



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: Tuesday, July 22, 2025

Report Number: PWES-2025-44

Subject: Amendments to the South Talbot Road Drain East & 12th Line Drain and Antaya Drain Amending By-Laws

Recommendations

It is recommended:

That report PWES-2025-44 Amendments to the South Talbot Road Drain East & 12th Line Drain and Antaya Drain Amending By-Laws **be received**;

And that By-Law 2025-091 **be considered** for first, second and third and final readings, to amend By-Law 2025-064 to authorize the collection of drainage assessments for the South Talbot Road Drain East & 12th Line Drain Improvements (S. 78);

And further that By-Law 2025-092 **be considered** for first, second and third and final readings, to amend By-Law 2023-008 to authorize the collection of drainage assessments for the Antaya Drain Improvements (S.78).

Background

Municipal Drainage Works Procedures

Section 4 and 78 of the *Drainage Act* (Act) provides that the Town can construct, repair, or improve municipal drains in response to a request or petition from an affected landowner in the Town, experiencing drainage issues. Drainage Engineer reports proceed through required meetings and appeal opportunities as legislated under the

Act. Assessments are established for each affected property and are legislated by by-law after the timelines for any appeals have expired (Drainage By-law).

Once a drainage report has been adopted by by-law, construction, repair or improvement works for the drain are tendered according to the Town's Procurement By-law and Purchasing Policy.

Following substantial completion of the construction of the recommended works in the adopted drainage report, the Town applies for grant funds for eligible agricultural lands per the Agricultural Drainage Infrastructure Program (ADIP). These properties must be classified at the Farm Tax Rate to receive the grant monies which are applied for by the Drainage Superintendent and deducted from the gross assessment for each individual property. It should be noted that grants are not guaranteed and are provided at the discretion of the Ontario Ministry of Agriculture, Food and Agribusiness (OMAFRA).

The Town subsequently recovers eligible project costs by invoicing the total cost of the works to the affected landowners in the proportions as shown in the assessment schedule approved in the Drainage By-law, less any grant funding, inclusive of any non-pro-ratable costs determined during construction by the appointed engineer.

Comments

At the Regular Council Meeting of May 13, 2025, Council received report [PWES-2025-31](#) and passed By-Laws 2025-064 and 2025-074 for the authorization and collection of drainage assessments for the South Talbot Road Drain East & 12th Line Drain Improvements and Antaya Drain Improvements, respectively.

Through final billing procedures and checks, it was noted that Allowances, as defined under Sections 29 through 33 of the Act, were not included within the project totals previously prepared. The cost of Allowances should be accounted for in the total project costs and thus require the amending by-laws to be revised.

The Allowances, as defined in each of the Engineer's Report for the drains listed above, are as follows along with the updated project costs:

South Talbot Road Drain East & 12th Line Drain

By-Law 2025-064 - Total Project Cost (Original)	\$195,593.39
Allowance Cost	\$19,290.00
By-Law 2025-089 – Total Project Cost (Revised)	\$214,883.39

Antaya Drain

By-Law 2025-074 - Total Project Cost (Original)	\$157,918.97
Allowance Cost	\$7,700.00
By-Law 2025-090 – Total Project Cost (Revised)	\$165,618.97

The Allowance value has now been added to each of the total project costs for prorating across the watershed using the provided schedule from the applicable Engineer's Report. A summary of the pertinent project costs has been included as part of Attachment 1. These values have been confirmed with the OMAFA Grant Application for these projects as well.

Consultations

Legislative Services & Clerk
Financial Services

Financial Implications

Other than the costs to administer the projects (i.e. Administration staff time), the cost of improvements is 100% recoverable by the affected lands and roads including the Town's portion as detailed in Attachment 1.

The total drainage assessment to the Town for drain improvements in Attachment 1 is \$126,333.67. The Town will utilize the Municipal Drain Lifecycle Reserve to pay for its drainage assessments.

Link to Strategic Priorities

Applicable	2023-2026 Strategic Priorities
<input checked="" type="checkbox"/>	Sustainable Growth: Achieve prosperity and a livable community through sustainable growth.
<input type="checkbox"/>	Community Health and Inclusion: Integrate community health and inclusion into our places and spaces and everything we do.
<input type="checkbox"/>	Service Experience: Enhance the experience of Team Tecumseh and our citizens through responsive and respectful service.

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:

Matthew Shiha, E.I.T.
Drainage Superintendent

Reviewed by:

John Henderson, P.Eng.
Manager Engineering Services

Reviewed by:

Robert Auger, LL.B.
Director Legislative Services & Clerk

Reviewed by:

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

Reviewed by:

Phil Bartnik, P.Eng.
Director Public Works & Engineering Services

Recommended by:

Margaret Misek-Evans, MCIP, RPP
Chief Administrative Officer

Attachment Number	Attachment Name
1	Municipal Drain Improvement Cost Summary