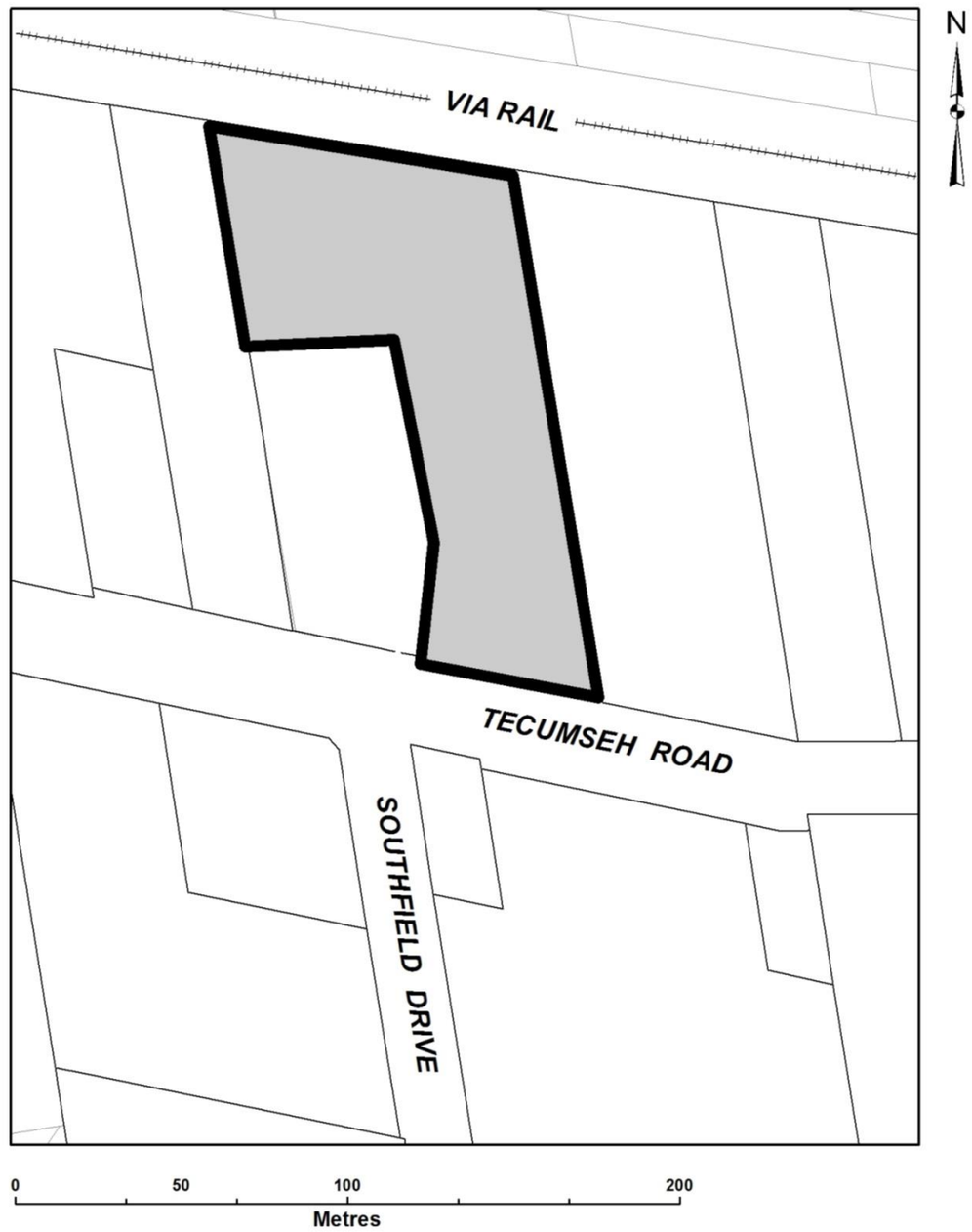
Part A - The Preamble

Purpose and Basis of the Amendment

The purpose of the proposed Official Plan amendment is to introduce a site-specific policy pertaining to the General Commercial land use designation on a 1.08 hectare (2.68 acre) property situated at the northeast corner of the Tecumseh Road/Southfield Drive intersection (see Map One for location). The site-specific policy will establish a permitted use of a six-storey apartment building containing no greater than 97 residential dwelling units for the subject property. In addition, the site-specific policy will establish a maximum height of three storeys for that portion of the building fronting/overlooking Tecumseh Road.

The planning and land use analysis for the changes being made as part of OPA No. 40 are described in the documents referred to in the Planning Analysis section of the amendment.

MAP ONE - LOCATION OF SUBJECT PROPERTY
OFFICIAL PLAN AMENDMENT NO. 40
11870 TECUMSEH ROAD
TOWN OF TECUMSEH



Area Subject to Proposed Amendment

Part B The Amendment

Details Of The Amendment

The Official Plan for the Town of Tecumseh, for those lands in the former Town of Tecumseh, as amended, is hereby further amended as follows:

1. Section 3.5 (a), General Commercial, Tecumseh Official Plan, as amended, is hereby further amended by the addition of a new subparagraph 3.5 (a) xv) to immediately follow subsection 3.5 (a) xiv) and to read as follows:

   "xv) Special Policy Affecting the 1.08 Hectare Property Located at 1870 Tecumseh Road and Designated Commercial

   Notwithstanding any other policy of this Plan to the contrary, development on these lands shall be in accordance with the following specific policies:

   1. The permitted use for the subject property shall be a multi-unit apartment building of up to six storeys in height, containing up to 97 residential dwelling units and accessory uses;

   2. A maximum height of three storeys shall be permitted for that portion of the building designed to front/face onto Tecumseh Road;

   3. As part of the residential development, a municipal parkette shall be constructed and conveyed to the Town. The size, location and design of the municipal parkette shall be to the satisfaction of the Town, and in keeping with the Tecumseh Road Main Street Community Improvement Plan, adopted January 12, 2016, and implemented through a corresponding site plan control agreement; and

   4. The site-specific zone provisions shall be established within the implementing zoning by-law amendment. The zone provisions shall ensure that the development is constructed in accordance with the special policy affecting the subject property."

Implementation of the Amendment

This official plan amendment will be implemented through a corresponding zoning by-law amendment, being completed concurrently, which will place the lands in a site specific “General Commercial Zone (C3-15)”. In addition, the approval of a plan of condominium and/or the execution of a site plan control agreement with the Town of Tecumseh will be required.

Part C The Appendices

Appendix 1 - Planning and Land Use Analysis

The planning and land use analysis in support of this Official Plan Amendment is contained within the following attached documents:

- PBS-2019-11, dated May 28, 2019
- PBS-2019-22, dated July 23, 2019

Appendix 2 - Public Participation

The minutes of the public meeting held on Tuesday, June 25, 2019, are attached for information purposes.

The Corporation of the Town of Tecumseh

By-Law Number 2019-58

Being a by-law to amend By-law 1746, the Town's Comprehensive Zoning By-law for those lands in the former Town of Tecumseh.
(Planning File: D19 VALTEC - 11870 Tecumseh Road)

Whereas By-law No. 1746 is the Town's comprehensive zoning by-law regulating the use of lands and the character, location and use of buildings and structures within the Town of Tecumseh, for lands situated within the former Town of Tecumseh;

And whereas the Council of the Corporation of the Town of Tecumseh deems it necessary and in the best interest of proper planning to further amend By-law No. 1746;

And whereas this By-law conforms to the Official Plan in effect for the Town of Tecumseh for lands in the former Town of Tecumseh, as amended by Official Plan Amendment No. 40;

Now Therefore the Council of The Corporation of The Town of Tecumseh Enacts as follows:

1. That Schedule "A", Map 1, to By-law 1746, as amended, is hereby further amended by changing the zoning classification for those lands as depicted on Schedule "A" attached hereto and forming part of this by-law from "General Commercial Zone (C3)" to "General Commercial Zone (C3-15)".

2. That By-law 1746, Section 11, General Commercial Zone (C3) Zone Regulations, as amended, is hereby further amended by the addition of a new subsection 11.3.15 to immediately follow subsection 11.3.14 and to read as follows:

"11.3.15 Defined Area C3-15 as shown on Schedule "A", Map 1, of this By-Law.

a) Permitted Uses

i) Multi-unit residential uses containing no greater than 97 dwelling units;

ii) Accessory uses.

b) Permitted Building and Structures

i) One multi-unit dwelling containing no greater than 97 dwelling units;

ii) Accessory buildings and structures.

c) Zone Provisions

All lot and building requirements shall be in accordance with subsection 11.1.3 to 11.2, respectively, of this by-law, with the exception of the following site specific regulations:

i) Maximum Building Height 20.0 metres

ii) Minimum Front Yard Depth

a) For The First Three Storeys	4.0 metres
b) All other Storeys	10.0 metres

iii) Minimum Side Yard Width

a) Eastern Side Yard For First Three Storeys	1.8 metres
b) Eastern Side Yard For All Other Storeys	20.0 metres
d) Side Yard Abutting a Municipal Parkette	Nil
e) All Other Side Yards	10.0 metres

iv) Minimum Rear Yard Depth 40.0 metres

d) Accessory Use Provisions

Accessory buildings, structures or uses in the C3-15 zone shall be in accordance with subsection 5.25 of this by-law.

e) Zone Provisions for Parkette

The zoning provisions for structures located within the associated municipal parkette shall be in accordance with the site plan control agreement associated with lands zoned C3-15

f) Other Zone Provisions

The provisions of subsections 5.28, 5.33, 11.1.8 and 11.1.14 of this By-law shall not apply to lands zoned C3-15."

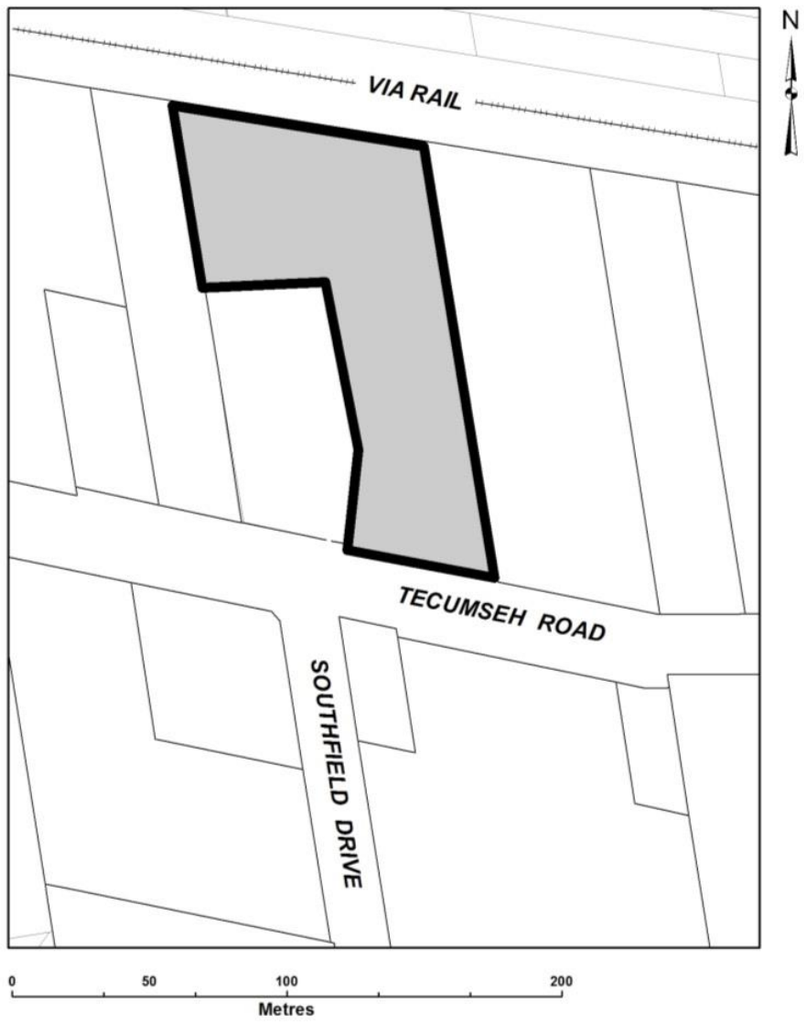
3. This By-law shall take effect from the date of passage by Council and shall come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990*.

Read a first, second and third time and finally passed this 23rd day of July, 2019.

Gary McNamara, Mayor

Laura Moy, Clerk

SCHEDULE "A"
11870 TECUMSEH ROAD
TOWN OF TECUMSEH



Change from "C3" to "C3-15"

This is Schedule "A" to By-law No. 2019-58.
Passed the 23rd day of July, 2019.

Signed

Mayor

Clerk

The Corporation of the Town of Tecumseh

By-Law Number 2019 -42

Being a bylaw to provide for the repair and improvements to the Lachance Drain

Whereas the Council of The Corporation of the Town of Tecumseh (hereafter "Town") has been requested to provide for the repair and improvement of the Lachance Drain;

And Whereas the Town procured a Drainage Report for the Lachance Drain and specifications from the consulting engineering firm of Dillon Consulting, dated May 3, 2019 (hereafter "Drainage Report");

And Whereas notice of a Public Meeting to hear comments from the affected property owners was given on May 4, 2019;

And Whereas a Public Meeting of Council was held on Tuesday, May 28, 2019, at 5:15 pm to hear from any affected property owners on the Drainage Report;

And Whereas the Council of The Corporation of the Town of Tecumseh is of the opinion that the repair and improvement of the Lachance Drain is desirable;

Now Therefore the Council of The Corporation of The Town of Tecumseh Enacts as follows:

1. **That** the Drainage Report providing for the repair and improvement of the Lachance Drain, dated May 3, 2019, as prepared by the consulting engineering firm Dillon Consulting and attached hereto as Schedule "A" to this by-law, is hereby adopted and the drainage works as therein indicated and set forth is hereby approved and shall be completed in accordance therewith.

2. **That** the Treasurer, subject to the approval of Council, may agree with any bank or person for temporary advances of money to meet the costs of construction pending the completion of the drain and grants and computed payments are received.

3. **That** the Town may issue debentures for the amount borrowed and the amount of such debentures shall be reduced to the total amount of:

    a) Grants received under Section 85 of the said Act;

    b) Commuted payments made in respect of land and roads assessed.

4. **That** such debentures shall be made payable within five (5) years from the date of the debenture and shall bear interest at a rate as approved by resolution of Council.

5. **That** the specifications and General Specifications as established are adopted as set out in the Drainage Report which forms part of this by-law.

6. **That** the Mayor and Clerk are authorized to cause a contract for the construction of the works to be made and entered into with some person or persons, firm or corporations, subject to the approval of the Council to be declared by resolution.

7. **That** this by-law shall come into force upon and after the final passing thereof.

Read a first and second time this 28th day of May, 2019.

Gary McNamara, Mayor

Laura Moy, Clerk

Read a third and final time this 23rd day of July, 2019.

Gary McNamara, Mayor

Laura Moy, Clerk

DRAINAGE REPORT
FOR THE

LACHANCE DRAIN

TOWN OF TECUMSEH
&
CITY OF WINDSOR

DILLON CONSULTING

03 MAY 2019

MARK D. HERNANDEZ, P.ENG.

DILLON FILE No. 17-6772

TECUMSEH FILE NO. E09LA(49)

File No. 17-6772

Mayor and Council
The Corporation of the Town of Tecumseh
917 Lesperance Road
Tecumseh, Ontario
N8N 1W9

DILLON CONSULTING

3200 Deziel Drive
Suite 608
Windsor, Ontario
Canada
N8W 5K8
Telephone
519.948.5000
Fax
519.948.4243

Drainage Report for the
LACHANCE DRAIN
Town of Tecumseh & City of Windsor

Ladies & Gentlemen:

Instructions

The Municipality put forth a request to repair and improve the Lachance Drain on 15 September 2017. Council accepted the request under Section 78 of the Drainage Act and on 14 November 2017 appointed Dillon Consulting Limited to prepare a report. The Municipality invited affected landowners to attend an on-site meetings on 8 February 2018 and 6 April 2018 to discuss the Municipality's concerns with the performance of the drain, the concerns they have received to date from landowners and to garner any additional comments from landowners. The concerns brought forward at the meeting are as follows:

- The enclosed upstream section of the Lachance Drain has conveyance issues.
- Standing water along the drain corridor is prevalent during heavy rainfalls, especially along the upstream portion of the drain.

Watershed Description

The Lachance Drain commences along the south side of Intersection Road at Shawnee Road where it flows westerly along a closed channel to approximately the western boundary of Lot 148 where it begins to flow in an open channel until the centre of Lot 140. It then flows southerly for 243 metres. At this point the open channel flows westerly for 796 metres. The open channel drain outlets in to the Little River Drain.

The total length of the drain is approximately 2,442 metres. The watershed area is approximately 114.8 ha (284 acres) which consists of approximately 60.74 ha (150.08 acres) within the Town of Tecumseh and 54.06 ha (133.58 acres) within the City of Windsor.

The lands comprising the watershed are under mixed agricultural and residential use. There is little topographic relief. From the Ontario Soil Survey (provided by the Ontario Ministry of Agriculture, Food and Rural Affairs), the principle surficial soil in the study area is described as Brookston Clay. Brookston clay is characterized as a very slow draining soil type. Most of the agricultural land parcels are systematically tiled.

Drain History

The recent history of Engineers' reports for the Lachance Drain follows:

- **3 August 1968 by C.G.R. Armstrong, P.Eng.:** This report recommend cleaning of the drain to address accumulated sediment.
- **7 September 1988 by Lou Zarlenga, P.Eng.:** This report recommends the improvement of the entire drain including the replacement of all culverts. The existing drain including culverts was found to be in disrepair. Further, a proposed residential development at the upstream end of the Lachance Drain required the improvements which were in addition to the maintenance activities. The report included a recommendation that all excess excavated material be trucked away.

On-Site Meeting

Site meetings were held on 8 February 2018 and 6 April 2018. A record of these meetings is provided in Schedule 'A-1' & Schedule 'A-2', which is appended hereto.

Survey

Our survey and examination of the Lachance Drain was carried out on 26 March 2018. The survey is comprised of the recording of topographic data and the examination of the channel for available depth necessary to provide sufficient drainage. We commenced the survey at the outlet into the Little River Drain. We then proceeded upstream along the channel (parallel to the CP Railway) until it reached Station 0+797. At this point we followed the channel northerly to Station 1+040 where we began following the drain easterly. We followed the channel easterly under Banwell Road to Station 1+700 and then continued easterly along the south side of Intersection Road until Station 2+288. At this point the drain is closed for approximately 150 metres.

Significant changes to the location of the downstream drain were identified. According to the 1988 report, from the new stationing from Station 1 + 048 to Station 0 + 000 the drain continued westerly through the farm fields. At some point in time following the 1988 report, the drain was relocated southerly to follow the railway. This work does not appear to have been completed under the Drainage Act. We however recommend that the drainage alignment shown within this report be known as the Lachance. Therefore, the alignment illustrated in the 1988 report (downstream of Station 1+048) is no longer legal upon the adoption of this report.

In addition, our survey revealed a significant amount of overgrown brush and vegetation with frequent accumulations of debris, forming blockages within the channel. There is a uniform build-up of sediment averaging 460 mm above the design bottom.

Existing Conditions and Recommendations

The last report for repair and improvement of the drain was completed in 1988. The drain will require a bottom cleanout to align with the 1988 profile with adjustments as shown on the profile attached from Station 1+048 to 2+288. From Station 0+000 to Station 1+048 the design grades are shown on the enclosed profile. Generally, the drain banks are reasonably well grassed and stabilized.

All of the access bridges were inspected during the course of our investigation. Our assessment identified culverts that are still in serviceable condition, but Bridge Nos. 3, 4, and 5 will likely require replacement in the next 5 to 10 years. Bridge Nos. 1 and 2 are concrete pipe and are not likely to deteriorate in the next 5 to 10 years.

We also recommend that the enclosed section of drain and existing bridges be flushed.

Since the 1988 report, a sanitary connection at Station 2+318 was constructed. This sanitary connection runs through the enclosed drain creating a partial obstruction. This condition resulted in a sinkhole forming at this location which the Municipality addressed through an emergency repair.

Subsequently, a review was completed to determine whether or not the sanitary connection could be lowered below the drain, however it was deemed untenable due to the shallow elevation at the sanitary main. We recommend that the Town of Tecumseh regularly perform maintenance on the entire closed portion of the drain from Station 2 + 288 to Station 2+440. This maintenance shall include the flushing of the drain, as well as the removal of debris.

Specific structure numbers have been designated for ease of reference between the specifications and the drawings. The locations, dimensions, condition and use of each structure are as follows:

Bridge No. 1: Station 0+581 City of Windsor (Roll No. 090-040-03402)

A 32.5 m long, 1800 mm diameter concrete pipe with rip rap end protection provides for a railway crossing. A culvert was not shown at this location in the 1988 report therefore, its origin is unknown. We recommend the incorporation of this bridge as part of the Lachance Drain.

We recommend that in the future the culvert be replaced with a new 32.5 m long, 1800 mm diameter concrete pipe complete with rip rap end protection with filter fabric underlay.

Bridge No. 2: Station 0+763 City of Windsor (Roll No. 090-040-03502)

A 34.5 m long, 1800 mm diameter concrete pipe with rip rap end protection provides for a railway crossing. A culvert was not shown at this location on the profile in the 1988 report, therefore its origin is unknown. We recommend the incorporation of this bridge as part of the Lachance Drain.

We recommend that in the future the culvert be replaced with a new 34.5 m long, 1800 mm diameter concrete pipe complete with rip rap end protection with filter fabric underlay.

Bridge No. 3: Station 1+048 Pointe East Windsor Limited (Roll No. 090-040-03600)

A 9.2 m long, 1350 mm diameter corrugated steel pipe with rip rap end protection and gravel surface provides a fence and farm crossing. A culvert was shown at this location on the profile in the 1988 report.

We anticipate that this culvert will require replacement within the next 10 years or sooner if conditions warrant. We recommend that in the future the culvert be replaced with a new 18.5 m long, 1400 mm diameter aluminized corrugated steel pipe complete with rip rap end walls with filter fabric underlay, providing a minimum 9.2 m wide gravel surface.

Bridge No. 4: Station 1+227 Pointe East Windsor Limited (Roll No. 090-040-03700)

A 13.9 m long, 1300 mm diameter corrugated steel pipe with rip rap end protection and gravel surface provides access to this property. A culvert was shown at this location on the profile in the 1988 report.

We anticipate that this culvert will require replacement within the next 10 years or sooner if conditions warrant.

We recommend that in the future the culvert be replaced with a new 16.5 m long, 1400 mm diameter aluminized corrugated steel pipe complete with rip rap end walls with filter fabric underlay, providing a minimum 7.3 m wide gravel surface.

Bridge No. 5: Station 1+706 (Banwell Road)

A 13.9 m long, 1880 mm by 1260 mm corrugated steel pipe arch with concrete block end protection and asphalt surface provides a road crossing. A culvert was shown at this location on the profile in the 1988 report.

We anticipate that this culvert will require replacement within the next 5 to 10 years or sooner if conditions warrant. We recommend that in the future the culvert be replaced with a new 15m long, 1800 mm concrete pipe complete with vertical concrete block headwalls and a 6.7 m asphalt driveable top width with 2m wide shoulder extending over to concrete block headwalls.

Design Considerations

The Design and Construction Guidelines published by the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) recommends that open drainage systems and farm crossings serving farmlands be designed to effectively contain and convey the peak runoff generated from a storm event having a frequency of occurrence of 1 in 2 years. The open drain use system and farm crossings have been designed accordingly. The road and rail bridges have been designed for a storm event having a frequency of occurrence of 1 in 5 years and analyzed for a 1 in 10 year storm event to confirm that flows do not overtop the roadway. Culvert Master Software was used to perform hydraulic analysis for bridges.

We believe that these design standards should provide a reasonable level of service, but it should be clearly understood that runoff generated from large storms or fast snow melts may sometimes exceed the capacity of the proposed systems and result in surface ponding for short periods of time.

Allowances

In accordance with Sections 29 and 30 of the Drainage Act, we have made a determination of the amount to be paid for damages to the lands, for land taken in the improvements to the drain and the establishment of a permanent 1.0 m wide grass buffer strip as recommended. The average land cost for 2018 provided by the Town of Tecumseh for the surrounding area used to calculate the value of land taken is $17,710 per hectare.

The 1988 report provided Section 29 allowances for lands required to repair and improve the drain. Further, allowances have been made in this report under Section 29 for the lands required to establish a 1 metre wide grass buffer strip along the drain.

Throughout the length of the work, the excavated material is to be disposed of as set out in the Special Provisions in Schedule F herein. In accordance with Section 30 of the Drainage Act, we determined the amount to be paid to the owners for damages to lands and crops (if any) occasioned by the operation of equipment and the disposal of material excavated from the drain. The allowance for damages is calculated at a rate of $3,707 per hectare, ($1,500 per acre).

Recommendations and Cost Estimate

Based on our review of the history, the information obtained during the site meeting and our examination and analysis of the survey data, we recommend that the Lachance Drain be repaired and improved as described below:

Item	Description	Amount
	OPEN DRAIN WORK	
1.	Brushing of the drain including the disposal by burning on-site or removal off-site with trimming and/or removal and disposal existing trees off-site as required to accommodate the drainage works, as follows:	
	a) Light brushing from Station 0+000 to Station 1+048	$6,300.00
	b) Medium brushing from Station 1+048 to Station 2+288	$16,200.00
2.	Excavation and levelling of excavated materials works, as follows:	
	a) Excavation of the drain bottom, as follows:	
	i) Station 0+000 to Station 2+288, totalling approximately 2,288 lineal metres of drain and approximately 710 m^3 of material.	$18,700.00
	b) Levelling of excavated materials, as follows:	
	i) Station 1+040 to Station 2+288, totalling approximately 1,138 lineal metres of drain and approximately 400 m^3 of material.	$1,700.00
	c) Trucking of excavated materials, as follows:	
	i) Station 0+000 to Station 1+040, totalling approximately 1040 lineal metres of drain and approximately 310 m^3 of material (existing fence on the north side of drain to be temporarily removed, where required to obtain access through working corridor).	$5,580.00
3.	Seeding of grass buffer strips, as follows:	
	a) Seeding of 1.0 m wide grass buffer strip beyond the top of bank on the north side of the drain from Station 0+000 to Station 0+790 (approximately 790 m^2).	$3,200.00
	b) Seeding of 1.0 m wide grass buffer strip beyond the west bank from Station 0+790 to Station 1+040 (approximately 250 m^2).	$1,000.00
	c) Seeding of 1.0 m wide grass buffer strips beyond the north and south bank from Station 1+040 to Station 1+700 (approximately 1,320 m^2).	$5,300.00
	d) Seeding of 1.0 m wide grass buffer strip beyond the south bank from Station 1+700 to Station 2+288 (approximately 588 m^2).	$2,400.00
4.	Temporary silt control measures during construction	$650.00

Item	Description	Amount
5.	Private access bridge cleaning works, as follows:	
	a) Bridges No. 1, 2, 3 and 4	$2,000.00
6.	Enclosed drain flushing from Station 2+228 to Station 2+442	$3,000.00
	SUB-TOTAL – EXCLUDING SECTION 26 COSTS	**$66,030.00**
7.	Allowances under Sections 29 and 30	$9,210.00
8.	Survey, report, assessment and final inspection (cost portion)	$45,000.00
9.	Expenses and incidentals (cost portion)	$1,500.00
10.	ERCA application, review and permit fee	$800.00
	TOTAL – EXCLUDING SECTION 26 COSTS	**$122,540.00**
	SECTION 26 NON PRO-RATEABLE COSTS	
11.	Road crossing cleaning works, as follows:	
	a) Cleaning of Bridge 5 – Station 1+700- 13.9 m long, 1880 mm x 1260 mm corrugated steel pipe arch (CSPA) road culvert.	$500.00
	SUB-TOTAL – SECTION 26 NON PRO-RATEABLE COSTS	**$500.00**
12.	Survey, report, assessment and final inspection (cost portion)	$3,500.00
	TOTAL – SECTION 26 NON PRO-RATEABLE COSTS	**$4,000.00**
	TOTAL ESTIMATE – LACHANCE DRAIN	**$126,540.00**

The estimate provided in this report excludes applicable taxes and was prepared according to current materials and installation prices as of the date of this report. In the event of delays from the time of filing of the report by the Engineer to the time of tendering the work, it is understood that the estimate of cost is subject to inflation. The rate of inflation shall be calculated using the Consumer Price Index applied to the cost of construction from the date of the report to the date of tendering.

Should the Road Authority elect to construct the drainage works across their road right-of-ways (Section 26.0 increased cost items) with their own forces, as per Section 69 of the Drainage Act, R.S.O., 1990, the Road Authority shall remain responsible for their allotment of costs for the preparation of this report as outlined in our estimate. Should the Road Authority elect not to undertake this work, the work items, as noted under Section 26 above, should be kept separate when tendering out the entire drainage works.

Assessment of Costs

The individual assessments are comprised of three (3) assessment components:

i. Benefit (*advantages relating to the betterment of lands, roads, buildings, or other structures resulting from the improvement to the drain).*

ii. Outlet Liability *(part of cost required to provide outlet for lands and roads).*

iii. Special Benefit *(additional work or feature that may not affect function of the drain).*

We have assessed the estimated costs against the affected lands and roads as listed in Schedule 'C' under "Value of Special Benefit", "Value of Benefit" and "Value of Outlet." Details of the Value of Special Benefit listed in Schedule 'C' are provided in Schedule 'D'.

Assessment Rationale-Open Drain Improvements

We have assessed the above estimated costs for the repair and improvement of the Lachance Drain against the affected lands and roads listing in Schedule "C" under "Benefit" and "Outlet Liability".

The above estimated costs have been assessed 30% as a Benefit assessment and 70% as an Outlet Liability assessment against all upstream lands and roads within the drainage area. This is consistent with the 1988 Zarlenga report.

1. For tile main outlet repairs including stone erosion protection as required, at the location of the said main tile outlets, the Drainage Superintendent and/or Engineer may direct the contractor to make these repairs at the expense of the landowner. Private tile repairs shall be assessed 100% against the property on which the said tile exists.
2. Bank failure repairs caused by surface water inlets on abutting lands along the drain from Station 0+000 to Station 1+700 shall be assessed 100% to the abutting landowner.
3. Bank failure repairs caused by surface water inlets on abutting lands along the drain from Station 1+700 to Station 2+228 shall be assessed 100% to the abutting landowner if the failure is on the south side of the drain and 100% to the Road Authority if the failure is on the north side of the drain.

Assessment Rationale for Special Benefit Assessments (Bridges)

Special Benefit assessment shown in Schedule 'C' and detailed in Schedule 'D' were derived as follows:

1. The bridge cleaning cost of $500.00 plus an engineering cost portion of $2,000.00 each for the design provisions on the future replacement of Bridge Nos. 3 and 4 respectively has been assessed 50% against the abutting property and the remaining 50% as an Outlet assessment to the upstream lands and roads. The costs shall be assessed as a proratable assessment, see Schedule 'D'.
2. The bridge cleaning cost of $500.00 plus an engineering cost portion of $3,000.00 each for the design provisions on the future replacement of Bridge Nos. 1 and 2 has been assessed 100% to the abutting land owners. The costs shall be assessed at a non-proratable assessment, see Schedule 'D'.
3. The bridge cleaning cost of $500.00 plus engineering cost portion of $3,500.00 each for the design provisions on the future replacement of Bridge No. 5 has been assessed 100% against the City of Windsor Road Authority under Section 26 of the Drainage Act and shall be a non-proratable assessment, see Schedule 'D'.

Utilities

It may become necessary to temporarily or permanently relocate utilities that may conflict with the construction recommended under this report. In accordance with Section 26 of the Drainage Act, we assess any relocation cost against the public utility having jurisdiction. Under Section 69 of the Drainage Act, the public utility is at liberty to do the work with its own forces, but if it should not exercise this option within a reasonable time, the Municipality will arrange to have this work completed and the costs will be charged to the appropriate public utility.

Future Maintenance (Open Drain)

After completion, the Lachance Drain shall be maintained by the Town of Tecumseh and the City of Windsor for the respective portion of drain located within each municipality at the expense of the lands and road herein assessed in Schedule E-1," and in the same relative proportions subject, of course, to any variations that may be made under the authority of the Drainage Act. The assessments are based on an arbitrary amount of $20,000.00.

Future Maintenance (Private Access Bridges)

We recommend that future work of repair and maintenance of the Lachance Drain private access bridges be carried out by the Town of Tecumseh at the expense of the property or properties accessed by the bridge and of the lands and roads shown in Schedule 'E-2,' but only to those properties located upstream of each bridge.

Part of the maintenance cost of each bridge will be assessed as a Special Benefit assessment against the property or properties served by the bridge. The remainder of the maintenance cost will be assessed as Outlet assessment only to the lands and roads upstream of each bridge prorated to the assessments shown in Schedule 'E-2.'

Schedule 'E-2' represents all the lands and roads upstream of Bridge No. 3 and is applicable to other primary access bridges located further upstream by including only those properties that are upstream of the said bridge. The assessment is based on an arbitrary amount of $10,000.00 of future access bridge maintenance costs.

The division between Special Benefit and Outlet assessment for each bridge shall be as follows:

Bridge No.	Type	Owner(s)	Special Benefit	Outlet
1	Primary	City of Windsor Roll No. 090-040-03402	100%	0%
2	Primary	City of Windsor Roll No. 090-040-03502	100%	0%
3	Primary	Point East Windsor Limited Roll No. 090-040-03600	50%	50%
4	Primary	Point East Windsor Limited Roll No. 090-040-03700	50%	50%
5	Road	City of Windsor Road Authority (Section 26)	100%	0%

Drawings and Specifications

Attached to this report is Schedule 'F', which are specifications setting out the details of the recommended works and Schedule 'G' which represent the drawings that are attached to this report.

Page 1 of 9 - Overall Watershed Plan
Page 2 of 9 – Profile- Station 0+000 to Station 1+200
Page 3 of 9 – Profile- Station 1+200 to Station 2+440
Page 4 of 9 – Bridge Design Information
Page 5 of 9 - Future Bridge No. 1 & 2 Replacement
Page 6 of 9 – Future Bridge No. 3 & 4 Replacement
Page 7 of 9 - Future Bridge No. 5 Replacement
Page 8 of 9 – Cross Sections
Page 9 of 9 – Miscellaneous Repair Details

Approvals

The construction and/or improvement to drainage works, including repair and maintenance activities, and all operations connected there are subject to the approval, inspection, by-laws and regulations of all Municipal, Provincial, Federal and other authorities having jurisdiction in respect to any matters embraced by the proposed works. Prior to any construction or maintenance works, the Municipality or proponent designated on the Municipality's behalf shall obtain all required approvals/permits and confirm any construction limitations including timing windows, mitigation/off-setting measures, standard practices or any other limitations related to in-stream works.

Grants

In accordance with the provisions of Sections 85, 86 and 87 of the Drainage Act, a grant in the amount of 33–1/3 percent of the assessment eligible for a grant may be made in respect to the assessment made under this report upon privately owned lands used for agricultural purposes (eligible for farm tax credit). The assessments levied against privately owned agricultural land must also satisfy all other eligibility criteria set out in the Agricultural Drainage Infrastructure Program policies. Most of the privately owned lands are used for agricultural purposes and are eligible under the A.D.I.P. policies. We are not aware of any lateral drains involved in this work that would not be eligible for a grant. We recommend that application be made to the Ontario Ministry of Agriculture and Food in accordance with Section 88 of the Drainage Act, for this grant, as well as for all other grants for which this work may be eligible.

Respectfully submitted,

DILLON CONSULTING LIMITED

Mark D. Hernandez, P.Eng.
MDH: kaw:lld

SCHEDULE "A-1"

MEETING MINUTES

Subject:	**Lachance Drain- Onsite Meeting Minutes**
Date and Time:	**Thursday Febraury 8th 2018**
Location:	**Town of Tecumseh Council Chambers, 917 Lesperance Rd, Town of Tecumseh**
Our File:	**17-6772**

Attendees

Mark Hernandez	Dillon Consulting
Sam Paglia	Town of Tecumseh
Sign-in sheet attached	

Notes

Item	Discussion	Action By
1.	**General Information Regarding The Drainage Act**	
	• The Drainage act is a Provincial Act that is the responsibility of the municipal government to implement	**INFO.**
	• The act is over 100 years old and can be found on E-Laws	**INFO.**
	• The Act is a user based system, this is dissimilar to municipal sewers.	**INFO.**
	• The drainage process is as follows: o A request is submitted o The Engineer is appointed by the Municipality o Site Meeting held o Survey is completed o The Report is prepared o PIC is held (not required by the Act) o A meeting is set for Consideration (technical aspects of report) o Court of Revisions (cost aspects of report)	**INFO.**
	• The purpose of the site meeting is to gather information from landowners who can provide feedback about the performance of the drain as well as provide other information regarding the drain and watershed.	**INFO.**
2.	**Payment**	
	• Drain Cleanouts o These costs are typically assessed for benefit and outlet per the act. The assessment is based on how much water is sent down the drain and how much of the drain is used.	**INFO.** **INFO.**

- Culvert Replacements
  - When a replacement culverts is required the cost assessment is usually split 50/50.
  - If a new culvert is required the landowner is typically assessed 100% of the cost.
- Special Benefit Assessment **INFO.**
  - These are items that do not affect the function of the drain, these items could include: different headwalls, longer pipes, etc.
- The Engineer determines the assessment. Each assessment will include details for each property that falls within the watershed. **INFO.**
- Grants are available for properties that have a "Farm Class Tax Rate" **INFO.**
- The municipality will bill the landowners after the work is complete for their net assessment. **INFO.**

3. Report Expectations

- All landowners will receive copies of the draft report with their notice for the PIC, Meeting to Consider and the Court of Revision. Reports generally contain: **INFO.**
  - Background information about the request
  - History on the drain
  - Watershed
  - Drawings
  - Design considerations
  - Recommended work
  - Cost estimate
  - Meeting Minutes
  - Assessments including future maintenance provisions
  - Specifications

4. Affects during Construction

- Typically only landowners along the drain will be affected by construction. **INFO.**
  - Working corridors are defined within the report.
- Work shall result in creating either the same or better level or service. **INFO.**
- The quality of work is typically monitored during construction by the Drainage Superintendent. **INFO.**
  - The engineer is required to complete a final inspection.

5. Environmental Requirements

- Department of Fisheries and Oceans, Ministry of Natural Resources and Forestry and Essex Regional Conservation Authority regulations must be followed and permits obtained **INFO.**

by the municipality as required.

6. Next Steps

- Topographical survey will be completed and then the preparation of the report will commence **INFO.**
- PIC Meeting will be held. A notice and draft report will be provided in advance. **INFO.**
- Board Meetings **INFO.**

7. Question from landowner

- Maintenance of roadside drains is the responsibility of the Road Authority. They should contact the road authority directly. **INFO.**

Errors and/or Omissions

These minutes were prepared by Kristine Wilkinson E.I.T., who should be notified of any errors and/or omissions.

TOWN OF Tecumseh
ONTARIO · CANADA

SIGN IN SHEET – LACHANCE Drain – Site Meeting

February 8, 2018 @ 3:00 pm

NAME	ADDRESS	PHONE	EMAIL
Mark Fishleigh	County of Essex	(226) 340-0946	
Cecile Strouds	11938 Intersection	519-735-[illegible]	
Jodi Lachance	1927 Intersection	5199796623	
Marc Lachance	" "	" "	marclachance07@hotmail.com
Mary López	2053 Shawnee	519-979-3414	marylopez568@gmail.com
Anna Petrozzi	2095 Murray Cres	519-735-1392	annapetrozzi59@gmail.com
Jane Whelpton	2004 Shawnee Rd	519-735-4655	
CLEMENT LACHANCE	11945 Intersection	519-735-2556	
GENE LACHANCE	11933 Intersection	9951291	
Rudy Thomas	2098 - Shawnee Rd	979-7500	roadrunner1@cogeco.ca

SCHEDULE "A-2"

MEETING MINUTES

Subject:	**Lachance Drain- Onsite Meeting Minutes**
Date and Time:	**Friday April 6th 2018**
Location:	**Town of Tecumseh Council Chambers, 917 Lesperance Rd, Town of Tecumseh**
Our File:	**17-6772**

Attendees

Mark Hernandez	Dillon Consulting
Kristine Wilkinson	Dillon Consulting
Sam Paglia	Town of Tecumseh
Anna Godo	City of Windsor

Notes

Item	Discussion	Action By
1.	**This meeting was held specifically for the benefit of landowners within the City of Windsor, who had not received a copy of the invitation for the 8 February 2018 meeting. No landowners attended the meeting .**	**N/A**

Errors and/or Omissions

These minutes were prepared by Kristine Wilkinson E.I.T. , who should be notified of any errors and/or omissions.

"SCHEDULE B"

SCHEDULE OF ALLOWANCES

LACHANCE DRAIN

TOWN OF TECUMSEH & CITY OF WINDSOR

TOWN OF TECUMSEH

Roll No.	Con.	Description	Owner	Section 30 Damages	Section 29 Land	Total Allowances
570-34500	3	N. Lot 144 to N. Pt. Lot 147 RP12R13756 Pt. 1	Eugene Lachance	$1,175.00	$625.00	$1,800.00
570-34550	3	Pt. Lot 147 RP12R13756 Pt. 2	Clement Lachance	$500.00	$270.00	$770.00
570-34700	3	Pt. Lot 148	Clement Lachance	$233.00	$128.00	$361.00
TOTAL ALLOWANCES (Town of Tecumseh)				**$1,908.00**	**$1,023.00**	**$2,931.00**

CITY OF WINDSOR

Roll No.	Con.	Description	Owner	Section 30 Damages	Section 29 Land	Total Allowances
070-650-02725	3	Pt. Lots 136-138 RP12R18316	Linamar Corporation	$0.00	$885.00	$885.00
090-040-03402	3	Pt. Lot 139 RP12R24604 Pts. 12, 13 & 17	City of Windsor	$0.00	$320.00	$320.00
090-040-03502	3	N. Pt. Lot 140 RP12R24604 Pts. 5-8	City of Windsor	$0.00	$580.00	$580.00
090-040-03600	3	N. Pt. Lot 140	Pointe East Windsor Limited	$283.00	$301.00	$584.00
090-040-03700	3	N. Pt. Lot 141	Pointe East Windsor Limited	$673.00	$715.00	$1,388.00
090-040-04300	3	Plan 65 Lot 13-18 Pt. Lot 12	Pointe East Windsor Limited	$1,222.00	$1,300.00	$2,522.00
TOTAL ALLOWANCES (City of Windsor)				**$2,178.00**	**$4,101.00**	**$6,279.00**
OVERALL TOTAL ALLOWANCES (Town of Tecumseh & City of Windsor)				**$4,086.00**	**$5,124.00**	**$9,210.00**

"SCHEDULE C"
SCHEDULE OF ASSESSMENT
LACHANCE DRAIN
TOWN OF TECUMSEH & CITY OF WINDSOR

TOWN OF TECUMSEH

MUNICIPAL LANDS:

Description	Area Affected (Acres)	(Ha.)	Owner	Special Benefit	Benefit	Outlet	Total Assessment
Block A							
Lands	18.66	7.55	Town of Tecumseh	$0.00	$1,317.00	$10,426.00	$11,743.00
Roads	6.08	2.46	Town of Tecumseh	$0.00	$142.00	$5,661.00	$5,803.00
Intersection Road	2.84	1.15	Town of Tecumseh	$0.00	$113.00	$2,454.00	$2,567.00
Total on Municipal Lands				$0.00	$1,572.00	$18,541.00	$20,113.00

PRIVATELY-OWNED - NON-AGRICULTURAL LANDS:

Roll No.	Con.	Description	Area Affected (Acres)	(Ha.)	Owner	Special Benefit	Benefit	Outlet	Total Assessment
570-45990	2	Pt. Lot 146 RP12A4263 Pt. 1	1.68	0.68	Kendall Earl Winter	$0.00	$102.00	$379.00	$481.00
570-46100	3	Pt. Lot 145 RP12R10430 Pt. 2	2.37	0.96	Jean & Alec Fauteux	$0.00	$118.00	$438.00	$556.00
570-46150	2	Pt. Lot 145 RP12R10430 Pt. 1	0.99	0.40	Emelie & David Pedro	$0.00	$85.00	$316.00	$401.00
570-46200	3	N. Pt. Lot 144 RP12R11521 Pt. 3	0.82	0.33	Ahad Georgeo	$0.00	$82.00	$306.00	$388.00
570-46202	3	Pt. Lot 144 RP12R21404 Pts. 1&2	0.59	0.24	Veerpal & Tejpaul Sanghera	$0.00	$246.00	$265.00	$511.00
570-46203	3	Pt. Lot 144 RP12R11521 Pts. 4&5	0.79	0.32	Lisa & John Sisti	$0.00	$82.00	$303.00	$385.00
570-46205	3	Pt. Lot 144 RP12R11521 Pts. 6&7	0.79	0.32	Dobrivoje Vukovic	$0.00	$82.00	$303.00	$385.00
590-00500	3		18.31	7.41	Hydro-Electric Power Commission of Ontario	$0.00	$787.00	$3,411.00	$4,198.00
590-01100	3		6.05	2.45	Canadian Pacific Railway	$0.00	$654.00	$2,571.00	$3,225.00
Total on Privately-Owned - Non-Agricultural Lands						$0.00	$2,238.00	$8,292.00	$10,530.00

PRIVATELY-OWNED - AGRICULTURAL LANDS (GRANTABLE)

Roll No.	Con.	Description	Area Affected (Acres)	(Ha.)	Owner	Special Benefit	Benefit	Outlet	Total Assessment
570-45902	2	Lot 147&148 RP12R1064 Pt. 2	6.47	2.62	2034053 Ontario Limited	$0.00	$527.00	$1,169.00	$1,696.00

Roll No.	Con.	Description	Area Affected (Acres)	(Ha.)	Owner	Special Benefit	Benefit	Outlet	Total Assessment
570-45950	2	Pt. Lot 146 RP12R4263 Pt. 2 RP12R5826 Pts. 1&2	6.00	2.43	1486044 Ontario Limited	$0.00	$258.00	$1,032.00	$1,290.00
570-45930	2	W. Pt. Lot 147 RP12R6571 Pt. 1	6.18	2.50	1486044 Ontario Limited	$0.00	$471.00	$1,089.00	$1,560.00
570-34700	3	Pt. Lot 148	19.77	8.00	Clement Henri R Lachance	$0.00	$1,244.00	$3,683.00	$4,927.00
570-34550	3	Pt. Lot 147 RP12R13756 Pt. 2	16.31	6.60	Clement Lachance	$0.00	$1,545.00	$2,908.00	$4,453.00
570-34500	3	N. Lot 144 to N. Pt. Lot 147 RP12R13756 Pt. 1	35.38	14.32	Eugene Lachance	$0.00	$3,507.00	$6,113.00	$9,620.00
Total on Privately-Owned - Agricultural Lands (Grantable).....						$0.00	$7,552.00	$15,994.00	$23,546.00
TOTAL ASSESSMENT (Town of Tecumseh)						**$0.00**	**$11,362.00**	**$42,827.00**	**$54,189.00**

	(Acres)	(Ha.)
Total Area:	**150.08**	**60.74**

CITY OF WINDSOR

MUNICIPAL LANDS:

Description	Area Affected (Acres)	(Ha.)	Owner	Special Benefit	Benefit	Outlet	Total Assessment
Banwell Road	2.45	0.99	City of Windsor	$0.00	$594.00	$1,955.00	$2,549.00
Total on Municipal Lands.....				$0.00	$594.00	$1,955.00	$2,549.00

PRIVATELY-OWNED - NON-AGRICULTURAL LANDS:

Roll No.	Con.	Description	Area Affected (Acres)	(Ha.)	Owner	Special Benefit	Benefit	Outlet	Total Assessment
090-040-03502	3	N. Pt. Lot 140 RP12R24604 Pts. 5-8	8.33	3.37	City of Windsor	$4,850.00	$2,191.00	$4,910.00	$11,951.00
090-040-03402	3	Pt. Lot 139 RP12R24604 Pts. 12, 13&17	15.22	6.16	City of Windsor	$4,040.00	$1,667.00	$5,238.00	$10,945.00
070-650-02725	3	Pt. Lots 136-138 RP12R18316	20.86	8.44	Linamar Corporation	$3,690.00	$5,239.00	$5,630.00	$14,559.00
070-650-02750	3	Pt. Lots 136-138 RP12R28316 Pt. 6	2.62	1.06	City of Windsor	$0.00	$2,884.00	$309.00	$3,193.00
590-01100	3		9.14	3.70	Canadian Pacific Railway	$0.00	$654.00	$3,801.00	$4,455.00
Total on Privately-Owned - Non-Agricultural Lands.....						$12,580.00	$12,635.00	$19,888.00	$45,103.00

Roll No.	Con.	Description	Area Affected (Acres)	(Ha.)	Owner	Special Benefit	Benefit	Outlet	Total Assessment

PRIVATELY-OWNED - AGRICULTURAL LANDS (GRANTABLE)

Roll No.	Con.	Description	Area Affected (Acres)	(Ha.)	Owner	Special Benefit	Benefit	Outlet	Total Assessment
090-040-04300	3	Plan 65 Lot 13-18 Pt. Lot 12	44.43	17.98	Pointe East Windsor Limited	$0.00	$3,974.00	$7,021.00	$10,995.00
090-040-03700	3	N. Pt. Lot 141	21.35	8.64	Pointe East Windsor Limited	$1,250.00	$2,054.00	$3,049.00	$6,353.00
090-040-03600	3	N. Pt. Lot 140	9.19	3.72	Pointe East Windsor Limited	$1,250.00	$873.00	$1,228.00	$3,351.00
Total on Privately-Owned - Agricultural Lands (Grantable).....						$2,500.00	$6,901.00	$11,298.00	$20,699.00

SECTION 26 & NON-AGRICULTURAL LANDS (NON PRO-RATABLE)

Description	Area Affected (Acres)	(Ha.)	Owner	Special Benefit	Benefit	Outlet	Total Assessment
Banwell Road			City of Windsor	$4,000.00	$0.00	$0.00	$4,000.00
Total on Section 26 & Non-Agricultural Lands (Non Pro-Ratable).....				$4,000.00	$0.00	$0.00	$4,000.00

TOTAL ASSESSMENT (City of Windsor)	**$19,080.00**	**$20,130.00**	**$33,141.00**	**$72,351.00**
OVERALL TOTAL ASSESSMENT (Town of Tecumseh & City of Windsor)	**$19,080.00**	**$31,492.00**	**$75,968.00**	**$126,540.00**

	(Acres)	(Ha.)
Total Area:	**133.59**	**54.06**

"SCHEDULE D"
DETAILS OF SPECIAL BENEFIT
LACHANCE DRAIN
TOWN OF TECUMSEH & CITY OF WINDSOR

SPECIAL BENEFIT ASSESSMENT

(NON - AGRICULTURAL LANDS)

Roll No.	Owner	Item Description	Estimated Cost	Cost of Report	Special Benefit
070-650-2725	Linamar	Trucking and disposal excavated materials (approx. 205 m3)	$3,690.00	$0.00	$3,690.00
090-040-03402	City of Windsor	Bridge No. 1- Station 0+581 (Bridge Cleaning & Future Replacement) (100%)	$500.00	$3,000.00	$3,500.00
		Trucking and disposal excavated materials (approx. 30 m3)	$540.00	$0.00	$540.00
		Subtotal	$1,040.00	$3,000.00	$4,040.00
090-040-03502	City of Windsor	Bridge No. 2- Station 0+763 (Bridge Cleaning & Future Replacement) (100%)	$500.00	$3,000.00	$3,500.00
		Trucking and disposal excavated materials (approx. 75 m3)	$1,350.00	$0.00	$1,350.00
		Subtotal	$1,850.00	$3,000.00	$4,850.00
Total Special Benefit Assessment (Non - Agricultural Lands)……			$6,580.00	$6,000.00	$12,580.00

SPECIAL BENEFIT ASSESSMENT

(AGRICULTURAL LANDS GRANTABLE)

Roll No.	Owner	Item Description	Estimated Cost	Cost of Report	Special Benefit
090-040-03600	Pointe East Windsor Limited	Bridge No. 3- Station 1+048 (Bridge Cleaning & Future Replacement) (50%)	$250.00	$1,000.00	$1,250.00
090-040-03700	Pointe East Windsor Limited	Bridge No. 4- Station 1+227 (Bridge Cleaning & Future Replacement) (50%)	$250.00	$1,000.00	$1,250.00
Total Special Benefit Assessment (Agricultural Lands Grantable)……..			$500.00	$2,000.00	$2,500.00

SPECIAL BENEFIT ASSESSMENT

(SECTION 26 NON - GRANTABLE & NON PRO-RATABLE)

Roll No.	Owner	Item Description	Estimated Cost	Cost of Report	Special Benefit
Banwell Road	City of Windsor	Bridge No. 5- Station 1+706 (Bridge Cleaning & Future Replacement) (100%)	$500.00	$3,500.00	$4,000.00
Total Special Benefit Assessment (Section 26 Non - Grantable & Non Pro-ratable)……			$500.00	$3,500.00	$4,000.00

OVERALL TOTAL SPECIAL BENEFIT ASSESSMENT $19,080.00

"SCHEDULE E-1"
SCHEDULE OF ASSESSMENT FOR FUTURE MAINTENANCE (DRAIN)
LACHANCE DRAIN
TOWN OF TECUMSEH & CITY OF WINDSOR

TOWN OF TECUMSEH

MUNICIPAL LANDS:

Description	Area Affected (Acres)	(Ha.)	Owner	Special Benefit	Benefit	Outlet	Total Assessment
Lands- Block A	18.66	7.55	Town of Tecumseh	$0.00	$249.00	$1,905.00	$2,154.00
Roads- Block A	6.08	2.46	Town of Tecumseh	$0.00	$27.00	$1,034.00	$1,061.00
Intersection Road	2.84	1.15	Town of Tecumseh	$0.00	$21.00	$449.00	$470.00
Total on Municipal Lands……				$0.00	$297.00	$3,388.00	$3,685.00

PRIVATELY-OWNED - NON-AGRICULTURAL LANDS:

Roll No.	Con.	Description	Area Affected (Acres)	(Ha.)	Owner	Special Benefit	Benefit	Outlet	Total Assessment
570-45990	2	Pt. Lot 146 RP12A4263 Pt. 1	1.68	0.68	Kendall Earl Winter	$0.00	$19.00	$69.00	$88.00
570-46100	3	Pt. Lot 145 RP12R10430 Pt. 2	2.37	0.96	Jean & Alec Fauteux	$0.00	$22.00	$80.00	$102.00
570-46150	2	Pt. Lot 145 RP12R10430 Pt. 1	0.99	0.40	Emelie & David Pedro	$0.00	$16.00	$57.00	$73.00
570-46200	3	N. Pt. Lot 144 RP12R11521 Pt. 3	0.82	0.33	Ahad Georgeo	$0.00	$16.00	$56.00	$72.00
570-46202	3	Pt. Lot 144 RP12R21404 Pts. 1&2	0.59	0.24	Veerpal & Tejpaul Sanghera	$0.00	$55.00	$48.00	$103.00
570-46203	3	Pt. Lot 144 RP12R11521 Pts. 4&5	0.79	0.32	Lisa & John Sisti	$0.00	$16.00	$55.00	$71.00
570-46205	3	Pt. Lot 144 RP12R11521 Pts. 6&7	0.79	0.32	Dobrivoje Vukovic	$0.00	$16.00	$55.00	$71.00
590-00500	3		18.31	7.41	Hydro-Electric Power Commission of Ontario	$0.00	$150.00	$624.00	$774.00
590-01100	3		6.05	2.45	Canadian Pacific Railway	$0.00	$125.00	$464.00	$589.00
Total on Privately-Owned - Non-Agricultural Lands……						$0.00	$435.00	$1,508.00	$1,943.00

PRIVATELY-OWNED - AGRICULTURAL LANDS (GRANTABLE)

Roll No.	Con.	Description	Area Affected (Acres)	(Ha.)	Owner	Special Benefit	Benefit	Outlet	Total Assessment
570-45902	2	Lot 147&148 RP12R1064 Pt. 2	6.47	2.62	2034053 Ontario Limited	$0.00	$100.00	$214.00	$314.00
570-45950	2	Pt. Lot 146 RP12R4263 Pt. 2 RP12R5826 Pts. 1&2	6.00	2.43	1486044 Ontario Limited	$0.00	$49.00	$188.00	$237.00

Roll No.	Con.	Description	Area Affected (Acres)	(Ha.)	Owner	Special Benefit	Benefit	Outlet	Total Assessment
570-45930	2	W. Pt. Lot 147 RP12R6571 Pt. 1	6.18	2.50	1486044 Ontario Limited	$0.00	$90.00	$199.00	$289.00
570-34700	3	Pt. Lot 148	19.77	8.00	Clement Henri R Lachance	$0.00	$255.00	$674.00	$929.00
570-34550	3	Pt. Lot 147 RP12R13756 Pt. 2	16.31	6.60	Clement Lachance	$0.00	$332.00	$531.00	$863.00
570-34500	3	N. Lot 144 to N. Pt. Lot 147 RP12R13756 Pt. 1	35.38	14.32	Eugene Lachance	$0.00	$757.00	$1,115.00	$1,872.00
Total on Privately-Owned - Agricultural Lands (Grantable).....						$0.00	$1,583.00	$2,921.00	$4,504.00
TOTAL ASSESSMENT (Town of Tecumseh)						**$0.00**	**$2,315.00**	**$7,817.00**	**$10,132.00**

	(Acres)	(Ha.)
Total Area:	**150.08**	**60.74**

CITY OF WINDSOR

MUNICIPAL LANDS:

Description	Area Affected (Acres)	(Ha.)	Owner	Special Benefit	Benefit	Outlet	Total Assessment
Banwell Road	2.45	0.99	City of Windsor	$0.00	$116.00	$355.00	$471.00
Total on Municipal Lands.....				$0.00	$116.00	$355.00	$471.00

PRIVATELY-OWNED - NON-AGRICULTURAL LANDS:

Roll No.	Con.	Description	Area Affected (Acres)	(Ha.)	Owner	Special Benefit	Benefit	Outlet	Total Assessment
090-040-03502	3	N. Pt. Lot 140 RP12R24604 Pts. 5-8	8.33	3.37	City of Windsor	$0.00	$500.00	$936.00	$1,436.00
090-040-03402	3	Pt. Lot 139 RP12R24604 Pts. 12, 13&17	15.22	6.16	City of Windsor	$0.00	$363.00	$998.00	$1,361.00
070-650-02725	3	Pt. Lots 136-138 RP12R18316	20.86	8.44	Linamar Corporation	$0.00	$427.00	$1,073.00	$1,500.00
070-650-02750	3	Pt. Lots 136-138 RP12R28316 Pt. 6	2.62	1.06	City of Windsor	$0.00	$673.00	$59.00	$732.00
590-01100	3		9.14	3.70	Canadian Pacific Railway	$0.00	$125.00	$701.00	$826.00
Total on Privately-Owned - Non-Agricultural Lands.....						$0.00	$2,088.00	$3,767.00	$5,855.00

PRIVATELY-OWNED - AGRICULTURAL LANDS (GRANTABLE)

Roll No.	Con.	Description	Area Affected (Acres)	(Ha.)	Owner	Special Benefit	Benefit	Outlet	Total Assessment

Roll No.	Con.	Description	Area Affected (Acres)	(Ha.)	Owner	Special Benefit	Benefit	Outlet	Total Assessment
090-040-04300	3	Plan 65 Lot 13-18 Pt. Lot 12	44.43	17.98	Pointe East Windsor Limited	$0.00	$850.00	$1,275.00	$2,125.00
090-040-03700	3	N. Pt. Lot 141	21.35	8.64	Pointe East Windsor Limited	$0.00	$442.00	$559.00	$1,001.00
090-040-03600	3	N. Pt. Lot 140	9.19	3.72	Pointe East Windsor Limited	$0.00	$188.00	$228.00	$416.00
Total on Privately-Owned - Agricultural Lands (Grantable).....						$0.00	$1,480.00	$2,062.00	$3,542.00
TOTAL ASSESSMENT (City of Windsor)						**$0.00**	**$3,684.00**	**$6,184.00**	**$9,868.00**

	(Acres)	(Ha.)
Total Area:	**133.59**	**54.06**

OVERALL TOTAL ASSESSMENT (Town of Tecumseh & City of Windsor)						**$0.00**	**$5,999.00**	**$14,001.00**	**$20,000.00**

"SCHEDULE E-2"
SCHEDULE OF ASSESSMENT FOR FUTURE MAINTENANCE (BRIDGES)
LACHANCE DRAIN
TOWN OF TECUMSEH & CITY OF WINDSOR

TOWN OF TECUMSEH

MUNICIPAL LANDS:

Description	Area Affected (Acres)	(Ha.)	Owner	Special Benefit	Benefit	Outlet	Total Assessment
Lands- Block A	18.66	7.55	Town of Tecumseh	$0.00	$0.00	$1,656.00	$1,656.00
Roads- Block A	6.08	2.46	Town of Tecumseh	$0.00	$0.00	$899.00	$899.00
Intersection Road	2.84	1.15	Town of Tecumseh	$0.00	$0.00	$421.00	$421.00
Total on Municipal Lands……				$0.00	$0.00	$2,976.00	$2,976.00

PRIVATELY-OWNED - NON-AGRICULTURAL LANDS:

Roll No.	Con.	Description	Area Affected (Acres)	(Ha.)	Owner	Special Benefit	Benefit	Outlet	Total Assessment
570-45990	2	Pt. Lot 146 RP12A4263 Pt. 1	1.68	0.68	Kendall Earl Winter	$0.00	$0.00	$70.00	$70.00
570-46100	3	Pt. Lot 145 RP12R10430 Pt. 2	2.37	0.96	Jean & Alec Fauteux	$0.00	$0.00	$81.00	$81.00
570-46150	2	Pt. Lot 145 RP12R10430 Pt. 1	0.99	0.40	Emelie & David Pedro	$0.00	$0.00	$58.00	$58.00
570-46200	3	N. Pt. Lot 144 RP12R11521 Pt. 3	0.82	0.33	Ahad Georgeo	$0.00	$0.00	$57.00	$57.00
570-46202	3	Pt. Lot 144 RP12R21404 Pts. 1&2	0.59	0.24	Veerpal & Tejpaul Sanghera	$0.00	$0.00	$49.00	$49.00
570-46203	3	Pt. Lot 144 RP12R11521 Pts. 4&5	0.79	0.32	Lisa & John Sisti	$0.00	$0.00	$56.00	$56.00
570-46205	3	Pt. Lot 144 RP12R11521 Pts. 6&7	0.79	0.32	Dobrivoje Vukovic	$0.00	$0.00	$56.00	$56.00
590-00500	3		18.31	7.41	Hydro-Electric Power Commission of Ontario	$0.00	$0.00	$542.00	$542.00
590-01100	3		6.05	2.45	Canadian Pacific Railway	$0.00	$0.00	$537.00	$537.00
Total on Privately-Owned - Non-Agricultural Lands……						$0.00	$0.00	$1,506.00	$1,506.00

Roll No.	Con.	Description	Area Affected (Acres)	(Ha.)	Owner	Special Benefit	Benefit	Outlet	Total Assessment

PRIVATELY-OWNED - AGRICULTURAL LANDS (GRANTABLE)

Roll No.	Con.	Description	Area Affected (Acres)	(Ha.)	Owner	Special Benefit	Benefit	Outlet	Total Assessment
570-45902	2	Lot 147&148 RP12R1064 Pt. 2	6.47	2.62	2034053 Ontario Limited	$0.00	$0.00	$191.00	$191.00
570-45950	2	Pt. Lot 146 RP12R4263 Pt. 2 RP12R5826 Pts. 1&2	6.00	2.43	1486044 Ontario Limited	$0.00	$0.00	$178.00	$178.00
570-45930	2	W. Pt. Lot 147 RP12R6571 Pt. 1	6.18	2.50	1486044 Ontario Limited	$0.00	$0.00	$183.00	$183.00
570-34700	3	Pt. Lot 148	19.77	8.00	Clement Henri R Lachance	$0.00	$0.00	$585.00	$585.00
570-34550	3	Pt. Lot 147 RP12R13756 Pt. 2	16.31	6.60	Clement Lachance	$0.00	$0.00	$483.00	$483.00
570-34500	3	N. Lot 144 to N. Pt. Lot 147 RP12R13756 Pt. 1	35.38	14.32	Eugene Lachance	$0.00	$0.00	$1,047.00	$1,047.00
Total on Privately-Owned - Agricultural Lands (Grantable).....						$0.00	$0.00	$2,667.00	$2,667.00
TOTAL ASSESSMENT (Town of Tecumseh)						**$0.00**	**$0.00**	**$7,149.00**	**$7,149.00**

	(Acres)	(Ha.)
Total Area:	**150.08**	**60.74**

Roll No.	Con.	Description	Area Affected (Acres)	(Ha.)	Owner	Special Benefit	Benefit	Outlet	Total Assessment

CITY OF WINDSOR

MUNICIPAL LANDS:

Description	Area Affected (Acres)	(Ha.)	Owner	Special Benefit	Benefit	Outlet	Total Assessment
Banwell Road	2.45	0.99	City of Windsor	$0.00	$0.00	$362.00	$362.00
Total on Municipal Lands				$0.00	$0.00	$362.00	$362.00

PRIVATELY-OWNED - AGRICULTURAL LANDS (GRANTABLE)

Roll No.	Con.	Description	Area Affected (Acres)	(Ha.)	Owner	Special Benefit	Benefit	Outlet	Total Assessment
090-040-04300	3	Plan 65 Lot 13-18 Pt. Lot 12	44.43	17.98	Pointe East Windsor Limited	$0.00	$0.00	$1,315.00	$1,315.00
090-040-03700	3	N. Pt. Lot 141	21.34	8.64	Pointe East Windsor Limited	$0.00	$0.00	$632.00	$632.00
090-040-03600	3	N. Pt. Lot 140	9.19	3.72	Pointe East Windsor Limited	$0.00	$0.00	$272.00	$272.00
Total on Privately-Owned - Agricultural Lands (Grantable)						$0.00	$0.00	$2,219.00	$2,219.00

TOTAL ASSESSMENT (City of Windsor)	**$0.00**	**$0.00**	**$2,851.00**	**$2,851.00**

	(Acres)	(Ha.)
Total Area:	**77.41**	**31.33**

OVERALL TOTAL ASSESSMENT (Town of Tecumseh & City of Windsor)	**$0.00**	**$0.00**	**$10,000.00**	**$10,000.00**

"SCHEDULE F"
DRAINAGE REPORT FOR THE
LACHANCE DRAIN (LITTLE RIVER OUTLET)
IN THE TOWN OF TECUMSEH & THE CITY OF WINDSOR

SPECIAL PROVISIONS - GENERAL

1.0 GENERAL SPECIFICATIONS

The General Specifications attached hereto is part of "Schedule F." It also forms part of this specification and is to be read with it, but where there is a difference between the requirements of the General Specifications and those of the Special Provisions which follow, the Special Provisions will take precedence.

2.0 DESCRIPTION OF WORK

The work to be carried out under this Contract includes, but is not limited to, the supply of all **labour and materials** to complete the following items:

- Brushing of the drain from Station 0+000 to Station 2+288 including removal off-site with trimming and/or removal of existing trees within the drain as required to accommodate the drainage works. The work shall include disposal of brush by means of stockpiling and burning where permitted or alternatively trucked off-site.
    - Brushing of the drain bottom as follows:
        - Light brushing from Station 0+000 to Station 1+048
        - Medium brushing from Station 1+048 to Station 2+288
- Excavation, trucking and/or levelling of excavated materials works, as follows:
    - Excavation of the drain bottom as follows:
        - Station 0+000 to Station 2+288, totalling approximately 2,288 lineal metres of drain and approximately 710 m^3 of material.
    - Levelling of excavated materials as follows:
        - Station 1+040 to Station 2+288, totalling approximately 1,248 lineal metres of drain and approximately 400 m^3 of material.
    - Trucking of excavated materials, as follows:
        - Station 0+000 to Station 1+040, totalling approximately 1040 lineal metres of drain and approximately 310 m^3 of material (existing fence on the north side of drain to be temporarily removed, where required to obtain access through working corridor).
- Seeding of grass buffer strips, as follows:
    - Seeding of 1.0 m wide grass buffer strip beyond the top of bank on the north side of the drain from Station 0+000 to Station 0+790 (approximately 790 m^2).
    - Seeding of 1.0 m wide grass buffer strip beyond the west bank from Station 0+790 to Station 1+040 (approximately 250 m^2).

- Seeding of 1.0 m wide grass buffer strip beyond the north and south bank from Station 1+040 to Station 1+700 (approximately 1320 m^2).
- Seeding of 1.0 m wide grass buffer strip beyond the south bank from Station 1+700 to Station 2+288 (approximately 588 m^2).

- Private access bridge cleaning works, as follows:
  - Bridges Nos. 1, 2, 3 and 4. Clean four (4) existing bridges.
- Enclosed drain flushing from Station 2+228 to Station 2+442
- Road bridge cleaning works, as follows:
  - Bridge No. 5-Banwell Road Bridge – Station 1+700 approximately 13.9 m long, 1880 mm x 1260 mm corrugated steel pipe arch (CSPA) road culverts.
- Temporary Silt Control Measures During Construction

3.0 ACCESS TO THE WORK

Access to the drain from Station 1+706 to Station 2+288 shall be from the east side of Banwell Road. From Station 1+040 to Station 1+706 access shall be from the west side of Banwell road (just south of Bridge No. 5). The Contractor shall make his/her own arrangements for any additional access for his/her convenience. All road areas and grass lawn areas disturbed shall be restored to original conditions at the Contractor's expense. From Station 0+000 to Station 1+040 access to the drain shall be through property Roll No. 090-040-03502. Existing fence is to be temporarily removed and reinstated following the work. Any damage to the fence is to be at Contractor's expense.

4.0 WORKING AREA

For the repair and improvement of the Lachance Drain, the working corridor shall be 9 metres north of the north top of bank from Station 0+000 to Station 0+533 which includes the 1.0 metre grass buffer strip. From Station 0+533 to Station 0+790 the working corridor shall be 9m wide measured from the north side of the existing fence. From Station 0+790 to Station 1+040 the working corridor shall be 9 metres west of the west top of bank, which includes the 1.0 metre grass buffer. From Station 1+040 to Station 2+228 the working corridor shall be 9 metres south of the south top of bank. Access from Station 1+706 to 2+228 will be from Intersection Road. One lane of Intersection Road shall remain open during the construction period and traffic control (found in General Specifications) maintained at all times.

FROM STA.	TO STA.	PRIMARY (See Note 1)	SECONDARY (See Note 2)
0+000	0+533	9 m wide on north side of drain	-
0+533	0+790	9 m wide on north side of existing fence	-
0+790	1+040	9m on the west side of drain	-
1+040	1+700	9 m wide on south side of drain*	-
1+700	2+228	9 m wide on south side of drain*	Intersection Road (One Lane)

Note 1: Primary working corridor indicates the access corridor along the side of the drain where excavation and levelling is recommended (unless noted otherwise below and/or in the specifications, as well as all purposes listed for Secondary Working Corridors).

Note 2: *Secondary working corridor* indicates the access corridor alongside the drain where construction equipment may travel for the purpose of trucking, drain bank repairs, tile inlet repairs, surface water inlet repairs, grass buffer strips and other miscellaneous works.

No disposal of fill or levelling of materials shall be permitted within a secondary working corridor. As further specified, use of this secondary working corridor may be further restricted due to site condition. Read all specifications, drawings and/or notes before completing works.

Note:** **In the event that a landowner owns the property on both sides of the drain, the landowner can choose which side of the drain to place the spoil. The landowner should advise the Drainage Superintendent of their preference of spoil placement before improvements to the drain are made so that the Drainage Superintendent can notify the Contractor in advance. If the landowner selects the opposite side from the identified working corridor, the contractor may temporarily use the selected side of the drain. The permanent working corridor will remain as identified in this report until revised through a future report under the Act.

SPECIAL PROVISIONS – OPEN DRAIN

5.0 BRUSHING

Brushing shall be carried out on the entire drain within the above identified sections of the drain where required and as specified herein. **All** brush and trees located within the drain side slopes shall be cut parallel to the side slopes, as close to the ground as practicable. Tree branches that overhang the drain shall be trimmed. Small branches and limbs are to be disposed of by the Contractor along with the other brush. Tree stumps, where removed to facilitate the drain excavation and reshaping of the drain banks, may be burned by the Contractor where permitted; otherwise, they shall be disposed of, off the site. The Contractor shall make every effort to preserve mature trees which are beyond the drain side slopes, and the working corridors. If requested to do so by the Drainage Superintendent, the Contractor shall preserve certain mature trees within the designated working corridors (see Section 4.0).

Except as specified herein, all brush and trees shall be stockpiled adjacent to the drain within the working corridors. Stockpiles shall not be less than 100 m apart and shall be a minimum of 2.0 m from the edge of the drain bank. All brush, timber, logs, stumps, large stones or other obstructions and deleterious materials that interfere with the construction of the drain, as encountered along the course of the drain are to be removed from the drain by the Contractor. Large stones and other similar material shall be disposed of by the Contractor off the site.

Following completion of the work, the Contractor is to trim up any broken or damaged limbs on trees which remain standing, disposing of the branches cut off along with other brush and leaving the trees in a neat and tidy condition. Brush and trees removed from the working area are to be put into piles by the Contractor, in locations where they can be safely burned, and to be burned by the Contractor after obtaining the necessary permits, as required. If, in the opinion of the Drainage Superintendent, any of the piles are too wet or green to be burned, he shall so advise the Contractor to haul away the unburned materials to an approved dump site. Prior to, and during the course of burning operations, the Contractor shall comply with the current guidelines prepared by the Air Quality Branch of the Ontario Ministry of Environment and shall ensure that the Environmental Protection Act is not violated. Since the trees and brush that are cut off flush with the earth surface may sprout new growth later, it is strongly recommended that the Municipality make arrangements for spraying this new growth at the appropriate time so as to kill the trees and brush.

As part of this work, the Contractor shall remove any loose timber, logs, stumps, large stones or other debris from the drain bottom and from the side slopes. **Timber, logs, stumps, large stones or other debris shall be disposed of off-site**.

6.0 EXCAVATION AND LEVELLING OF EXCAVATED MATERIALS

6.1 Excavation of Existing Drain Channel

In all cases, the Contractor shall use the benchmarks to establish the proposed grade. However, for convenience, the drawings provide the approximate depth from the surface of the ground and from the existing drain bottom to the proposed grades. **THE CONTRACTOR SHALL NOT EXCAVATE DEEPER THAN THE GRADE LINES SHOWN ON THE DRAWINGS**. Should over-excavation of the drain bank occur, the Contractor will **not** be permitted to repair with native material packed into place by the excavator and reshaped. Should over-excavation occur, the Contractor will be required to have a bank repair detail engineered by a Professional Engineer (hired by the Contractor), to ensure long term stability of the bank is maintained. Such repairs shall be subject to approval by the Engineer and will be at no extra cost to the item.

All excavated material shall be handled as specified in Section 6.2. Materials deposited on the farmlands shall be within the working corridors, at least 1.0 m from the top of the drain bank, or as specified on the drawings. Upon allowing drying of excavated materials (if necessary) and as approved by the Drainage Superintendent, the Contractor shall level excavated materials in accordance with Section 6.2. Excavated material shall not be placed on dykes, in ditches, tiles or depressions intended to conduct water into the drain.

Seeding of the disturbed drain banks shall be completed immediately following drain construction and as specified in Section 9.0.

All excavation work shall be done in such a manner as to not harm any vegetation or trees, not identified in this report or by the Drainage Superintendent for clearing. Any damages to trees or vegetation caused by the Contractors work shall be rectified to the satisfaction of the Drainage Superintendent.

The Contractor shall exercise caution around existing tile inlets and shall confirm with the property owners that all tiles have been located and tile ends repaired as specified.

6.2 Levelling of Excavated Materials

Excavation of the drain bottom shall be completed as specified in Section 6.1, above and also as specified below and as shown on the drawings.

Excavated drain materials shall be spread to a depth not to exceed 300 mm, unless specified otherwise on the drawings. The material shall be sufficiently levelled to allow further working by agricultural implements. All stones and other debris removed from the drain, which may interfere with agricultural implements, shall be disposed of off-site. Excavated material shall not be placed on dykes, in ditches, tiles or depressions intended to conduct water into the drain.

6.3 Trucking of Excavated Materials

Excavated materials are the property of the Contractor and trucking of excavated materials to off-site disposal site to be arranged by Contractor for all residential properties.

The Contractor shall be solely responsible for acquiring any and all permits and approvals required prior to hauling and disposal of materials off-site. The Contractor shall restore any such areas which are damaged by his operations, to original or better condition. The Contractor will be held liable for damages to roads, sodded areas and gardens, resulting from his non-compliance with these Specifications.

7.0 STONE EROSION PROTECTION (SEP)

The Contractor shall supply and install the required quantities of graded stone rip-rap erosion protection materials where specified. All stone to be used for erosion protection shall be 125 - 250 mm clear **quarried rock** or OPSS 1001 placed over a non-woven filter fabric Terrafix 270R or approved equivalent. **Concrete rip-rap will not be permitted.**

The minimum thickness requirement of the erosion stone layer is 300 mm with no portion of the filter fabric to be exposed.

8.0 GRASS BUFFER STRIPS

One metre wide grass buffers shall be established and preserved immediately adjacent to the banks of the open channel. Grass buffer strips are to be established as indicated in Section 2.0 'Description of Work'. Establishment of grass buffer strips shall be executed using the same seeding methods as described in Section 9.0 of the General Specifications.

9.0 SEEDING OF DRAIN BANKS & GRASS BUFFER STRIPS

All existing grassed areas disturbed by construction or as identified as new or existing grass buffers shall be seeded as specified herein. The existing ground surface to be seeded shall be loosened to a depth of 25 mm and shall be rendered uniformly loose for that 25 mm depth. The surface shall be predominantly fine and free from weeds and other unwanted vegetation. All other loose surface litter shall be removed and disposed of. If mulching is required, it shall be carried out by the contractor as part of the item's tendered price.

Grass seed shall be Canada No. 1 grass seed mixture meeting the requirements of a Waterway Slough Mixture as supplied by Growmark or approved equal, as follows:

Creeping Red Fescue	*20%*
Meadow Fescue	*30%*
Tall Fescue	*30%*
Timothy	*10%*
White Clover	*10%*

Bags shall bear the label of the supplier indicating the content by species, grade and mass. Seed shall be applied at a rate of 200 kg per 10,000 m².

Fertilizer shall be 8-32-16 applied at 350 kg per 10,000 m². It shall be in granular form, dry, free from lumps and in bags bearing the label of the manufacturer, indicating mass and analysis.

The seeding shall be deemed "Completed by the Contractor" when the seed has established in all areas to the satisfaction of the Engineer. Re-seeding and/or other methods required to establish the grass will be given consideration to achieve the end result and the costs shall be incidental to the works.

10.0 CLEANING OF PRIVATE ACCESS CULVERTS AND ROAD BRIDGES

At the locations listed below, the Contractor shall clean the existing pipes or culverts to their full capacity and cross section or width. The operation may be carried out by mechanical means or by flushing. Any damage resulting from the Contractor's operation shall be rectified at his expense. All material removed from the pipes or culverts shall be transported to a dump site arranged by the Contractor. The Contractor shall be solely responsible for acquiring all permits required for the dump site. The Contractor shall take precautions during the construction period to avoid re-sedimentation of the pipes and culverts. Any sediment deposited as a result of construction activities shall be removed at the Contractor's expense.

- Bridge No. 1 - Station 0+581, 32.5 m long, 1800 mm diameter concrete culvert.
- Bridge No. 2 – Station 0+763, 34.5 m long, 1800 mm diameter concrete culvert.
- Bridge No. 3 – Station 1+048, 9.2 m long, 1350 mm diameter corrugated steel pipe (CSP) culvert.
- Bridge No. 4 – Station 1+227, 13.9 m long, 1300 mm diameter corrugated steel pipe (CSP) culvert.
- Bridge No. 5 – Station 1+706, 13.9 m long, 1880 mm by 1260 mm corrugated steel pipe arch (CSPA) culvert.

11.0 RAIL BRIDGE CONSTRUCTION

11.1 Location of New Bridges

The replacement of Bridge Nos. 1 and 2 inclusive shall be constructed in accordance with the specifications and drawings attached hereto. The centerline of the new culverts shall match the existing culverts respectively.

11.2 Removal of Existing Culverts

The Contractor shall exercise caution when removing these materials as to minimize damage to the drain banks. Any damage to the drain shall be restored to original conditions at the expense of the Contractor. The removed materials (existing culvert debris and end wall materials) shall be hauled away off-site.

11.3 Materials for New Bridges

Materials shall be as follows:

Culvert Pipe	**Bridge No. 1 - Station 0+581:** *New 32.5 metres long, 1800 mm diameter high quality concrete pipe (CSA A-257.2, Class 100-D) complete with clear stone bedding, full Granular 'A' backfill and riverstone substrate embedment.* **Bridge No. 2 - Station 0+763:** *New 34.5 metres long, 1800 mm diameter high quality concrete pipe (CSA A-257.2, Class 100-D) complete with clear stone bedding, full Granular 'A' backfill and riverstone substrate embedment.*
Pipe Bedding Below Pipe	*20-25 mm clear stone conforming to OPSS Division 10.*
Backfill	*Full Granular 'A' backfill compacted to 100% standard proctor maximum dry density.*
Erosion Stone	*All stone to be used for erosion protection shall be 125 - 250 mm clear quarried rock or OPSS 1004, minimum 300 mm thickness.*
Rails and Ties	*Support of the existing rails and ties during the replacement of the concrete pipes must be in strict accordance with CP rail requirements*
Filter Fabric	*"Non-Woven" geotextile filter fabric with a minimum strength equal to or greater than Terrafix 270R, Amoco 4546, Mirafi 140NC or approved equivalent.*

12.0 Culvert Installation

12.1 Reinforced Concrete Pipe

OPSS volume 7 Form 410 shall apply and govern except as extended or amended herein. The size, type and class of sewer pipe shall meet CSA A257.2 standards. For reinforced concrete pipe culverts, the bedding shall be Class 'B' as per OPSD 802.03 using approved materials as noted above. The bedding shall be recessed to receive the hubs of the bell and spigot ends in order to allow the barrel of the pipe to be uniformly supported on compacted granular bedding material for its entire length.

If the culvert pipe is situated within a traveled driveway or roadway the entire width and depth of the trench shall be backfilled with Granular 'A' material and compacted to 100% standard proctor density. Where the culvert is situated beyond the limits of the driveway, the remaining excavation above the bedding shall be backfilled with select native material and mechanically compacted to 95% standard proctor density. The Contractor shall install the pipe using rubber gasket joints and shall be joined in accordance with the manufacturer's instructions using approved gaskets and lubricating materials.

12.2 Sloping Stone End Walls

Sloping stone end walls shall be constructed of quarry stone rip-rap, as shown on the drawings and as specified herein. Each end wall shall extend from the invert of the new culvert to the top of the proposed lane. The end walls shall be sloped 1 vertical to 1.5 horizontal, with a filter fabric underlay surrounding the pipe and spanning across the entire width of the drain. The minimum thickness requirement of the erosion stone layer is 300 mm, with no portion of the filter fabric to be exposed.

13.0 FARM BRIDGE CONSTRUCTION

13.1 Location of New Bridges

The replacement of Bridge Nos. 3 and 4 inclusive shall be constructed in accordance with the specifications and drawings attached hereto. The centerline of the new culverts shall be located to align with the existing laneway in each case.

13.2 Removal of Existing Culverts

The Contractor shall exercise caution when removing these materials as to minimize damage to the drain banks. Any damage to the drain shall be restored to original conditions at the expense of the Contractor. The removed materials (existing culvert debris and end wall materials) shall be hauled away off-site.

13.3 Materials for New Bridges

Materials shall be as follows:

Culvert Pipe

Bridge No. 3 - Station 1+048: *New 18.5 metres long, 1400 mm diameter aluminized Type II corrugated steel pipe (CSP) wall thickness of 2.8 mm and 125 mm x 25 mm corrugations with rerolled ends. New culverts shall be joined with annular aluminized corrugated wide bolt and angle couplers (minimum of 8 corrugation overlap and 2.8 mm wall thickness) and no single pipe less than 6.0 m in length. All pipes connected with couplers shall abut to each other with no more than a 25 mm gap between pipes prior to installation of the coupler and wrapped with filter fabric.*

Bridge No. 4 - Station 1+227: *New 16.5 metres long, 1400 mm diameter aluminized Type II corrugated steel pipe (CSP) wall thickness of 2.8 mm and 125 mm x 25 mm corrugations with rerolled ends. New culverts shall be joined with annular aluminized corrugated wide bolt and angle couplers (minimum of 8 corrugation overlap and 2.8 mm wall thickness) and no single pipe less than 6.0 m in length. All pipes connected with couplers shall abut to each other with no more than a 25 mm gap between pipes prior to installation of the coupler and wrapped with filter fabric.*

Pipe Bedding Below Pipe	*20-25 mm clear stone conforming to OPSS Division 10.*
Backfill up to Pipe Culvert Springline	*Granular 'B' conforming to OPSS Division 10.*
Backfill Above Pipe Springline up to Bottom of Driveway Surface Materials	*Dry native material free of topsoil, organic matter, broken concrete, steel, wood and deleterious substances. Alternatively, Granular 'A' or 'B' conforming to OPSS Division 10.*
Driveway Surface	*Granular 'A' made from crushed limestone conforming to OPSS Division 10. Minimum 300 mm thickness.*
Erosion Stone	*All stone to be used for erosion protection shall be 125 - 250 mm clear quarried rock or OPSS 1004, minimum 300 mm thickness.*
Buffer Strips	*Dry native material free of topsoil, organic matter, broken concrete, steel, wood and deleterious substances.*
Filter Fabric	*"Non-Woven" geotextile filter fabric with a minimum strength equal to or greater than Terrafix 270R, Amoco 4546, Mirafi 140NC or approved equivalent.*

14.0 CULVERT INSTALLATION

14.1 Dykes

Suitable dykes shall be constructed in the drain so that the installation of the pipe can be accomplished in the dry.

The drain bottom shall be cleaned, prepared, shaped and compacted to suit the new culvert configuration, as shown on the drawings. Granular materials shall be compacted to 100% of their maximum dry density; imported clean native materials shall be supplied, placed and compacted to 95% of their maximum dry density.

14.2 Sloping Stone End Walls

Sloping stone end walls shall be constructed of quarry stone rip-rap, as shown on the drawings and as specified herein. Each end wall shall extend from the invert of the new culvert to the top of the proposed lane. The end walls shall be sloped 1 vertical to 1.5 horizontal, with a filter fabric underlay surrounding the pipe and spanning across the entire width of the drain. The minimum thickness requirement of the erosion stone layer is 300 mm, with no portion of the filter fabric to be exposed.

14.3 Granular 'A' Driveway

The Contractor shall construct the driveway with a maximum 3% longitudinal grade approach over the new culvert providing a minimum 300 mm cover. This work includes the installation of a minimum 200 mm thickness of compacted Granular 'A' (crushed limestone) surface. The minimum top width of the driveway shall be as shown on the drawings.

14.4 Native Materials

Native materials suitable for use as backfill, as defined under Section 13.3, shall be salvaged from the existing bridge site, as required to complete the work as shown on the drawings, **(Native Backfill Zone only)**. Where there is an insufficient amount of native fill materials for backfilling the culvert, the Contractor may elect to import additional dry native materials or alternatively use Granular 'B' at his/her own expense.

14.5 Lateral Tile Drains

Should the Contractor encounter any lateral tiles within the proposed culvert limits not shown on attached drawings, the Contractor shall re-route the outlet tile drain(s) in consultation with the Drainage Superintendent, as required, to accommodate the new culvert.

Tile drain outlets through the wall of the new culvert pipe will not be permitted. All costs associated with re-routing lateral tile drains (if any) shall be at the Contractor's expense.

Care must be taken in handling plastic drain pipe in cold weather to avoid causing damage.

Plastic drain pipe shall be held in position on planned grade immediately after installation by careful placement of backfill material.

15.0 ROAD CROSSING WORK ON OPEN DRAIN

15.1 Existing Structure(s)

The Contractor shall completely remove the existing road bridge(s) as follows:

- Bridge No. 5 - Station 1+706, (Banwell Road), consisting of a 13.9 m long, 1880 mm x 1260 mm corrugated steel pipe arch (CSPA) with concrete block end walls.

Dry, native material, free of topsoil, organic matter, broken concrete, steel, wood and deleterious substances may be used as native backfill for the new bridge beyond the limits of the road surface and shoulders. All excess materials removed from the existing bridge structure that are not suitable to use as native backfill, shall be disposed of, off the site. Such materials include rubber tires, poured concrete end walls, broken concrete, stones, wood, metal, etc.

15.2 Location of Bridge Replacement

The bridge replacements shall be located and installed as shown on the drawings.

15.3 Materials for new bridge

Materials shall be as follows:

Culvert Pipe	**Bridge No. 5 - Station 1+706:** *New 15 metres long, 1800 mm diameter high quality concrete pipe (CSA A-257.2, Class 65-D) complete with clear stone bedding, full Granular 'A' backfill.*
Pipe Bedding Below Pipe	*20-25 mm clear stone conforming to OPSS Division 10.*
Backfill up to Pipe Culvert Springline	*Granular 'A' conforming to OPSS Division 10.*
Beneath Road Surface and Shoulders, Backfill From Pipe Springline to Bottom of Granular 'A' Road Surface.	*Granular 'A' conforming to OPSS Division 10.*
Beyond Road Surface and Shoulders, Backfill Above Pipe Springline to Finished Topsoil Layer	*Dry native material free of topsoil, organic matter, broken concrete, steel, wood and deleterious substances. Alternatively, Granular 'A' or 'B' conforming to OPSS Division 10.*

Road Surface and Shoulders	*40mm HL4 Asphalt, with 60mm HL8 Base Asphalt, crowned for drainage with full compacted granular 'A' backfill below.*
Erosion Stone	*All stone to be used for erosion protection shall be 125 - 250 mm clear quarried rock or OPSS 1004, minimum 300 mm thickness.*
Filter Fabric	*"Non-Woven" geotextile filter fabric with a minimum strength equal to or greater than Terrafix 270R, Amoco 4546, Mirafi 140NC or approved equivalent.*

15.4 Lateral Tile Drains

The Contractor shall re-route any outlet tile drains, in consultation with the Drainage Superintendent, as required to accommodate the new culverts. Tile drain outlets through the wall of the new culvert pipe will not be permitted. All costs associated with re-routing lateral tile drains (if any) shall be at the Contractor's expense.

15.5 Culvert Installation

Suitable dykes shall be constructed in the drain so that the installation of the pipe can be accomplished in the dry. The drain bottom shall be cleaned, prepared, shaped and compacted to suit the new culvert configuration, as shown on the drawings. Granular materials shall be compacted to 100% of their maximum dry density; native materials shall be compacted to 95% of their maximum dry density.

15.6 Sloping Stone Erosion Protection

Sloping stone erosion protection shall be constructed of quarry stone rip-rap, as shown on the drawings and as specified herein. The erosion protection shall be sloped 1 vertical to 1.5 horizontal, with a filter fabric underlay, with a minimum 1 m wide along the drain banks adjacent to the concrete block headwalls. The minimum thickness requirement of the erosion stone layer is 300 mm, with no portion of the filter fabric to be exposed.

15.7 Native Materials

Native materials suitable for use as backfill, as defined under Section 15.3, shall be salvaged from the existing bridge site as required to complete the work as shown on the drawings. Any surplus native materials (if any) not required in the bridge installation shall be disposed of off-site

15.8 Roadway Restoration

The Contractor shall construct the roadway as shown on the drawings. This work includes the removal of topsoil, placement of compacted full Granular 'A', and the installation of a minimum of 150 mm of thickness compacted Granular 'A' surface (crushed limestone) for road shoulders. The width of the roadway and layout of gravel road shoulders shall be as shown on the drawings.

15.9 Asphalt Driveway Restoration

- 40mm HL4 Asphalt, with 60mm HL8 Base Asphalt,

15.10 Site Cleanup and Restoration

As part of the work and upon completion, the Contractor shall remove and dispose of, off-site any loose timber, logs, stumps, large stones, rubber tires, cinder blocks or other debris from the drain bottom and from the side slopes. Where the construction works cross a lawn, the Contractor shall take extreme care to avoid damaging the lawn, shrubs and trees encountered. Upon completion of the work, the Contractor shall completely restore the area by the placement and fine grading of topsoil and seeding or sodding the area as specified by the Engineer or Drainage Superintendent.

15.11 Concrete Block End Wall Restoration

Existing concrete blocks to be salvaged and reused. If insufficient amount of blocks, contractor to supply additional blocks as required. (relocated under concrete block section)

16.0 STONE EROSION PROTECTION (SEP)

The Contractor shall supply and install the required quantities of graded stone rip-rap erosion protection materials where specified. All stone to be used for erosion protection shall be 125 - 250 mm clear **quarried rock** or OPSS 1001 placed over a non-woven filter fabric Terrafix 270R or approved equivalent. **Concrete rip-rap will not be permitted.**

GENERAL SPECIFICATIONS

1.0 AGREEMENT AND GENERAL CONDITIONS

The part of the Specifications headed "Special Provisions" which is attached hereto forms part of this Specification and is to be read with it. Where there is any difference between the requirements of this General Specification and those of the Special Provisions, the Special Provisions shall govern.

Where the word "Drainage Superintendent" is used in this specification, it shall mean the person or persons appointed by the Council of the Municipality having jurisdiction to superintend the work.

Tenders will be received and contracts awarded only in the form of a lump sum contract for the completion of the whole work or of specified sections thereof. The Tenderer agrees to enter into a formal contract with the Municipality upon acceptance of the tender. The General Conditions of the contract and Form of Agreement shall be those of the Stipulated Price Contract CCDC2-Engineers, 1994 or the most recent revision of this document.

2.0 EXAMINATION OF SITE, PLANS AND SPECIFICATIONS

Each tenderer must visit the site and review the plans and specifications before submitting his/her tender and must satisfy himself/herself as to the extent of the work and local conditions to be met during the construction. Claims made at any time after submission of his/her tender that there was any misunderstanding of the terms and conditions of the contract relating to site conditions, will not be allowed. The Contractor will be at liberty, before bidding to examine any data in the possession of the Municipality or of the Engineer.

The quantities shown or indicated on the drawings or in the report are estimates only and are for the sole purpose of indicating to the tenderers the general magnitude of the work. The tenderer is responsible for checking the quantities for accuracy prior to submitting his/her tender.

3.0 MAINTENANCE PERIOD

The successful Tenderer shall guarantee the work for a period of one (1) year from the date of acceptance thereof from deficiencies that, in the opinion of the Engineer, were caused by faulty workmanship or materials. The successful Tenderer shall, at his/her own expense, make good and repair deficiencies and every part thereof, all to the satisfaction of the Engineer. Should the successful Tenderer for any cause, fail to do so, then the Municipality may do so and employ such other person or persons as the Engineer may deem proper to make such repairs or do such work, and the whole costs, charges and expense so incurred may be deducted from any amount due to the Tenderer or may be collected otherwise by the Municipality from the Tenderer.

4.0 GENERAL CO-ORDINATION

The Contractor shall be responsible for the coordination between the working forces of other organizations and utility companies in connection with this work. The Contractor shall have no cause of action against the Municipality or the Engineer for delays based on the allegation that the site of the work was not made available to him by the Municipality or the Engineer by reason of the acts, omissions, misfeasance or non-feasance of other organizations or utility companies engaged in other work.

5.0 RESPONSIBILITY FOR DAMAGES TO UTILITIES

The Contractor shall note that overhead and underground utilities such as hydro, gas, telephone and water are not necessarily shown on the drawings. It is the Contractor's responsibility to contact utility companies for information regarding utilities, to exercise the necessary care in construction operations and to take other precautions to safeguard the utilities from damage. All work on or adjacent to any utility, pipeline, railway, etc., is to be carried out in accordance with the requirements of the utility, pipeline, railway, or other, as the case may be, and its specifications for such work are to be followed as if they were part of this specification. The Contractor will be liable for any damage to utilities.

6.0 CONTRACTOR'S LIABILITY

The Contractor, his/her agents and all workmen or persons under his/her control including sub-contractors, shall use due care that no person or property is injured and that no rights are infringed in the prosecution of the work. The Contractor shall be solely responsible for all damages, by whomsoever claimable, in respect to any injury to persons or property of whatever description and in respect of any infringement of any right, privilege or easement whatever, occasioned in the carrying on of the work, or by any neglect on the Contractor's part.

The Contractor, shall indemnify and hold harmless the Municipality and the Engineer, their agents and employees from and against claims, demands, losses, costs, damages, actions, suits, or proceedings arising out of or attributable to the Contractor's performance of the contract.

7.0 PROPERTY BARS AND SURVEY MONUMENTS

The Contractor shall be responsible for marking and protecting all property bars and survey monuments during construction. All missing, disturbed or damaged property bars and survey monuments shall be replaced at the Contractor's expense, by an Ontario Land Surveyor.

8.0 MAINTENANCE OF FLOW

The Contractor shall, at his/her own cost and expense, permanently provide for and maintain the flow of all drains, ditches and water courses that may be encountered during the progress of the work.

9.0 ONTARIO PROVINCIAL STANDARDS

Ontario Provincial Standard Specifications (OPSS) and Ontario Provincial Standard Drawings (OPSD) shall apply and govern at all times unless otherwise amended or extended in these Specifications or on the Drawing. Access to the electronic version of the Ontario Provincial Standards is available online through the MTO website, free of charge to all users. To access the electronic standards on the Web go to http://www.mto.gov.on.ca/english/transrd/. Under the title Technical Manuals is a link to the Ontario Provincial Standards. Users require Adobe Acrobat to view all pdf files.

10.0 APPROVALS, PERMITS AND NOTICES

The construction of the works and all operations connected therewith are subject to the approval, inspection, by-laws and regulations of all Municipal, Provincial, Federal and other authorities having jurisdiction in respect to any matters embraced in this Contract. The Contractor shall obtain all approvals and permits and notify the affected authorities when carrying out work in the vicinity of any public utility, power, underground cables, railways, etc.

11.0 SUBLETTING

The Contractor shall keep the work under his/her personal control, and shall not assign, transfer, or sublet any portion without first obtaining the written consent of the Municipality.

12.0 TIME OF COMPLETION

The Contractor shall complete all work on or before the date fixed at the time of tendering. The Contractor will be held liable for any damages or expenses occasioned by his/her failure to complete the work on time and for any expenses of inspection, superintending, re-tendering or re-surveying, due to their neglect or failure to carry out the work in a timely manner.

13.0 TRAFFIC CONTROL

The Contractor will be required to control vehicular and pedestrian traffic along roads at all times and shall, at his/her own expense, provide for placing and maintaining such barricades, signs, flags, lights and flag persons as may be required to ensure public safety. The Contractor will be solely responsible for controlling traffic and shall appoint a representative to maintain the signs and warning lights at night, on weekends and holidays and at all other times that work is not in progress. All traffic control during construction shall be strictly in accordance with the **Occupational Health and Safety Act** and the current version of the **Ontario Traffic Manuals**. Access to the electronic version of the **Ontario Traffic Manual** is available online through the MTO website, free of charge to all users. To access the electronic standards on the Web go to http://www.mto.gov.on.ca/english/transrd/, click on "Library Catalogue," under the "Title," enter "Ontario Traffic Manual" as the search. Open the applicable "Manual(s)" by choosing the "Access Key," once open look for the "Attachment," click the pdf file. Users require Adobe Acrobat to view all pdf files.

Contractors are reminded of the requirements of the Occupational Health and Safety Act pertaining to Traffic Protection Plans for workers and Traffic Control Plan for Public Safety.

14.0 SITE CLEANUP AND RESTORATION

As part of the work and upon completion, the Contractor shall remove and dispose of, off-site any loose timber, logs, stumps, large stones, rubber tires, cinder blocks or other debris from the drain bottom and from the side slopes. Where the construction works cross a lawn, the Contractor shall take extreme care to avoid damaging the lawn, shrubs and trees encountered. Upon completion of the work, the Contractor shall completely restore the area by the placement and fine grading of topsoil and seeding or sodding the area as specified by the Engineer or Drainage Superintendent.

15.0 UTILITY RELOCATION WORKS

In accordance with Section 26 of the Drainage Act, if utilities are encountered during the installation of the drainage works that conflict with the placement of the new culvert, the operating utility company shall relocate the utility at their own costs. The Contractor however will be responsible to co-ordinate these required relocations (if any) and their co-ordination work shall be considered incidental to the drainage works.

16.0 FINAL INSPECTION

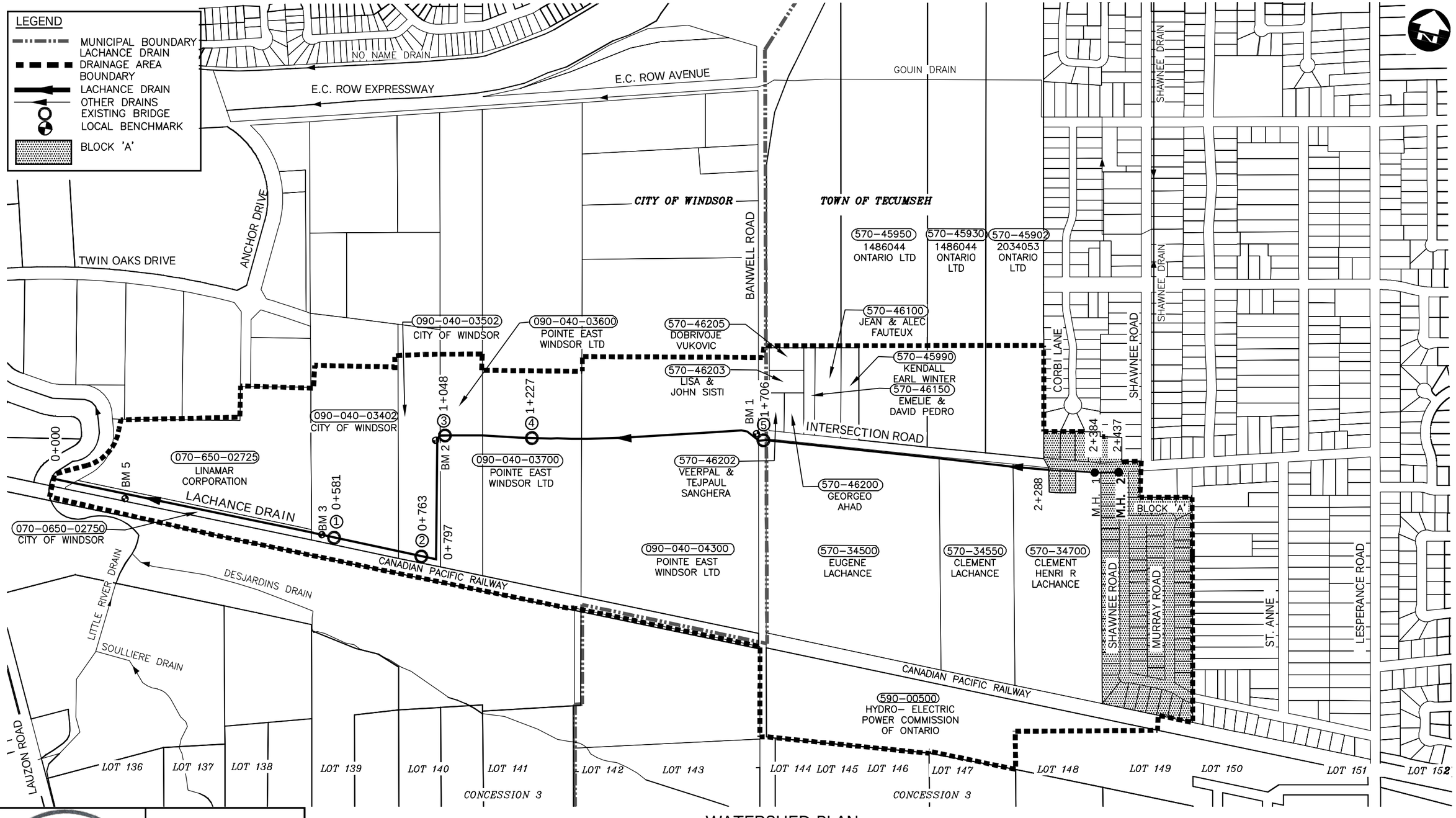
All work shall be carried out to the satisfaction of the Drainage Superintendent for the Municipality, in compliance with the specifications, drawings and the Drainage Act. Upon completion of the project, the work will be inspected by the Engineer and the Drainage Superintendent.

Any deficiencies noted during the final inspection shall be immediately rectified by the Contractor.

Final inspection will be made by the Engineer within 20 days after the Drainage Superintendent has received notice in writing from the Contractor that the work is completed, or as soon thereafter as weather conditions permit.

17.0 FISHERIES CONCERNS

Standard practices to be followed to minimize disruption to fish habitat include embedment of the culvert a minimum 10% below grade, constructing the work 'in the dry' and cutting only trees necessary to do the work (no clear-cutting). No in-water work is to occur during the timing window unless otherwise approved by the appropriate authorities.



WATERSHED PLAN

SCALE=1:7,500

'SCHEDULE G'

LICENSED PROFESSIONAL ENGINEER
M. D. HERNANDEZ
100078099
May 3/19
PROVINCE OF ONTARIO

Conditions of Use

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No.	ISSUED FOR	DATE	BY
3	FINAL	MAY 3/19	MDH
2	DRAFT PIC	APR 23/19	MDH
1	CLIENT REVIEW	APR 12/19	MDH

DESIGN	MDH
REVIEWED BY	FRF
DRAWN	KAW
CHECKED BY	TRO
DATE	3 MAY 2019
SCALE	AS SHOWN

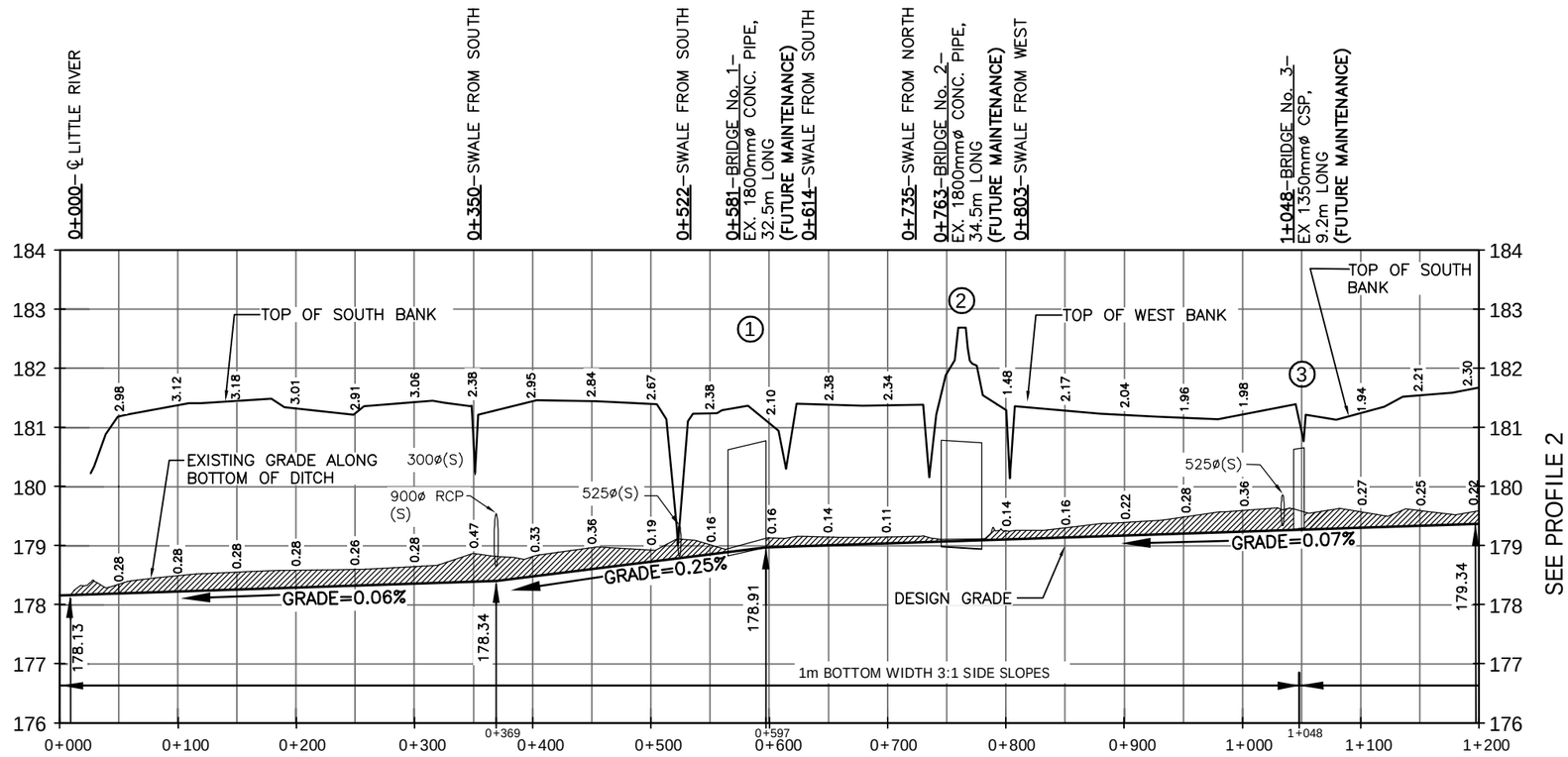
DILLON CONSULTING

PROJECT NO. 17-6772

DRAWING SCALES BASED ON A 11" X 17" SHEET

Drainage Report for the
LACHANCE DRAIN
Town of Tecumseh & City of Windsor

SHEET TITLE
OVERALL WATERSHED PLAN



PROFILE 1

SCALE-HORIZ.=1:5,000
VERT.=1:100

'SCHEDULE G'

LICENSED PROFESSIONAL ENGINEER
M. D. HERNANDEZ
100078099
May 3/19
PROVINCE OF ONTARIO

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DESIGN	MDH
REVIEWED BY	FRF
DRAWN	KAW
CHECKED BY	TRO
DATE	3 MAY 2019
SCALE	AS SHOWN

DILLON CONSULTING

PROJECT NO. 17-6772

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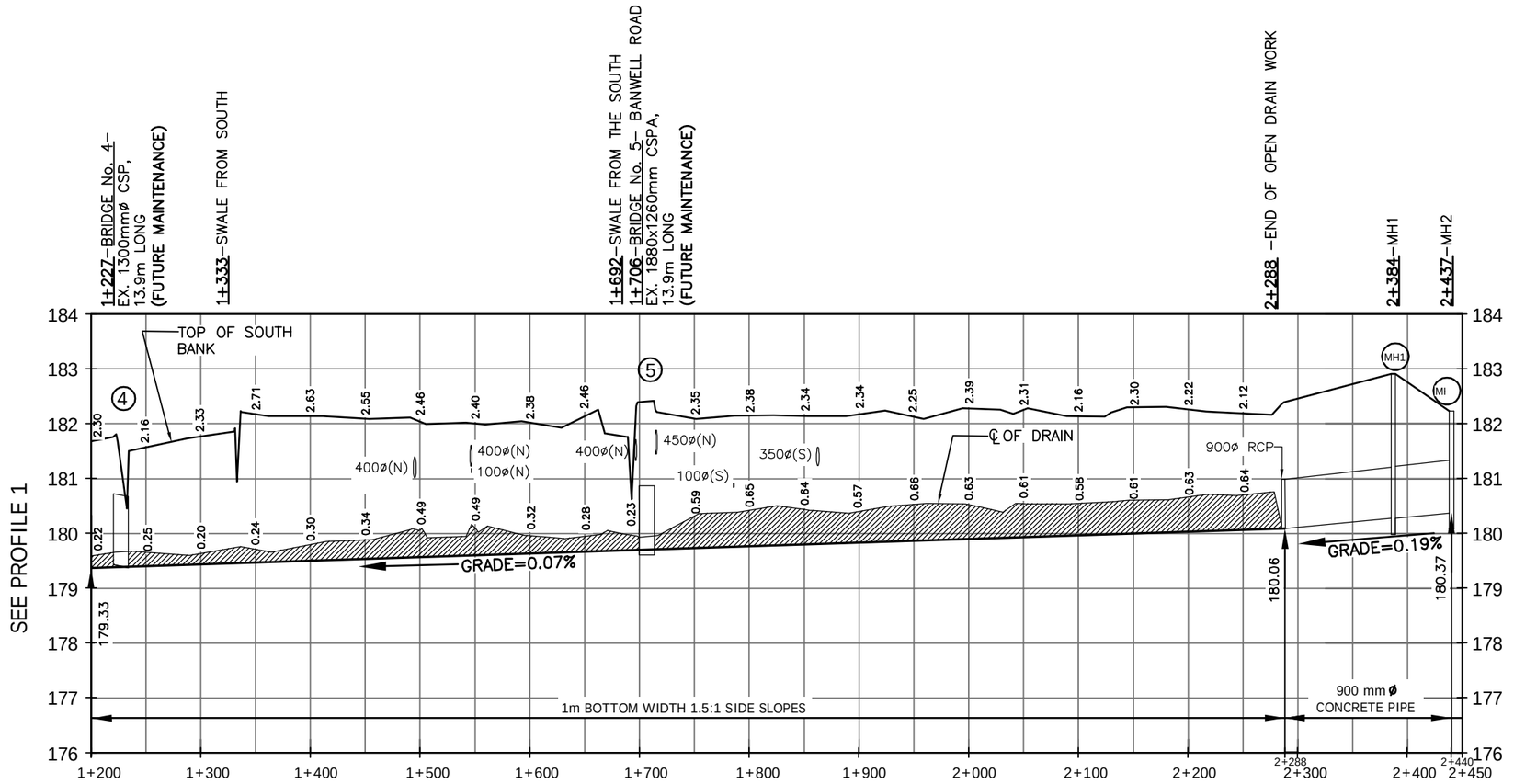
Drainage Report for the
LACHANCE DRAIN
Town of Tecumseh & City of Windsor

SHEET TITLE
PROFILE- STATION 0+000 TO STATION 1+200

PAGE NO. 2 of 9



PROFILE 2

SCALE-HORIZ.=1:5,000
VERT.=1:100

LICENSED PROFESSIONAL ENGINEER
M. D. HERNANDEZ
100078099
May 3/19
PROVINCE OF ONTARIO

'SCHEDULE G'

Conditions of Use

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2	DRAFT PIC	APR. 23/19	MDH
1	CLIENT REVIEW	APR. 12/19	MDH
	ISSUED FOR 578		

DESIGN	MDH
REVIEWED BY	FRF
DRAWN	KAW
CHECKED BY	TRO
DATE	3 MAY 2019
SCALE	AS SHOWN

DILLON CONSULTING

PROJECT NO. 17-6772

DRAWING SCALES BASED ON A 11" X 17" SHEET

Drainage Report for the

LACHANCE DRAIN

Town of Tecumseh & City of Windsor

SHEET TITLE
PROFILE- STATION 1+200 TO STATION 2+440

PAGE NO. 3 of 9

TABLE 1 - FUTURE MAINTENANCE BRIDGE DESIGN INFORMATION

DESCRIPTION	BRIDGE No. 1	BRIDGE No. 2	BRIDGE No. 3	BRIDGE No. 4	BRIDGE No. 5
BRIDGE ℄ LOCATION (STA.)	0+581	0+763	1+048	1+227	1+706
BRIDGE TYPE	RAIL	RAIL	FENCE	FARM	ROAD
PIPE INVERT ELEV. U/S SIDE(m)	178.79	178.91	179.13	179.26	179.54
PIPE INVERT ELEV. D/S SIDE(m)	178.76	178.88	179.12	179.24	179.52
TOP OF ℄ DRIVEWAY SURFACE ELEV. (m)	182.38	182.96	181.63	181.77	182.73
DRAIN BOTTOM (m) (DESIGN) (AT CENTRELINE OF CULVERT)	178.93	179.08	179.26	179.38	179.70
MIN. TOP WIDTH OF DRIVEWAY (m)	32.5	34.5	9.2	7.3	6.7
MIN. CULVERT GRADE (%)	0.25%	0.10%	0.10%	0.10%	0.10%
CULVERT TYPE	CONCRETE	CONCRETE	CSP	CSP	CONCRETE
CULVERT MATERIAL	CONCRETE	CONCRETE	ALUM.	ALUM.	CONCRETE
CULVERT LENGTH (m)	32.5	34.5	18.5	16.5	15.0
CULVERT THICKNESS (mm)	--	--	2.8	2.8	--
CULVERT CORRUGATIONS (mm)	--	--	125x25	125x25	--
PIPE SIZE (mm)	1800	1800	1400	1400	1800
CULVERT ENDWALL TYPE	SLOPING	SLOPING	SLOPING	SLOPING	CONC. BLOCK

SITE BENCHMARKS

BM1–PKNAIL IN TOP OF CONCRETE MANHOLE ON WEST SIDE OF BANWELL ROAD AT INTERSECTION ROAD. PKNAIL IS 0.4M WEST OF THE EDGE AND 0.7M SOUTH OF THE NORTH EDGE AT APPROXIMATELY ST. 1+690
ELEVATION=182.774m

BM2– TOP OF 1350 DIAMETER CONCRETE PIPE, WEST END OF BRIDGE No. 3
ELEVATION=179.86m

BM3– TOP OF 1800 DIAMETER CONCRETE PIPE, WEST END OF BRIDGE No. 1
ELEVATION= 180.83m

NOTE: CONTRACTOR TO VERIFY BENCHMARKS PRIOR TO CONSTRUCTION.

LICENSED PROFESSIONAL ENGINEER
M. D. HERNANDEZ
100078099
May 3/19
PROVINCE OF ONTARIO

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1	CLIENT REVIEW	APR. 12/19	MDH
	ISSUED FOR 579		

DESIGN: MDH | REVIEWED BY: FRF
DRAWN: KAW | CHECKED BY: TRO
DATE: 3 MAY 2019
SCALE: AS SHOWN

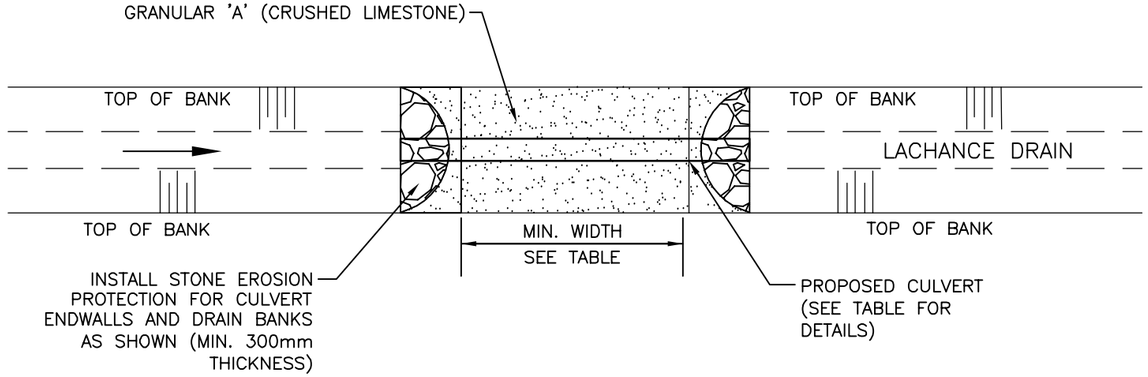
DILLON CONSULTING

PROJECT NO. 17-6772

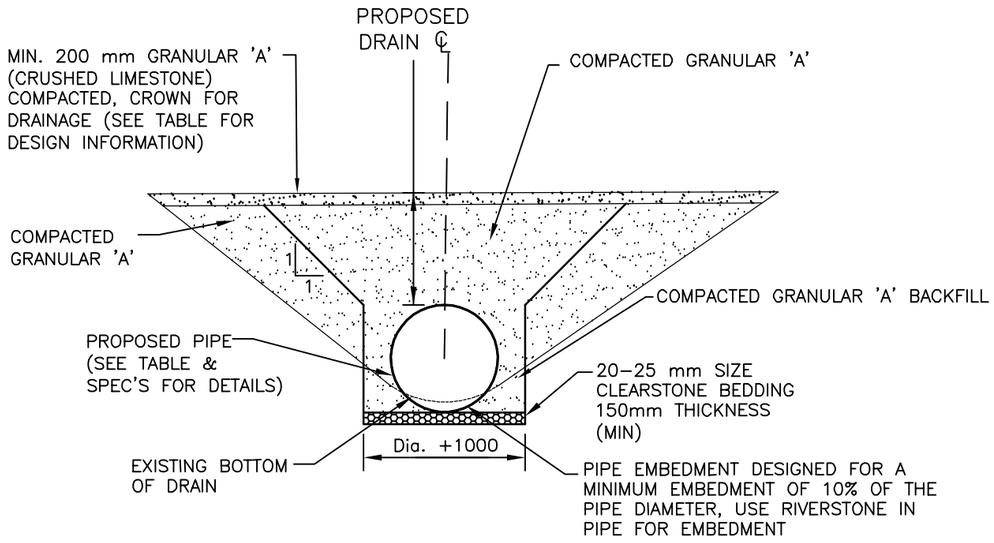
DRAWING SCALES BASED ON A 11" X 17" SHEET

Drainage Report for the
LACHANCE DRAIN
Town of Tecumseh & City of Windsor

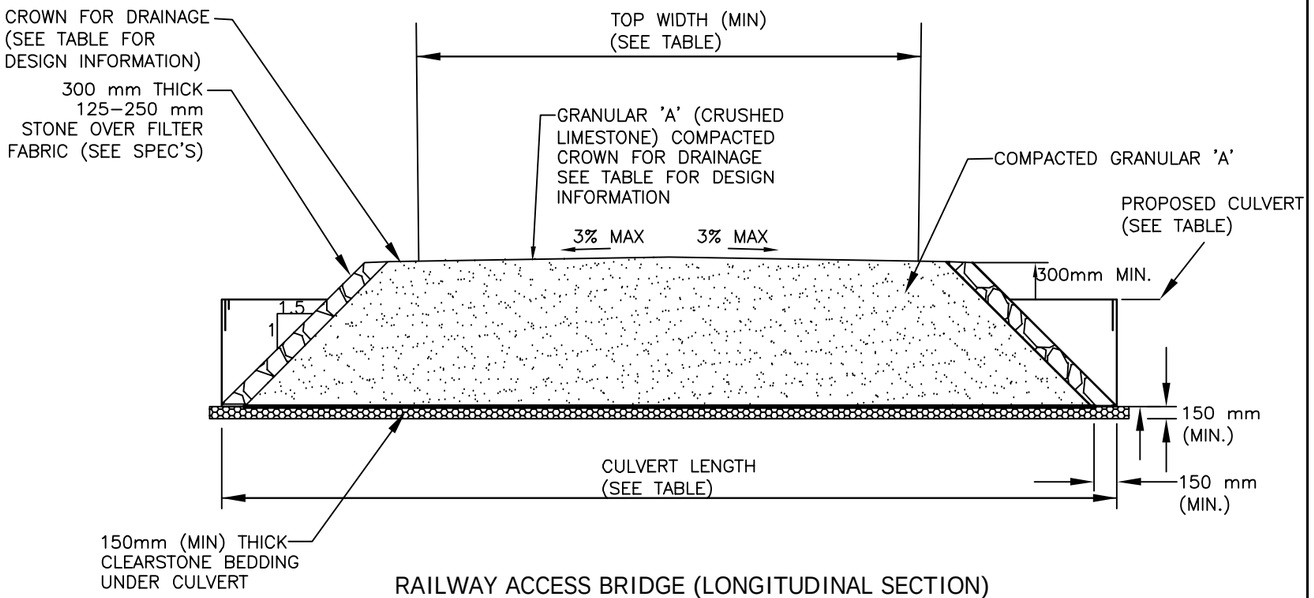
SHEET TITLE
BRIDGE DESIGN INFORMATION



RAILWAY ACCESS BRIDGE PLAN (TYPICAL)
BRIDGE NO. 1 & 2
NOT TO SCALE



RAILWAY ACCESS BRIDGE (CROSS SECTION)
BRIDGE NO. 1 & 2
NOT TO SCALE



RAILWAY ACCESS BRIDGE (LONGITUDINAL SECTION)
BRIDGE NO. 1 & 2
NOT TO SCALE

NOTE: PRIOR TO ANY WORK BEING COMPLETED ON BRIDGES 1 & 2, APPROVAL MUST BE OBTAINED FROM CANADIAN PACIFIC RAILWAY

LICENSED PROFESSIONAL ENGINEER
M. D. HERNANDEZ
100078099
May 3/19
PROVINCE OF ONTARIO

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	ISSUED FOR 580		

DESIGN MDH	REVIEWED BY FRF
DRAWN KAW	CHECKED BY TRO
DATE 3 MAY 2019	
SCALE AS SHOWN	

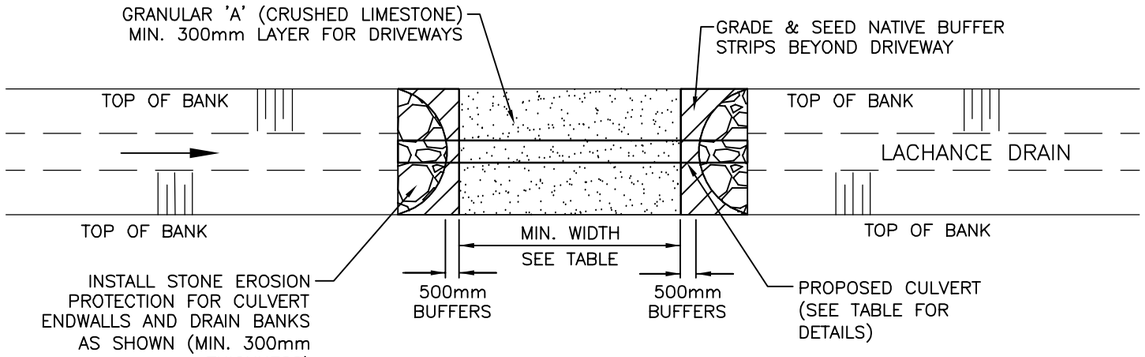
DILLON CONSULTING

PROJECT NO. 17-6772

DRAWING SCALES BASED ON A 11" X 17" SHEET

Drainage Report for the
LACHANCE DRAIN
Town of Tecumseh & City of Windsor

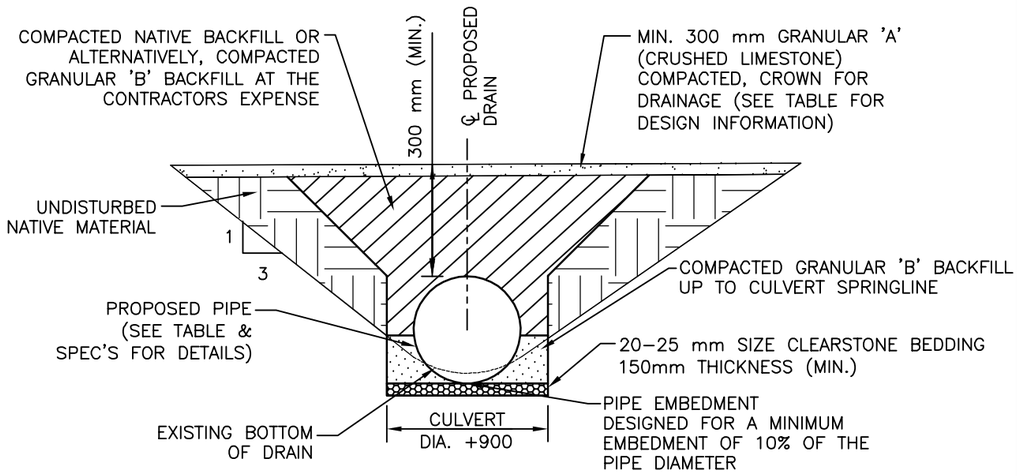
SHEET TITLE
FUTURE BRIDGE REPLACEMENT NO. 1 & 2



FARM ACCESS BRIDGE PLAN (TYPICAL)

BRIDGE NO. 3 & 4

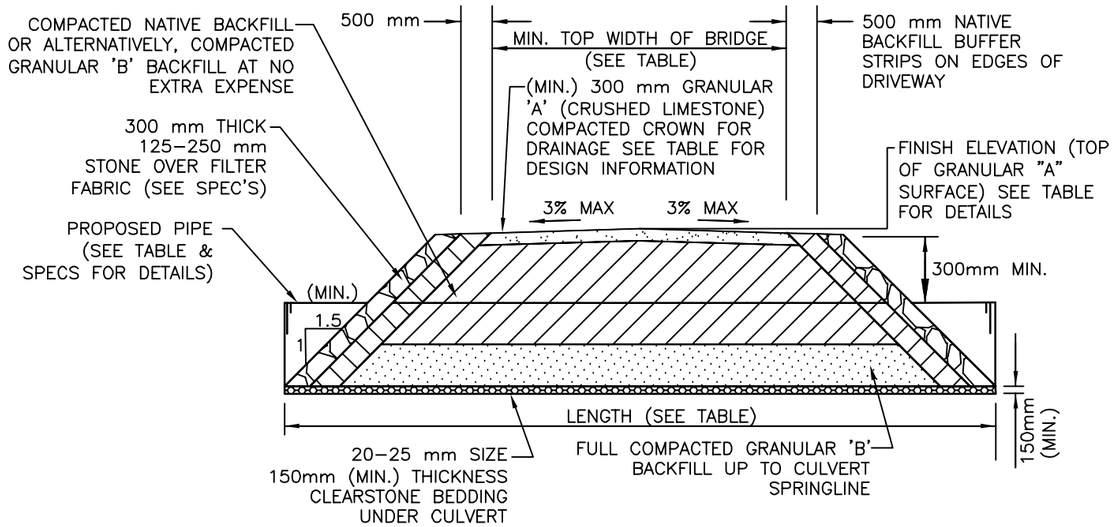
NOT TO SCALE



FARM ACCESS BRIDGE (CROSS SECTION)

BRIDGE NO. 3 & 4

NOT TO SCALE



FARM ACCESS BRIDGE (LONGITUDINAL SECTION)

BRIDGE NO. 3 & 4

NOT TO SCALE

Conditions of Use

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1	CLIENT REVIEW	APR. 12/19	MDH
	ISSUED FOR 581		

DESIGN	MDH
REVIEWED BY	FRF
DRAWN	KAW
CHECKED BY	TRO
DATE	3 MAY 2019
SCALE	AS SHOWN

DILLON CONSULTING

PROJECT NO. 17-6772

DRAWING SCALES BASED ON A 11" X 17" SHEET

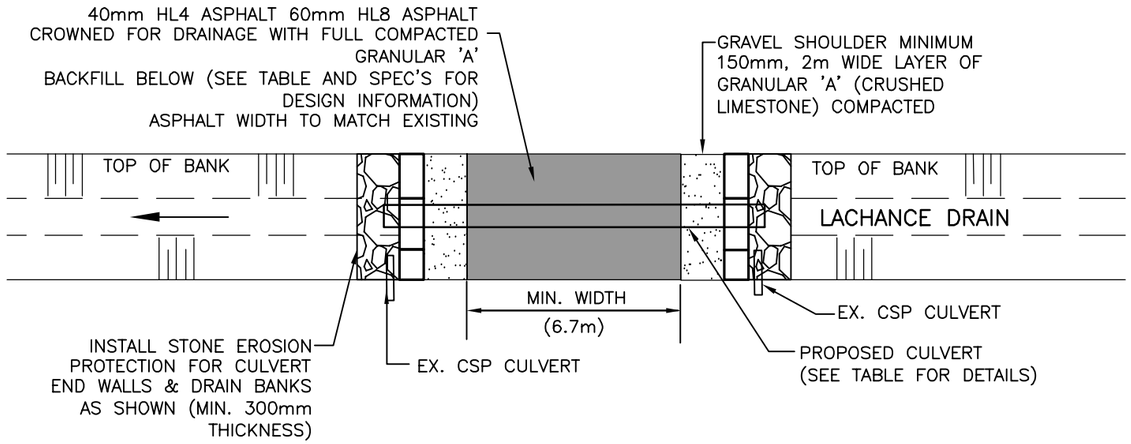
Drainage Report for the

LACHANCE DRAIN

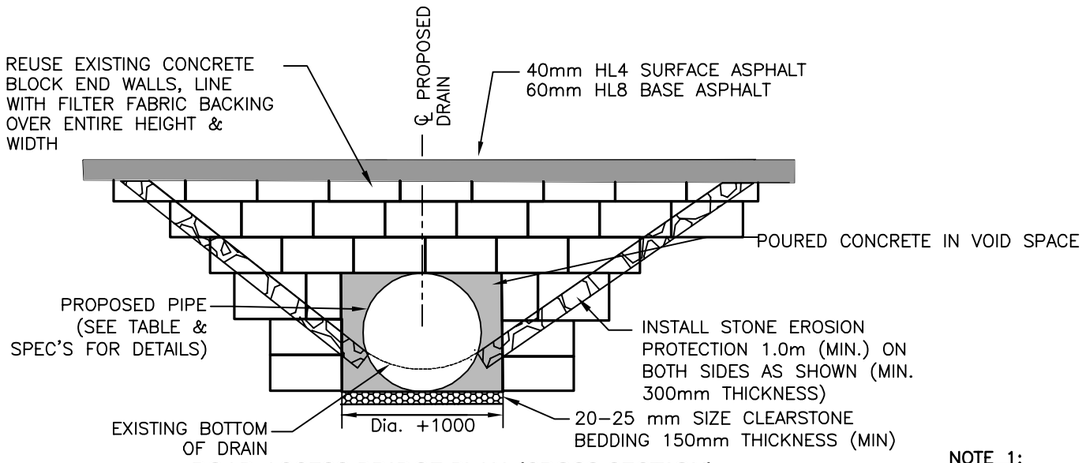
Town of Tecumseh & City of Windsor

SHEET TITLE

FUTURE BRIDGE REPLACEMENT NO. 3 & 4

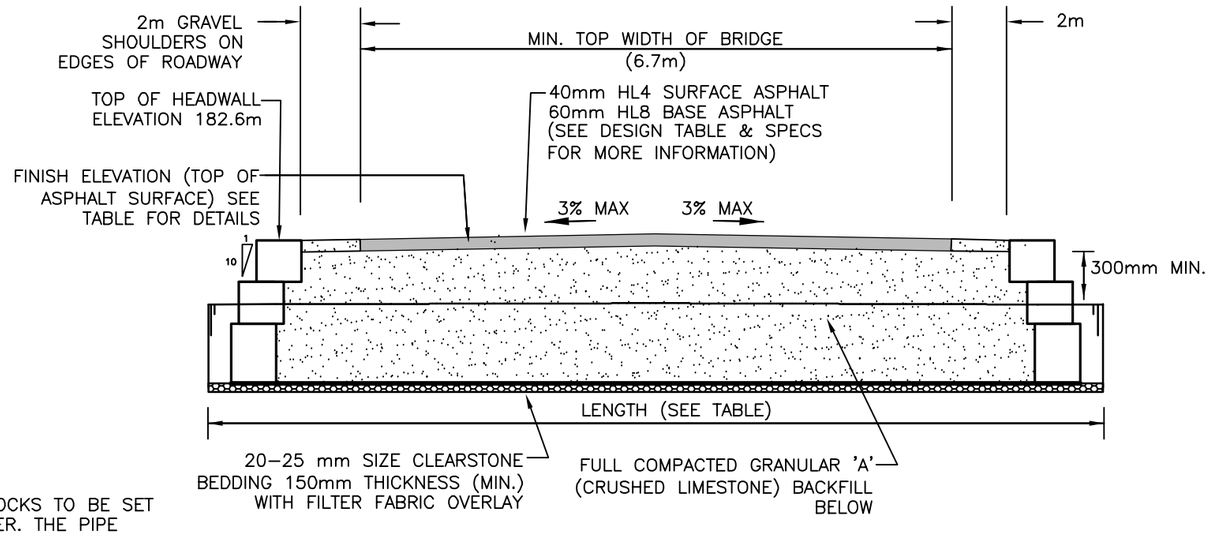


ROAD ACCESS BRIDGE PLAN (TYPICAL)
BRIDGE NO. 5
NOT TO SCALE



ROAD ACCESS BRIDGE PLAN (CROSS SECTION)
BRIDGE NO. 5
NOT TO SCALE

NOTE 1:
CONCRETE BLOCKS TO BE SET AT 10:1 BATTER. THE PIPE CULVERT TO PROTRUDE A MINIMUM 150 mm BEYOND THE LOWEST BLOCK ROW.CONCRETE BLOCK ROWS TO HAVE STAGGERED JOINTS.



ROAD ACCESS BRIDGE PLAN (LONGITUDINAL SECTION)
BRIDGE NO. 5
NOT TO SCALE

LICENSED PROFESSIONAL ENGINEER
M. D. HERNANDEZ
100078099
May 3/19
PROVINCE OF ONTARIO

Conditions of Use

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No.		DATE	BY
3	FINAL	MAY 3/19	MDH
2	DRAFT PIC	APR. 23/19	MDH
1	CLIENT REVIEW	APR. 12/19	MDH
	ISSUED FOR 582		

DESIGN	MDH
REVIEWED BY	FRF
DRAWN	KAW
CHECKED BY	TRO
DATE	3 MAY 2019
SCALE	AS SHOWN

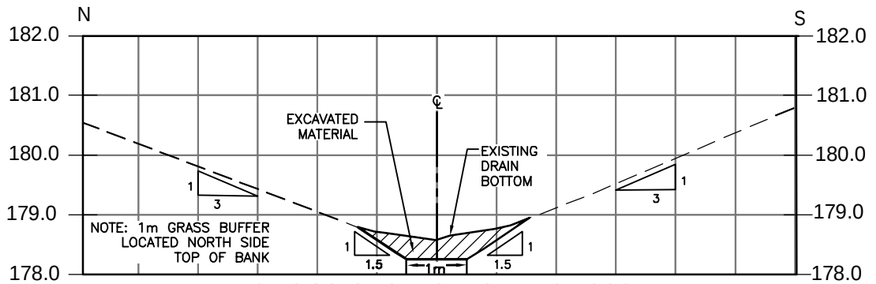
DILLON CONSULTING

PROJECT NO. 17-6772

DRAWING SCALES BASED ON A 11" X 17" SHEET

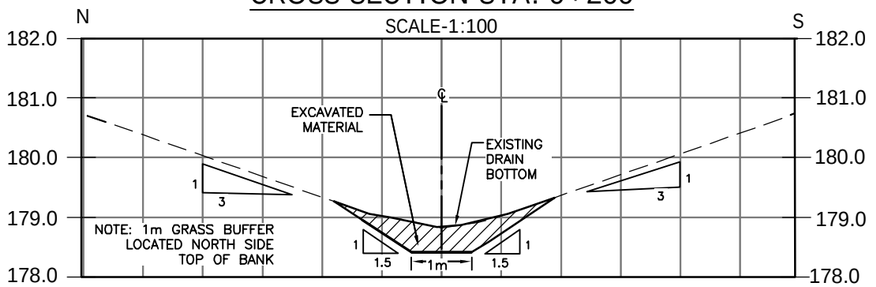
Drainage Report for the
LACHANCE DRAIN
Town of Tecumseh & City of Windsor

SHEET TITLE
FUTURE BRIDGE REPLACEMENT NO. 5



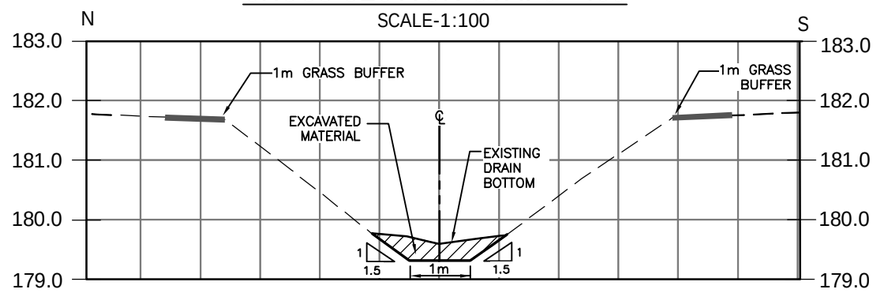
CROSS SECTION STA. 0+200

SCALE-1:100



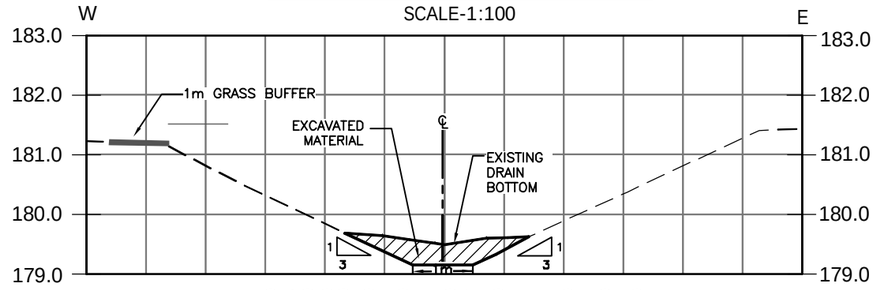
CROSS SECTION STA. 0+400

SCALE-1:100



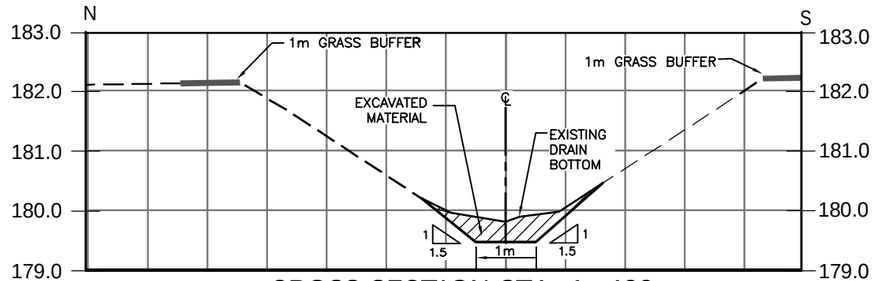
CROSS SECTION STA. 1+200

SCALE-1:100



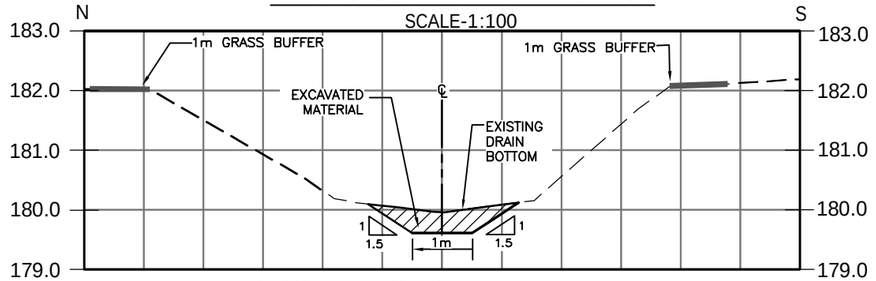
CROSS SECTION STA. 0+950

SCALE-1:100



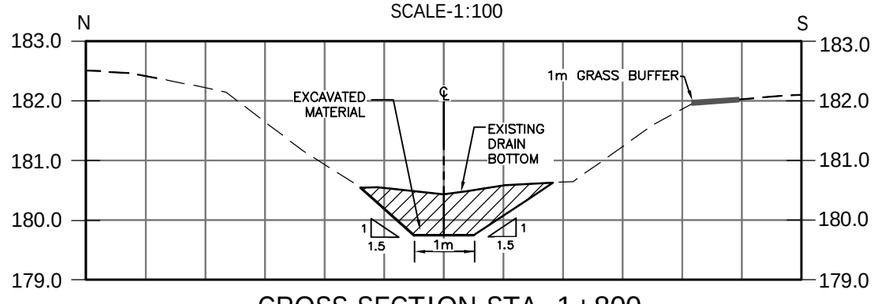
CROSS SECTION STA. 1+400

SCALE-1:100



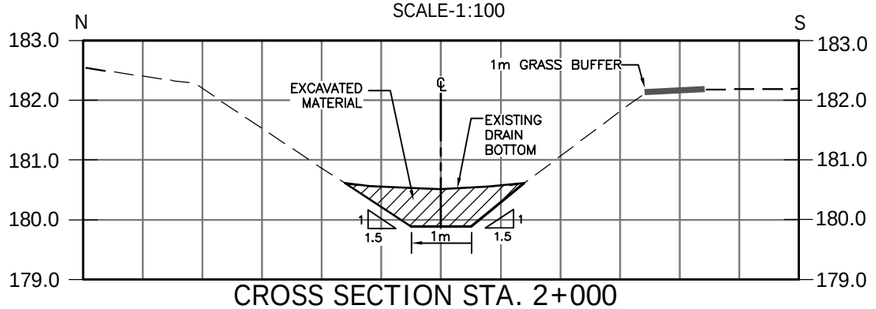
CROSS SECTION STA. 1+600

SCALE-1:100



CROSS SECTION STA. 1+800

SCALE-1:100



CROSS SECTION STA. 2+000

SCALE-1:100

LICENSED PROFESSIONAL ENGINEER
M. D. HERNANDEZ
100078099
May 3/19
PROVINCE OF ONTARIO

'SCHEDULE G'

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1	CLIENT REVIEW	APR. 12/19	MDH
	ISSUED FOR 583		

DESIGN	REVIEWED BY
MDH	FRF
DRAWN	CHECKED BY
KAW	TRO

DATE 3 MAY 2019

SCALE AS SHOWN

DILLON CONSULTING

PROJECT NO. 17-6772

DRAWING SCALES BASED ON A 11" X 17" SHEET

Drainage Report for the

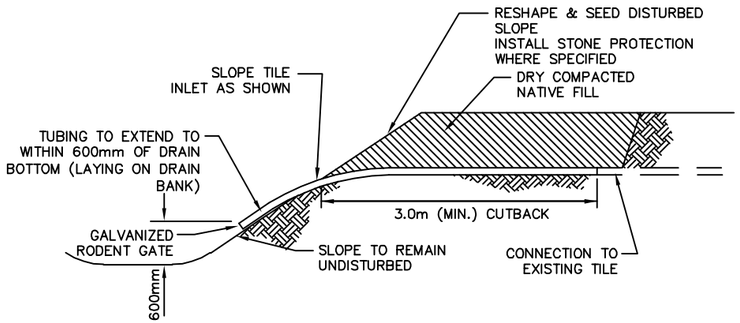
LACHANCE DRAIN

Town of Tecumseh & City of Windsor

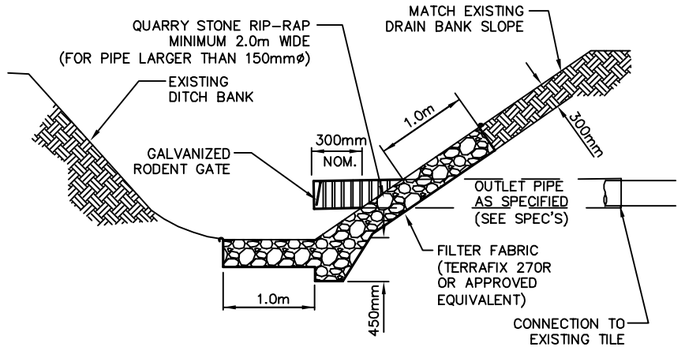
SHEET TITLE

CROSS SECTIONS

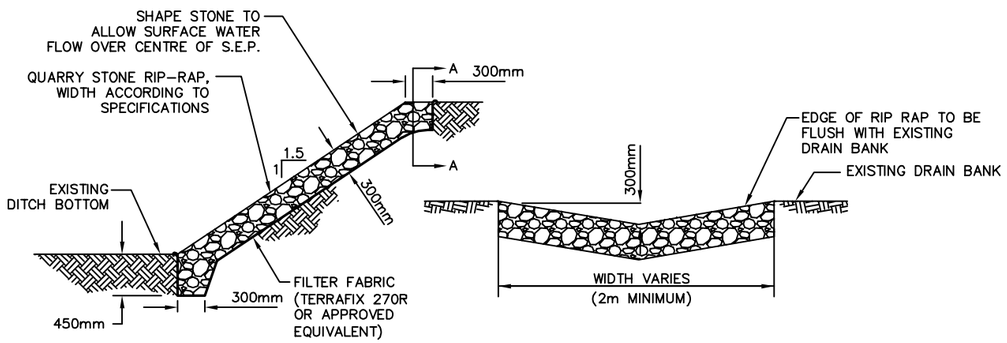
PAGE NO. 8 of 9



TYPICAL DRAINAGE TUBING TILE INLET
REPLACEMENT DETAIL
(FOR TILES 150mmØ OR SMALLER)
NOT TO SCALE

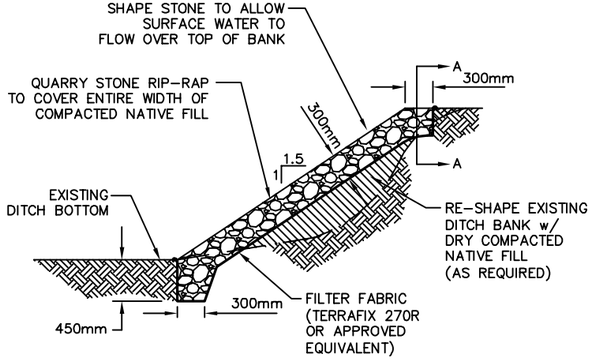


TYPICAL CSP TILE INLET
REPLACEMENT DETAIL
NOT TO SCALE



TYPICAL DITCH BANK WASHOUT
DETAIL w/ RIP-RAP
NOT TO SCALE

SECTION A-A
NOT TO SCALE



TYPICAL DITCH BANK WASHOUT
DETAIL w/ BACKFILLING & RIP-RAP
NOT TO SCALE

'SCHEDULE G'

LICENSED PROFESSIONAL ENGINEER
M. D. HERNANDEZ
100078099
May 3/19
PROVINCE OF ONTARIO

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584

DESIGN	REVIEWED BY
MDH	FRF
DRAWN	CHECKED BY
KAW	TRO
DATE	
3 MAY 2019	
SCALE	
AS SHOWN	

DILLON CONSULTING

PROJECT NO. 17-6772

DRAWING SCALES BASED ON A 11" X 17" SHEET

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LACHANCE DRAIN
Town of Tecumseh & City of Windsor

SHEET TITLE
MISCELLANEOUS REPAIR DETAILS

PAGE NO. 9 of 9

UNFINISHED REGULAR COUNCIL BUSINESS

	Meeting Date	Resolution	Subject	Action/Direction	Depart.	Status/Action Taken
3/17	Mar 14, 2017		Alley Closing Policy	An alley closing policy is requested to establish a uniform process for closing alleys.	CS	In Progress
1/18	January 30, 2018		Video Surveillance	Administration to follow up on video surveillance and potential grant funding for acquiring a system.	ICS	Grant application is being investigated and met with local expert
18/18	April 24, 2018		Cada Library Renovations	It is directed that Administration provide a report on the Cada Library to include consultations with TAAC, SAC, YAC, CAC, and other stakeholders on the current options proposed to refresh or renovate the current library building.	PRS/CAO	Q2 2019 Report
19/18	May 22, 2018		Property Standards By-law	It is directed that Administration harmonize the by-law regarding disconnected tractor-trailers on residential properties to be consistent within the Town.	PBS	In progress
28/18	September 25, 2018		Municipal Tree Cutting	Administration is asked to look into a tree cutting and trimming policy for municipal trees that includes provisions for residents who wish to cost share in tree maintenance.	PWES/CS	In progress
29/18	November 13, 2018		Customer Service Policy	A request is made for a Customer Service Policy.	CS	In progress
02/19	March 26, 2019		Succession Plan	A request is made for a formal Succession Planning Policy.	CS	Next Policies & Priorities Committee Meeting
03/19	April 23, 2019		Manning Road Phases 2 & 3	A request is made for a Public Information Centre (PIC) for Manning Road Phases 2 & 3.	PWES	
04/19	May 14, 2019		Gateway Sign	A request is made for a Report regarding the cost estimates to purchase a Tecumseh Gateway Sign to be erected on South Talbot Road at County Road 9.	PWES	

The Corporation of the Town of Tecumseh

By-Law Number 2018 - 59

Being a by-law to confirm the proceedings of the July 23, 2019 regular meeting of the Council of The Corporation of the Town of Tecumseh

Whereas pursuant to Section 5(1) of the Municipal Act, 2001, S.O. 2001, c.25 as amended, the powers of a municipality shall be exercised by its Council; and

Whereas pursuant to Section 5(3) of the *Municipal Act, 2001*, S.O. 2001, c.25 as amended, a municipal power, including a municipality's capacity, rights, powers and privileges under Section 8 of the *Municipal Act, 2001*, S.O. 2001, c.25 as amended, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise; and

Whereas it is deemed expedient that the proceedings of the Council of The Corporation of the Town of Tecumseh at this Session be confirmed and adopted by by-law.

Now Therefore the Council of The Corporation of The Town of Tecumseh Enacts as follows:

1. **That** That the actions of the Council of The Corporation of the Town of Tecumseh in respect of all recommendations in reports and minutes of committees, all motions and resolutions and all other action passed and taken by the Council of The Corporation of the Town of Tecumseh, documents and transactions entered into during the July 23, 2019, meeting of Council, are hereby adopted and confirmed, as if the same were expressly embodied in this By-law.

2. **That** the Mayor and proper officials of The Corporation of the Town of Tecumseh are hereby authorized and directed to do all the things necessary to give effect to the action of the Council of The Corporation of the Town of Tecumseh during the said July 23, 2019, meeting referred to in paragraph 1 of this By-law.

3. **That** the Mayor and the Clerk are hereby authorized and directed to execute all documents necessary to the action taken by this Council as described in Section 1 of this By-law and to affix the Corporate Seal of The Corporation of the Town of Tecumseh to all documents referred to in said paragraph 1.

Read a first, second and third time and finally passed this 23rd day of July, 2019.

Gary McNamara, Mayor

Laura Moy, Clerk