



The Corporation of the Town of Tecumseh

Public Works & Engineering Services

To: Mayor and Members of Council

From: Phil Bartnik, Director Public Works & Engineering Services

Date to Council: May 9, 2023

Report Number: PWES-2023-39

Subject: Subsequent Connection to a Municipal Drain (s. 65) – Cyr Drain & Extension

Recommendations

It is recommended:

That the Subsequent Connection Report prepared by Mark Hernandez, P.Eng. of Dillon Consulting Ltd., dated April 12, 2023 (Report), including Schedule C (Updated Section 65(3)), for the connection of drainage works to the Cyr Drain and Extension for Roll No. 570-47810 and Roll No. 570-47800, **be received**;

And that the connection of drainage works for the parcels Roll No. 570-47810 and Roll No. 570-47800 into the Cyr Drain and Extension, **be approved** as set out in the Report;

And further that By-law No. 2023-058 being a by-law to approve the Report and amendments to the Engineer's assessment set out in By-law No. 2021-41 **be adopted**;

And furthermore that a copy of By-law No. 2023-058 be sent to the affected landowner of Roll No. 570-47810 and Roll No. 570-47800.

Background

The purpose of this report is to advise on a landowner's request to allow a subsequent connection to the Cyr Drain and Extension (Drain) in accordance with Section 65(3) of the *Drainage Act* (the Act). This request was made to help facilitate a proposed development of the parcels, whereby stormwater would be able to be serviced into a single drainage area being the Cyr Drain. Section 65(3) states:

“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 situated 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.”

The Town of Tecumseh (the Town) received correspondence on January 12, 2023, from the landowner of Roll No. 570-47810 and Roll No. 570-47800 for a drainage outlet to the Drain.

The Town provided a response to the landowner on January 12, 2023, providing options under the Act to allow a subsequent connection to a Municipal Drain. The Town provided the proper documentation for the landowner to complete and submit to the Town. The landowner submitted the documentation on January 17, 2023. The majority of the said lands were assessed to the Drain, however, the southerly portion of the respective lots were assessed only to the East Townline Drain.

Comments

On January 24, 2023, the Town procured the services of Mr. Mark Hernandez, P.Eng., of Dillon Consulting Ltd., to prepare a report for a Subsequent Connection to a Municipal Drain under Section 65(3) of the Act.

On April 12, 2023, the Town received the Subsequent Connection Report Section 65(3) from Mr. Mark Hernandez, P.Eng., dated April 12, 2023, which is attached to this report as Attachment 1.

As indicated within the Subsequent Connection Report, the additional runoff generated from the properties at Roll No. 570-47810 and Roll No. 570-47800 will have negligible impacts on the capacity of the Drain.

Consultations

Financial Services
Legislative Services & Clerk
Dillon Consulting Ltd.

Financial Implications

The engineering costs associated with the preparation of the new Section 65(3) report letter and assessment schedule shall be assessed 50% against property Roll No. 570-47810 and 50% against property Roll No. 570-47800.

Link to Strategic Priorities

Applicable	2019-22 Strategic Priorities
<input type="checkbox"/>	Make the Town of Tecumseh an even better place to live, work and invest through a shared vision for our residents and newcomers.
<input checked="" type="checkbox"/>	Ensure that Tecumseh's current and future growth is built upon the principles of sustainability and strategic decision-making.
<input type="checkbox"/>	Integrate the principles of health and wellness into all of Tecumseh's plans and priorities.
<input checked="" type="checkbox"/>	Steward the Town's "continuous improvement" approach to municipal service delivery to residents and businesses.
<input type="checkbox"/>	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:

Alessia Mussio, E.I.T.
Drainage Superintendent

Reviewed by:

John Henderson, P.Eng.
Manager Engineering Services

Reviewed by:

Phil Bartnik, P.Eng.
Director Public Works & Engineering 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	Subsequent Connection Report dated April 12, 2023 by Mark Hernandez, P.Eng., of Dillon Consulting Ltd.
2	Schedule A – Drainage Act Excerpts