

THE CORPORATION OF THE TOWN OF AMHERSTBURG

BY-LAW NO. 2017 - 04

By-law to provide for the New Maintenance Schedule
for the Morgan Drain – Main and South Branch Outlet based on
the Drainage Report by Baird AE.

WHEREAS a new maintenance schedule for the Morgan Drain – Main and South Branch Outlet was recommended by the Drainage Superintendent and Engineering Coordinator as a result of development changes within the watershed of the drain;

WHEREAS Council of the Corporation of the Town of Amherstburg felt it necessary to appoint an engineer for the purpose of preparation of an engineer's report for a new maintenance schedule under section 76 of the Drainage Act;

WHEREAS Council of the Corporation of the Town of Amherstburg has authorized Halliday Pearson, P. Eng., Baird AE. to prepare a report and said report dated April 25, 2017, can be referenced as Schedule A, as attached hereto;

AND WHEREAS the report was considered and adopted by the Amherstburg Drainage Board at the meeting held on Tuesday, June 6th, 2017; and,

NOW THEREFORE the Council of the Corporation of the Town of Amherstburg hereby enacts as follows:

1. AUTHORIZATION

The attached report is adopted and the new maintenance schedule be authorized as specified in the engineer's report

Read a first and second time and provisionally adopted this 12th day of June, 2017.



MAYOR – ALDO DICARLO



CLERK – PAULA PARKER
DEPUTY CLERK - TAMMY FOWKES

Read a third time and finally passed this 21 day of August, 2017.



MAYOR – ALDO DICARLO



CLERK – PAULA PARKER



Maintenance Schedule of Assessment for the Morgan Drain – Main and South Branch

Town of Amherstburg

November 24, 2016
Revised April 25, 2017

PWD-MD-2016-016
Project No. 16-097



27 Princess St., Unit 102
Leamington, ON N8H 2X8
519.326.6161 TF 1.844.842.9188
bairdAE.ca

November 24, 2016
Revised April 25, 2017

Corporation of the Town of Amherstburg
271 Sandwich Street South
Amherstburg ON
N9V 2A5

Drainage Board Members:

SUBJECT: Maintenance Schedule of Assessment
For the Morgan Drain – Main and South Branch
Town of Amherstburg
Our Project Reference 16-097

1.0 Authorization

This report has been revised based on information obtained from the Kingsbridge Residential Community Revised Stormwater Management Report – Southwest Pond prepared by Stantec Consulting Ltd. dated February 23, 2017 – Amendment No. 2.

As appointed by Council, Baird AE has prepared a new Maintenance Schedule of Assessment, under Section 76 of The Drainage Act (the Act) for the Morgan Drain – Main and South Branch (Morgan Drain) and we report thereon as follows.

The purpose of this report is not to authorize work to be carried out on this drain but to establish a new Schedule of Assessment to be used to fairly and accurately assess the cost of future maintenance works on the drainage system.

2.0 Drainage History

The Morgan Drain is an open drain with two branch drains. The governing bylaw for the main drain and south branch is generated from the October 28, 2011 report prepared by E. P. Dries.

The need for a new maintenance schedule is the result of changes to the proposed stormwater management system currently being developed for the Kingsbridge Subdivision. The subject lands are located between County Road 5 and Knobb Hill Drive.

Kingsbridge Subdivision Phase 9, as shown on the attached plan, will be removed from the Morgan Drain watershed. These same lands will be added to the White Drain watershed under a separate report. We have considered these lands to be developed when creating the new assessment schedule. We anticipate that these lands, currently agricultural, will be developed in the very near future.

As a result of the changes described above, we recommend preparation of a new Maintenance Schedule of Assessment for the Morgan Drain.

3.0 Site Meeting

A site meeting was held at 9:00 am on November 9, 2016 at the Libro Centre to discuss the request for a new maintenance schedule. The following people attended the site meeting:

Landowners Present	Municipal Address
D. & D. Barsalou	45 Hilton Court
T. Nantais	43 Hilton Court
Don DiPierdomenico	548 Second Concession
Peter Kosyk	---
John Maceroni	120 Whelan Drive
Shane McVitty, P.Eng.	Town of Amherstburg
Nicole Humber	Town of Amherstburg
Halliday Pearson, P.Eng.	Baird AE

Those present discussed the reason for the new maintenance schedule and who would be responsible for costs associated with preparation of the report. It was stated that the purpose of this report is not to authorize work to be carried out on this drain but is a housekeeping measure to ensure that the Town has accurate assessment schedules for distribution of future drain maintenance costs.

Landowners expressed concern that their lands would be assessed for works to improve the drain to accommodate the increased flows due to development of the subdivision. Mr. McVitty and Ms. Pearson stated that stormwater management systems have been designed to ensure that the post-development flow rates equal the pre-development rates.

It was noted that the existing open drain flowing southwesterly from Hilton Court would eventually be replaced with storm sewers. Residents enquired if the sewers would be oversized to prevent against flooding. Mr. McVitty stated that the Town requires storm sewers to be designed in accordance with the Town's design standards and all designs are reviewed by the Town and approved by various agencies.

Mr. McVitty stated that the final report would be provided to all affected landowners along with notices of a Meeting to Consider and Court of Revision to be held in front of the Drainage Board.

4.0 Recommendations

As a result of the changes described in Section 2.0, we recommend preparation of a new Maintenance Schedule of Assessment for the Morgan Drain.

We would recommend that all costs associated with preparation of this report be assessed to the developer of Kingsbridge Subdivision, being lands owned by Dunn Group of Companies with Roll No. 420-18050.

5.0 Drawings

Attached to this report is Sheet No. 1 that consists of a plan showing the drainage area of the Morgan Drain.

6.0 Assessment

In order that the cost of future maintenance works be fairly assessed to the affected lands and roads, we would recommend that a new Maintenance Schedule of Assessment be developed which contains

an accurate listing of affected lands and roads. As noted in the 2011 Dries report, a majority of the lands and roads within the watershed west of County Road 5 and north of Texas Road are within a well-defined urban area. These lands are identified on the attached plan as a "Designated Block". We recommend that these lands be assessed the normal Benefit and Outlet assessments as a Block Assessment as described in Section 25 of the Act. The assessments shall be levied against the rateable properties in the Designated Block proportionally on the basis of the assessed value of the land and the buildings within this area. A portion of this assessment shall be levied against the public roads in said area.

The new Schedule of Assessment has been developed based on an assumed maintenance cost of \$ 10,000.00. This amount is arbitrary and does not represent the actual costs to be assessed. Actual costs for future maintenance works, including all engineering and incidental costs, shall be assessed against the affected lands and roads in the same proportions as those shown in the attached Maintenance Schedule of Assessment.

Through a review of stormwater management reports and adjacent municipal drainage reports, we have determined the extent of lands draining into the Morgan Drain. We have determined that approximately 158.35 hectares of land outlet into this drain.

7.0 Maintenance

We would recommend that all costs associated with future maintenance of the drain be assessed to the affected lands and roads in accordance with the attached Maintenance Schedule of Assessment. The extent of the works undertaken shall be governed by the bylaw derived from the 2011 Dries report.

8.0 Grants

A grant is not available for the costs incurred in the preparation of a report under Section 76 according to Section 85 of the Act.

All of which is respectfully submitted,

BAIRD AE

27 Princess Street, Unit 102
Leamington, Ontario
N8H 2X8


Haliday P. Pearson, P. Eng



**MAINTENANCE SCHEDULE OF ASSESSMENT
FOR THE MORGAN DRAIN - MAIN AND SOUTH BRANCH
TOWN OF AMHERSTBURG
PROJECT REFERENCE 16-097
PWD-MD-2016-016**

November 24, 2016
Revised April 25, 2017

MUNICIPAL LANDS

Description	Area Affected		Owner	Benefit	Outlet	Total Assessment
	(Acres)	(Ha.)				
Texas Road	5.40	2.19	Town of Amherstburg	\$ 175.00	\$ 115.00	\$ 290.00
County Road 5	4.20	1.70	The County of Essex	\$ 140.00	\$ 95.00	\$ 235.00
Block Assessment (Roads)	11.86	4.08	Town of Amherstburg	\$ 330.00	\$ 230.00	\$ 560.00
Block Assessment (Lands)	224.30	89.27	Town of Amherstburg	\$ 4,165.00	\$ 2,845.00	\$ 7,010.00
Total on Municipal Lands -----				\$ 4,810.00	\$ 3,285.00	\$ 8,095.00

PRIVATELY OWNED NON-AGRICULTURAL LANDS:

Roll No.	Con.	Description	Area Affected		Owner	Benefit	Outlet	Total Assessment
			(Acres)	(Ha.)				
410-00900	2	Pt Lt 3	1.30	0.53	Verdi Club	\$ -	\$ 15.00	\$ 15.00
410-01000	2	Pt Lt 3	2.80	1.13	Tony & Antonia Sauro	\$ -	\$ 35.00	\$ 35.00
410-01100	2	Pt Lt 3	0.94	0.38	Nancy Lyn Paquette	\$ -	\$ 10.00	\$ 10.00
410-05400	2	Pt Lt 4	7.58	3.07	Joseph & Iolanda Dalimonte	\$ -	\$ 100.00	\$ 100.00
410-05500	2	Pt Lt 4	7.58	3.07	Santion & Rosa Ferrante	\$ 145.00	\$ 100.00	\$ 245.00
410-05505	2	Pt Lt 4	4.95	2.00	David & Nancy Fox	\$ 95.00	\$ 65.00	\$ 160.00
410-05600	2	Pt Lt 4	2.63	1.06	Lucia Di Domenico	\$ 50.00	\$ 35.00	\$ 85.00
410-05700	2	Pt Lt 4	7.58	3.07	Rosario & Maria Parete	\$ 145.00	\$ 100.00	\$ 245.00
410-05800	2	Pt Lt 4	2.51	1.02	Mario & Rita Parete	\$ 50.00	\$ 35.00	\$ 85.00
410-06300	2	Pt Lt 4	0.47	0.19	Arturo & Rita Parete	\$ -	\$ 5.00	\$ 5.00
500-31800	1	Pt Lt. 10-13	5.40	2.19	Essex Terminal Railway Co.	\$ -	\$ 70.00	\$ 70.00
Total on Privately Owned Non-Agricultural Lands -----						\$ 485.00	\$ 570.00	\$ 1,055.00

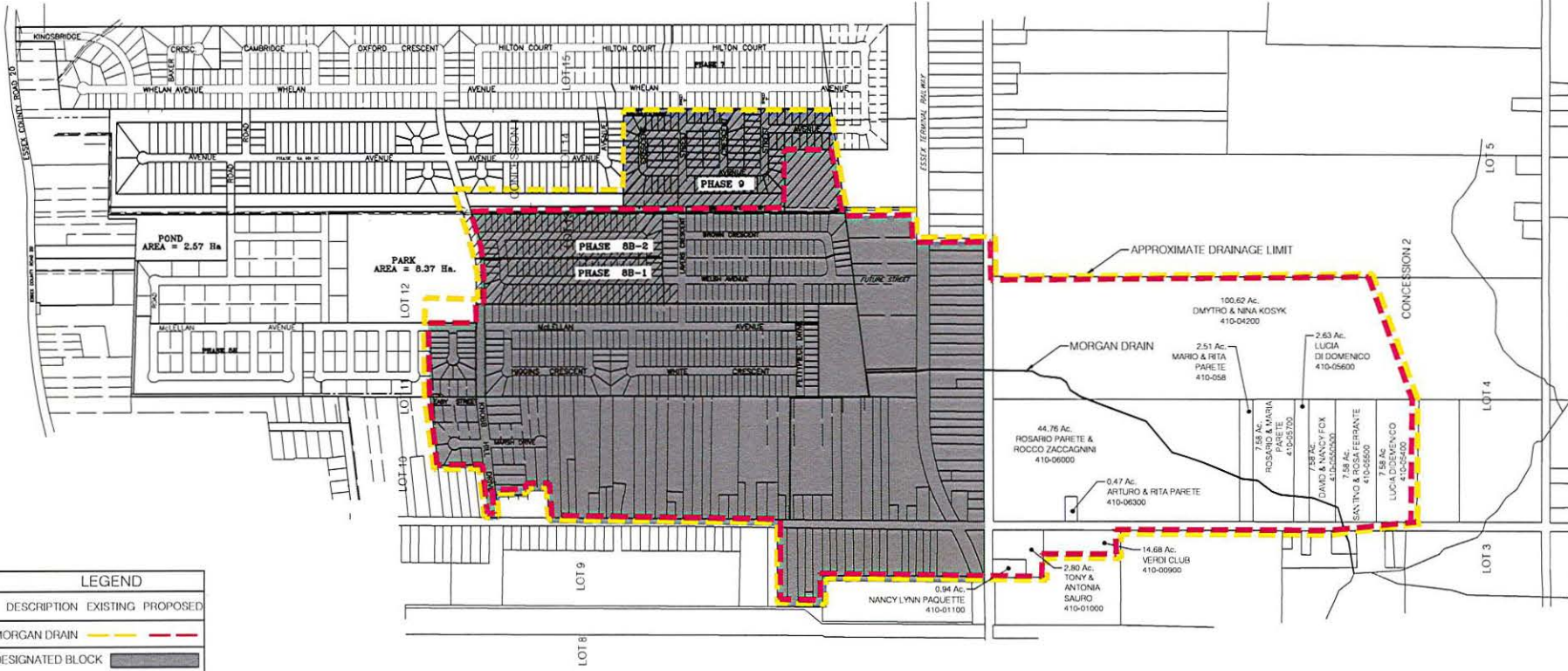
PRIVATELY OWNED AGRICULTURAL LANDS:

Roll No.	Con.	Description	Area Affected		Owner	Benefit	Outlet	Total
			(Acres)	(Ha.)				Assessment
410-04200	2	Pt Lt 4	62.50	25.29	Dmytro & Nina Kosyk	\$ 295.00	\$ 200.00	\$ 495.00
410-06000	2	Pt Lt 4	44.76	18.11	R. Parete & R. Zaccagnini	\$ 210.00	\$ 145.00	\$ 355.00
Total on Privately Owned Agricultural Lands -----						\$ 505.00	\$ 345.00	\$ 850.00
TOTAL ASSESSMENT						\$ 5,800.00	\$ 4,200.00	\$ 10,000.00

158.35 ha

Halliday Pearson





LEGEND	
DESCRIPTION	EXISTING PROPOSED
MORGAN DRAIN	
DESIGNATED BLOCK	
AREA REMOVED	14.70 Ha
AREA ADDED	0 Ha



27 PRINCESS STREET, SUITE #102
LEAMINGTON, ONTARIO
N8H 2X8

1000 - 267 PELLISSIER STREET,
WINDSOR, ONTARIO
N9A 4K4

PROJECT TITLE
MORGAN DRAIN
NEW MAINTENANCE SCHEDULE OF ASSESSMENT

SHEET TITLE
DRAINAGE AREA



Halliday Pearson
HALLIDAY P. PEARSON, P. ENG.

DRAWN BY D.B.	SCALE N.T.S.	DATE APRIL 25, 2017
CHECKD BY H.P.P.	SHEET No. 1 OF 1	PROJECT No. 16-097