

# 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.

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Gary McNamara, Mayor

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Laura Moy, Clerk