



August 24, 2023

Clerk's Office  
Town of Tecumseh  
917 Lesperance Road  
Tecumseh, Ontario  
N8N 1W9

Attention: Robert Auger  
Director Legislative Services & Clerk

10 Fifth Street South  
Chatham, Ontario  
Canada  
N7M 4V4  
Telephone  
519.354.7802  
Fax  
519.354.2050

***Cunningham Drain (Brown Enclosure), Section 40 Letter***

Dear Mr. Auger:

The Municipality received a request from the owners of Roll No. 400-04900 (Cameron D. & Margaret Brown) to extend an existing enclosure on their property under Section 78 of the Drainage Act. Council subsequently appointed Dillon Consulting Limited on April 26<sup>th</sup>, 2022 to prepare a report. The purpose of the enclosure was to meet setback requirements for the construction of a secondary dwelling. An onsite meeting was held on July 26<sup>th</sup>, 2022 for the above noted drain with the said landowners, Municipality and the engineer attending.

A draft report was subsequently completed and submitted to the Municipality for their review on June 13<sup>th</sup>, 2023. Engineering work completed to date included a topographic survey, estimation of cost and quantities, engineering drawings and specifications, hydraulic analysis of minor and major storm events with application to the conservation authority, and an environmental review and application to DFO for a site-specific review.

The total cost of the drainage works is estimated to be \$74,000.00, excluding HST, for which \$18,000.00 represents the engineering cost portion. A meeting with the landowner was held on June 21<sup>st</sup>, 2023. At that time, the scope of work and estimated costs were discussed. The landowner expressed concerns with respect to the costs and on August 11<sup>th</sup>, 2023 confirmed in writing that they do not wish the process to proceed further.

We are therefore obliged under Section 40 of the Drainage Act, to report that the enclosure of the Cunningham Drain is no longer required. We recommend that engineering costs accrued and invoiced to the Town of Tecumseh to date, being \$16,987.89, excluding HST, for the above noted work be levied 100% against Roll No. 400-04900.

Please do not hesitate to contact the undersigned should you have any questions, comments, or concerns.

Respectfully submitted,

**DILLON CONSULTING LIMITED**

A handwritten signature in black ink, appearing to read "Oliver E. Moir". The signature is fluid and cursive, with the first name being the most prominent.

Oliver E. Moir, P. Eng.

OEM:lld

cc: Alessia Mussio, Drainage Superintendent, Town of Tecumseh

Our file: 22-4473

