

[1]

Court File No. CV-23-00001165-0000 (Chatham)

**ONTARIO
SUPERIOR COURT OF JUSTICE**

IN THE COURT OF THE DRAINAGE REFEREE

IN THE MATTER of the *Drainage Act*, R.S.O. 1990, Chapter D. 17

AND IN THE MATTER OF an application by the Corporation of the Municipality of Chatham-Kent for certain orders of the Drainage Referee with respect to construction of the Shaw Branch of the East Branch Facey Drain and By-law No. 93-2021;

B E T W E E N:

CORPORATION OF THE MUNICIPALITY OF CHATHAM-KENT

Applicant

- and -

CANADIAN PACIFIC RAILWAY COMPANY

Respondent

APPLICATION pursuant to Section 106 of the *Drainage Act*, R.S.O. 1990, c. D.17

AFFIDAVIT OF BLAISE CHEVALIER

I, *Blaise Chevalier*, of the County of Essex, MAKE OATH AND SAY:

1. I am a Drainage Superintendent employed by the Corporation of the Municipality of Chatham-Kent (the "Municipality"), responsible for the geographic area of the Community of Zone, Municipality of Chatham-Kent, including the area of the East Branch of the Facey Drain and the proposed Shaw Branch of the Facey Drain. As such, I have knowledge of the matters to which I hereinafter depose, save and except where I have indicated that I have obtained facts from other sources, in which case, I state the source of the information and I verily believe those facts to be true.

Background

2. The Municipality of Chatham-Kent was created on January 1, 1998 through amalgamation of several smaller municipalities and is approximately 2,500 square kilometres (or 617,763 acres) in size.
3. According to the Municipality's Official Plan, approximately 550,000 acres, or close to ninety percent, of the Municipality's lands are under cultivation, with almost all of this acreage considered to be prime agricultural land. Attached hereto as **Exhibit "A"** to this my Affidavit is Section 3.10 of the Municipality's Official Plan concerning agricultural policies in the Municipality.
4. The Ontario *Drainage Act*, R.S.O. 1990, c. D.17 ("*Drainage Act*") requires the Municipality to maintain and repair municipal drains and to respond to petitions for new municipal drains. The Municipality's Drainage Department is responsible to manage all *Drainage Act* works and associated costs, involving approximately 4,100 drains with an estimated total length of 4,000 kilometres that have *Drainage Act* status across the Municipality.
5. The vast majority of *Drainage Act* drains in Chatham-Kent serve agricultural lands and are important to safeguard agricultural operations, but many also serve urban and residential areas and are important to prevent flooding in those areas. *Drainage Act* projects form an integral part of the Municipality's stormwater management for both rural and urban areas. For example, in the Community of Bothwell, there is an assessment under the *Drainage Act* that applies to the entire urban area with the Community of Bothwell for drainage benefits, as the urban area water is entirely

outletted into *Drainage Act* drains. The benefit of this outlet results in an “urban assessment” to the Municipality, given the benefit it derives from the outlet as in delivering stormwater management to the urban area of the Community of Bothwell.

6. Through its former townships and villages, the Municipality’s documented history of drainage work under the *Drainage Act* dates back to the 1800s, with drainage by-laws passed under the current *Drainage Act* and its predecessors to accomplish various drainage works.

History of Facey Drain

7. I have reviewed the Municipality’s records concerning the history of the Facey Drain, including any records that could be found in the Municipality’s archives.
8. Based on my review of the Municipality’s records, the Facey Drainage system, in its earlier forms, was in existence as early as 1892. A handwritten report to Municipal Council for the former Township of Zone dated May 9, 1892 provides recommendations for the repairing and cleaning of the “Facey Creek Drain”. Attached hereto as **Exhibit “B”** to this my Affidavit is a copy of this 1892 report.
9. The East Branch of the Facey Drain appears to have been existence since at least 1909. A September 21, 1909 Engineer’s Report for the Facey Drain was prepared by A.S. Code, Ontario Land Surveyor and Certified Engineer, providing specifications for repairs to the Facey Drain. The Report’s corresponding plan clearly depicts the East Branch with a defined channel and watershed. Attached hereto as **Exhibit “C”** to this my Affidavit is a copy of this 1909 report.

10. A number of maintenance and capital projects have been carried out on the East Branch of the Facey Drain over time, including projects involving the lands owned by the Canadian Pacific Railway Company ("CP").

11. In 1963, a comprehensive cleanout was performed on the entirety of the open portion of the East Branch of the Facey Drain under the *Drainage Act*. The tile branch was not cleaned out as there was no ability at that time to clean out tiles. From my review of the January 15, 1963 Engineer's Report prepared by E.C. Brisco Jr., it appears that the work included removal of about 8" of earth from a culvert under CP's property. According to the Engineer's Report, CP was to be assessed for benefit in the amount of \$50.00. I am unaware of any municipal records indicating that CP appealed this work or challenged its assessment. Attached hereto as **Exhibit "D"** to this my affidavit is a copy of the report of Engineer E.C. Brisco Jr. dated Jan 15, 1963 and corresponding provisional bylaw #455-1963.

12. On September 23, 1969, Todgham and Case Limited delivered an Engineer's Report for the East Branch of the Facey Drain. The report recommended the deepening and widening of the existing drain, with road, railway and farm culverts to be cleaned or replaced, as required. The Report assessed benefit and outlet costs to CP in the amount of \$75.00 and \$55.00 respectively. I am unaware of any municipal records indicating that CP appealed this work or challenged its assessment. Attached hereto as **Exhibit "E"** to this my Affidavit is a copy of the September 23, 1969 Engineer's Report, Plan and Profile and corresponding By-law 597-69.

13. It appears from my review of municipal records, that at the time of construction of works recommended in September 1969, it was discovered that the railway crossings, both for the Main Branch and East Branch of the Facey Drain were too high. Each crossing had a concrete floor that prevented the deepening of the open drains in this area. Consequently, on September 2 and September 3, 1970, Todgham and Case delivered further Engineer's Reports concerning both the Main and East Branches of the Facey Drain. Attached hereto as **Exhibit "F"** to this my Affidavit is a copy of the September 2 and September 3, 1970 Engineer's Report and Provisionally Adopted By-laws 59-70 and 60-70.
14. The work for both crossings involved installation of a pipe beneath the embankment with its invert at the grade line of the deepened drain. A pipe was installed through jacking and boring beneath the railway embankment. Both reports determined that all of the work was made necessary by the fact that the floor of the concrete Railway culvert was too high to permit the drain to be dug to the specified depth across the Railway right-of-way. The Engineer determined, in both cases, the total cost of the work should be assessed to CP. I am unaware of any municipal records indicating that CP appealed this work or challenged its assessment.
15. Consistent with this point, a letter from August 17, 1970 from Todgham and Case to CP enclosed copies of the sketch and specification for the proposed work and asked that CP provide any comments on the proposed work. In response, on August 26, 1970, CP wrote to Todgham and Case to advise that it found the preliminary specifications and plans for the work to be satisfactory and to ask that the Former Township of Zone proceed with arranging a contract for the work on the railway property. Attached hereto as **Exhibit "G"** to this my Affidavit are copies of that correspondence.

16. On January 27, 1971, the Canadian Transport Commission Railway Transport Committee approved the technical specifications of the work over CP's property. This would have been done under the former *Railway Act*. Attached hereto as **Exhibit "H"** to this my Affidavit is a copy of the Committee's Order No. R-10835.
17. It appears that further work was carried out on CP lands within the East Branch of the Facey Drain in 1979 and early 1980s.
18. On October 1, 1979, Todgham and Case delivered an Engineer's Report for work including the deepening of the open portion of the East Branch, installation of tile on the tile portion of the East Branch, installation of two catch basins, and cleaning of the concrete culvert and steel pipe culvert on the East Branch of the CP crossing. Attached hereto as **Exhibit "I"** to this my Affidavit is a copy of the Engineer's Report, Plan and Profile, and Final By-law 28-79.
19. On October 22, 1979, CP wrote to the former Township of Zone to advise that it had received the Drainage Engineer's Report and Plan dated October 1, 1979 and that if the work were to proceed, work on CP's property should be included in the Township's contract. Attached hereto as **Exhibit "J"** to this my Affidavit is a copy of this correspondence.
20. I am unaware of any municipal records indicating that CP appealed any aspect of the work or assessment arising from the October 1, 1979 Report or resulting by-law.
21. On July 12, 1995, Drainage Engineer Dennis McCready produced an Engineer's Report to provide a new schedule of assessment for lands within the watershed of the East

Branch of the Facey Drain. That report provided a new assessment schedule which included assessments to CP for both outlet and benefit. Again, I am unaware of any municipal records indicating that CP appealed this work or challenged its assessment. Attached hereto as **Exhibit “K”** to this my Affidavit is a copy of the July 12, 1995 Engineer’s Report and Bylaw 30-1995.

22. Subsequent to the amalgamation of the Municipality of Chatham-Kent, the Municipality has continued to carry out maintenance projects on the Facey Drain under the *Drainage Act* involving lands owned by CP within the watershed. Attached hereto as **Exhibit “L”** to this my Affidavit are 8 spreadsheets prepared by the Municipality for the years in which associated maintenance costs were added to the municipal tax roll. Each spreadsheet specifies the type of work performed, total cost of the work, parties assessed for the work, and assessment amounts. Three of the spreadsheets concern the East Branch, and five concern the Main Branch. The spreadsheets have been redacted to remove the personal information of property owners.

Current Status of Facey Drain

23. Currently, the East Branch of the Facey Drain serves Lots 4 to 8 of Concession 3 and Lot 8 in Concession 4, including the lands and utilities in that area, covering approximately 377 acres which include approximately 14 acres of railway lands.

24. The East Branch serves private farm drainage including surface and subsurface drainage, roadway and railway road ditching, acting as outlet impacting drainage in the local area, allowing for agricultural farming, safe and reliable access along roads and rail, and drainage for residential dwellings located within the watershed.

25. The Main Branch finds its outlet in the Cruickshank Drain. The Main Branch has multiple branches in its upper watershed including the Middle Branch, West Branch, and East Branch. The proposed Shaw Branch will ultimately find its outlet into the East Branch of the Facey Drain.
26. Attached hereto as **Exhibit “M”** to this my Affidavit is a map I prepared on March 26, 2024 with the assistance of Spriet Associates showing the proposed Shaw Branch of the Facey East Drain, the approximate watershed, area of proposed work, CP corridor and existing crossing.

Proposed Shaw Branch

27. On February 11, 2020, the Municipality received a petition under Section 4 of the *Drainage Act* from Alex Miller, being one of the registered owners of the lands described as PT LT 3-4 CON 3 ZONE AS IN 656262; S/T 656195; CHATHAM-KENT, being PIN 00627-0016, associated with Roll No. 3650 310 001 09300 (the “Miller Lands”). Attached hereto as **Exhibit “N”** to this my Affidavit is a parcel identifier map prepared the Municipality depicting the location of the Miller Lands.
28. The petition requested the provision of legal and functional outlet to the East Branch of the Facey Drain, involving an outlet through property owned by CP. Attached hereto as **Exhibit “O”** to this my Affidavit is a copy of the petition.
29. The Miller Lands within the watershed of the Facey East Drain are agricultural lands and I am advised by Mr. Miller that the primary crops grown on that property are corn and soybean.

30. Mr. Miller has advised the Municipality that in his experience, the current drainage capacity on the Miller Lands is not sufficient to drain the gravitational water on his property, and the wet conditions are resulting in a loss of growing crop and reduced yields.
31. Based on my site visits to the Miller Lands arising from Mr. Miller's petition, and my review of the drainage engineering data, it is my assessment that the Miller Lands have both insufficient surface and subsurface drainage due to lack of adequate outlet.
32. On March 2, 2020, the Municipality appointed Spriet Associates London Limited (the "Engineer") to prepare a report under Section 4 of the *Drainage Act* on the Facey Drain East Branch in the Community of Zone Township. Attached hereto as **Exhibit "P"** to this my Affidavit is a copy of the minutes of the Municipal Council meeting occurring on March 2, 2020, approving the appointment of the Engineer for the purposes of preparing the required report.
33. On October 1, 2020, the Municipality sent notice of an on-site meeting concerning the petitioned drainage works, including to CP. Attached hereto as **Exhibit "Q"** to this my Affidavit is a copy of that notice and associated mailing labels.
34. The on-site meeting was held at 9:30 a.m. on October 27, 2020, north of the CP Property on Zone Road 2, Chatham-Kent. I attended the meeting in person. Ann Ford, Drainage Analyst for the Municipality and Mr. Miller were also present. John Spriet, P.Eng., for the Engineer, participated by teleconference.

35. As is my typical practice for onsite meetings, I started the meeting by introducing myself, Ms. Ford, and Mr. Spriet. I explained that the purpose of the meeting was to address the petition received by Mr. Miller. Mr. Spriet explained that a survey had been completed across the CP lands and that, in his opinion, a bore would be needed to cross the railway property and that a soils report would likely be needed to satisfy CP's requirements.
36. Mr. Spriet explained that his recommendation would be for the proposed pipe to be 400 mm diameter installed by pipe ramming and that the bore could be located beside the existing concrete crossing with the old crossing grouted or removed, whichever CP preferred. Mr. Miller explained that, in his view, the existing concrete crossing on CP's lands was not in good shape and suggested that perhaps it could be lined with a steel pipe. Mr. Miller explained that water coming off of CP's property farther to the northeast was entering his property and travelling back around through his farm. Attached hereto as **Exhibit "R"** to this my Affidavit is a copy of Ms. Ford's notes taken on behalf of the Municipality which, based on my recollection, accurately summarize the on-site meeting.
37. On November 18, 2020, as no representative from CP had attended the statutory on-site meeting, I contacted Glenna Hall of CP via email, using contact information provided to me by the John Spriet's office which Mr. Spriet's office had previously used to engage with CP on other drainage projects.
38. I wrote to Ms. Hall explaining that the Municipality had received a petition under Section 4 of the *Drainage Act* for outlet to a property located at the north-east corner of

the intersection of Zone Rd 2 and the CP rail line. I also explained that based on preliminary site reviews and survey, the proposed project scope generally included the installation of a new rail crossing consisting of a 400mm diameter pipe (there being an existing 900mm diameter concrete in the same vicinity) and some drainage swale improvements. I attached a site map to my email and requested direction from CP regarding the best contact for the Municipality to obtain CP's review of the proposed work. Ms. Hall responded to copy Jack Carello, Manager Utilities & Flagging for CP, advising me that Mr. Carello was the appropriate contact to assist the Municipality. Attached hereto as **Exhibit "S"** to this my Affidavit is a copy of that email correspondence with CP, together with the site map attachment.

39. On November 27, 2020, I followed up directly with Mr. Carello and forwarded another copy of the site map to his attention, together with preliminary drawings for the petitioned drainage project received from the Engineer. Attached hereto as **Exhibit "T"** to this my Affidavit is a copy of that email correspondence, together with the enclosures.
40. On December 1, 2020, Mr. Carello responded to request a teleconference. Attached hereto as **Exhibit "U"** to this my Affidavit is a copy of that email correspondence.
41. On December 14, 2020, I held a teleconference with Mr. Carello, Brandon Widner, P.Eng. from Spriet's office, and Ms. Ford. I explained that the purpose of the call was to identify CP's requirements for the proposed project. Mr. Widner explained the proposed specifications and installation method. Mr. Carello explained that CP may require a utility protocol, geotechnical reporting and track monitoring. Mr. Widner responded to

advise that the Municipality would be happy to go through CP's process and that CP would be responsible for costs under Section 26 of the *Drainage Act*.

42. During that same meeting, Mr. Carello asked if CP could do the work on its lands itself and both Mr. Widner and I explained that CP could conduct the work itself, at its cost. Mr. Carello requested an on-site meeting and me and Mr. Widner agreed that an on-site meeting would be arranged. We concluded by confirming with Mr. Carello that survey shots of the proposed drainage project location would be done prior to the site visit to have more information in hand. Attached hereto as **Exhibit "V"** to this my Affidavit is a copy of Ms. Ford's notes taken on behalf of the Municipality summarizing the teleconference, which to my recollection accurately describe this meeting.
43. Following the teleconference, and at the request of CP, on December 18, 2020, I wrote to CP to organize a further on-site meeting to discuss the petitioned drainage works. Attached hereto as **Exhibit "W"** to this my Affidavit is a copy of the email correspondence with CP setting the on-site meeting.
44. On February 3, 2021, I attended the on-site meeting with Ms. Ford, Mr. Rheal Lemelin, Manager Bridge Maintenance Toronto for CP, and Mr. Widner for the Engineer. The meeting occurred at the proposed drainage project location. I showed Mr. Lemelin the location of the proposed culvert and explained the proposed dimensions. After Mr. Lemelin had the opportunity to examine the site, we discussed if CP may wish to carry out the work itself. Mr. Lemelin responded that CP did not need to be involved in executing the work given the minor nature of the work in question, nor did he typically become involved in minor work of this nature. Mr. Lemelin confirmed that the proposed

project was acceptable to CP, provided there would be no interruption to the track. With this confirmation, I advised everyone that the Engineer would be proceeding to prepare a final Engineer's Report. Attached hereto as **Exhibit "X"** to this my Affidavit is a copy of Ms. Ford's notes taken on behalf of the Municipality summarizing the meeting, which to my recollection accurately describes the meeting.

Engineer's Report

45. Subsequent to the February 3, 2021 site visit, on February 8, 2021, I wrote to Mr. Lemelin and Mr. Carello to confirm my understanding, based on my discussion with Mr. Lemelin at the site visit, that a geotechnical report would not be required by CP. Mr. Carello responded to advise that if the proposed pipe stayed under 12" diameter, a geotechnical report and track settlement plan would not be required. I responded to clarify whether that was 12" inclusive, as the current sizing proposal was for a 12" diameter crossing. Mr. Lemelin responded to state, "if possible make 10". Attached hereto as **Exhibit "Y"** to this my Affidavit is a copy of this email correspondence.
46. On February 21, 2021, the Engineer filed its Engineer's Report proposing the construction of the Shaw Branch of the Facey East Drain, in the Community of Zone, Municipality of Chatham-Kent (the "Engineer's Report"). Attached hereto as **Exhibit "Z"** to this my Affidavit is a copy of the Engineer's Report, plan and profile.
47. The Engineer's Report commented, regarding the existing drainage conditions within the drainage area, that:

- a. The petitioning landowner was requesting a deeper outlet to allow from systematic tiling of approximately 6.0 hectares of land, and that the lands were subject to frequent ponding along the south limit of his property;
- b. The Drainage Superintendent for the Municipality indicated that this would require a crossing under the CP Rail Property and that the new drain would be a tributary to the Facey East Drain;
- c. A site meeting occurred with officials from CP Rail to discuss the potential crossing and that CP Rail indicated that any borings under 300 mm in diameter did not require a geotechnical report.

48. The Engineer's Report determined that "the lands within the area requiring drainage are currently serviced by a 900 mm diameter surface culvert that does not contain sufficient outlet to allow for subsurface drainage".

49. The Engineer's Report determined that "construction of a new crossing under C.P. Rail lines would necessitate maintenance work on the Facey East Drain downstream of the proposed work."

50. The Engineer's Report recommended as follows:

- d. A new branch drain, to be known as the Shaw Branch, be constructed commencing at the East Branch of the Facey Drain and travelling northwesterly under the CP Rail allowance to just within the limits of the Miller Lands for a total length of 43 lineal meters;

- e. The crossing under the railway be done by jack and bore to minimize disruption to rail traffic;
- f. That a swale be constructed from the Miller Lands east to the existing 900mm diameter surface culvert to ensure that the lands receive adequate surface drainage;
- g. That a catch basin be installed on the upstream end of the branch to alleviate surface ponding and provide a visible connection point to the drain;
- h. That the Facey East Drain be cleaned out under maintenance to provide a sufficient outlet for the Shaw Branch.

51. With respect to the pipe to be installed under the CP crossing in particular, the Report proposed installation of 17 meters of 200mm diameter (approximately 8”), 7.9 mm thickness smooth wall steep pipe, to be installed by boring, consistent with what the Municipality had been advised would be acceptable to CP for this project.

52. The Engineer’s Report made a special assessment to CP under Section 26 of the *Drainage Act* for the increased cost to the drainage work for boring a 250mm diameter smooth wall steep pipe across their right of way on the Shaw Branch. Costs are assessed under Section 26 for the increase in cost of the drainage works where a drain crosses or proposes to cross a road or public utility. The *Drainage Act* defines a public utility to include “railways however operated”.

53. The Engineer’s Report made Assessments for benefit to the Huston Lands, Miller Lands, and CP lands under Section 22 of the *Drainage Act*. The *Drainage Act* defines benefit to

mean the advantages to any lands, roads, buildings or other structures from the construction, improvement, repair or maintenance of a drainage works such as will result in a higher market value or increased crop production or improved appearance or better control of surface or subsurface water, or any other advantages relating to the betterment of lands, roads, buildings or other structures.

54. The Engineer's Report made Assessments for outlet liability against the Miller Lands and CP lands. Section 23 of the *Drainage Act* provides that lands and roads that use a drainage works as an outlet, or for which, when the drainage works is constructed or improved, an improved outlet is provided either directly or indirectly, may be assessed for outlet liability.

Consideration and Adoption of Engineer's Report

55. On February 22, 2021, the Municipality delivered Notice of Consideration of the Engineer's Report, together with a copy of the Engineer's Report itself, in accordance with the *Drainage Act* requirements for consideration of the Engineer's Report at the March 16, 2021 meeting of the Municipality's Drainage Board. Attached hereto as **Exhibit "AA"** to this my affidavit is a copy of the Notice of Consideration.

56. On March 16, 2021, the Drainage Board approved the recommendation that the Engineer's Report be adopted and presented, and that it be recommended that Council give first and second reading to the corresponding By-law. Attached hereto as **Exhibit "BB"** to this my affidavit is a copy of the Drainage Board meeting minutes of March 16, 2021.

57. On March 22, 2021, Council gave first and second reading to a by-law to adopt the Engineer's Report and proceed with the recommended drainage works. Attached hereto as **Exhibit "CC"** to this my affidavit is a copy of the Council meeting agenda, where the by-law was given first and second reading on March 22, 2021.
58. On April 12, 2021, the Municipality delivered Notice of the first sitting of the Court of Revision together with copies of the provisionally adopted by-law. Attached hereto as **Exhibit "DD"** to this my affidavit is a copy of the Notice and mailing labels.
59. On May 4, 2021, the Court of Revision hearing proceeded and a motion passed that "the Schedule of Assessment published in the report dated February 19, 2021 on the Shaw Branch of the Facey East Drain be adopted and the Court of Revision of the Shaw Branch of the Facey East Drain be closed." Attached hereto as **Exhibit "EE"** to this my Affidavit are the minutes of the Court of Revision and the Drainage Board for May 4, 2021.
60. On May 31, 2021, Municipal Council gave 3rd and final reading to the By-law No. 93-2021, including the enactment that the Engineer's Report be adopted and completed in accordance with the By-law. Attached hereto as **Exhibit "FF"** to this my Affidavit is a copy of By-law No. 93-2021.
61. On June 15, 2021, in the interest of getting pre-construction for the project organized, I contacted Mr. Carello to request an encroachment permit for CP's property. On July 6, 2021, Mr. Carello responded to me to advise that CP required an agreement be put in place to cover the pipe installation and any future maintenance, enclosing a "utility application form", and stating that all expenses for the proposed installation must be

borne by the Municipality. Attached hereto as **Exhibit “GG”** to this my Affidavit is a copy of that correspondence and enclosure.

62. On October 26, 2021, the Municipality wrote to CP requesting its confirmation that it would bear the legislated costs of the project, in accordance with the engineer’s finalized report. Attached hereto as **Exhibit “HH”** to this my Affidavit is a copy of that correspondence.

63. On November 26, 2021, CP responded to advise of its position that CP is not subject to Section 26 of the *Drainage Act* and that Section 101 of the Canada Transportation Act already synthesized the resolution of costs where federal rail lands are involved. CP advised it did not have any technical objections to the work, but that it should not be responsible for any associated costs. CP advised that by way of next steps, it would prepare its standard pipe crossing agreement. Attached hereto as **Exhibit “II”** to this my Affidavit is a copy of that correspondence.

Current State of Drainage Project

64. The technical aspects of the proposed drainage project were agreed to by CP.

65. CP has not advised the Municipality of any new concerns with the technical aspects of the proposed drainage project, including the means and methods set out in the Engineer’s Report as approved by By-law No. 93-2021.

66. The Municipality is prepared to mobilize to carry out the Drainage Project approved by By-law No. 93-2021.

67. In my experience, where a *Drainage Act* project involves installation of or improvements to *Drainage Act* infrastructure on active federally regulated railway lands, the process to facilitate the work on railway lands is as follows:

- a) As part of the *Drainage Act* process, a statutory site meeting is carried out and the railway is given notice of the meeting, and the opportunity to attend and provide its position concerning the proposed drainage work, including the means and methods of the work;
- b) The Municipality will meet and communicate separately with the railway to receive any technical requirements the railway has for the drainage project;
- c) Where requested by the railway, the Municipality will provide alternative work plans for the railway's review and consideration;
- d) The Drainage Engineer will receive the railway's comments and technical requirements;
- e) The Engineer's Report will be prepared to address the railway's comments and technical requirements, if any;
- f) The railway has the option to complete the work itself, at its cost, or can elect to have the Municipality undertake the work;
- g) If the work is to proceed on the railway lands, and where the railway requests the Municipality proceed with the work on its behalf, as in this case, the

Municipality obtains the appropriate encroachment and work permits from the railway;

- h) The Municipality coordinates the timing of the work with the railway to avoid operational disruptions to the railway;
- i) All work on the railway lands is carried out in accordance with the requirements of the Engineer's Report, including railway specifications, and any permit conditions; and
- j) Once the project has been completed and costs finalized, the railway is invoiced for assessed amounts arising out of the project.

68. The above process was followed in this case, up to the point that the Municipality requested an encroachment permit in order to mobilize.

69. It was anticipated, that after following the process set out in the *Drainage Act* and ensuring the plan, profile and specifications for the project were agreeable to CP, the Municipality would be able to proceed, with CP bearing its associated assessed costs.

70. CP now advises the Municipality that while it doesn't dispute the technical aspects of the project, it is not responsible for any assessed costs.

71. This response by CP is contrary to my experience with other federally regulated rail companies operating in Chatham-Kent, even in recent years.

72. For example, beginning in around 2017, I oversaw the construction of a large *Drainage Act* project partially on land owned and operated by CN Rail. That work, further to a

petition under Section 4 of the *Drainage Act*, involved the construction of a new drain known as Zsoldos Drain, also in Zone Township. Spriet was appointed as the Drainage Engineer for that project, like the proposed Shaw Branch project. The project included a new 762mm diameter crossing (much larger than the crossing proposed for the Shaw Branch) installed under the CN railway by pipe ramming.

73. In the course of that project, and at the request of CN, the Municipality provided alternative work plans and specifications for CN's review and consideration. The Engineer's Report, plan and profile were finalized to reflect the work plan and specifications approved by CN. Increased costs to the drainage project arising from the crossing work were assessed to and paid for by CN in accordance with Section 26 of the *Drainage Act*. Attached hereto as **Exhibit "JJ"** to this my affidavit are three email chains between the Drainage Engineer, John Spriet, and CN Rail, dated May 4, 2017, November 1, 2017, and November 8, 2019, documenting some of the cooperative communications between the Municipality and CN concerning that project.

74. In my experience, the Municipality has never had a dispute with a federally regulated rail operator about the technical aspects of a *Drainage Act* project. Rather, the railway's technical requirements are identified through consultation with the railway company and incorporated into the Engineer's Report.

75. To my knowledge, *Drainage Act* costs for projects in Chatham-Kent have never been decided by a federal tribunal, rather these costs have always been decided through the *Drainage Act* process.

76. After the Municipality learned of CP's position that it is not required to pay costs assessed to it under the *Drainage Act*, I, together with other representatives of the Municipality of Chatham-Kent, have consulted with drainage personnel employed by other municipalities across Ontario. We have learned that other municipalities have likewise recently been advised by CP and other federally regulated rail companies that these rail operators are increasingly refusing to pay costs assessed to them under the *Drainage Act*. Based on these consultations, we have learned that in other municipalities, railway owners' share of costs for *Drainage Act* work has gone unpaid, or necessary drainage work has been put on hold due to the fact that involved railway owners refuse to pay their share. The impacts of federal rail companies refusing to cooperate with the *Drainage Act* process therefore extends beyond the Municipality of Chatham-Kent.

77. I make this Affidavit for no improper purpose.

SWORN REMOTELY at the)
 City of Chatham, in the)
 Municipality of Chatham-Kent)
 this the 2nd day of April, 2024, in accordance)
 with O. Reg. 431/20, Administering Oath or)
 Declaration Remotely)
)
 Commissioner for Taking Affidavits)

Blaise Chevalier
 Digitally signed by Blaise Chevalier
 Date: 2024.04.02 12:43:32 -04'00'

BLAISE CHEVALIER

Lynn Kalp
Digitally signed by Lynn Kalp
 Date: 2024.04.02 12:47:44 -04'00'

Linda Marie Kalp, a Commissioner, etc.
 Province of Ontario, for the Corporation
 Of the Municipality of Chatham-Kent
 Expires August 31, 2026

CORPORATION OF MUNICIPALITY OF CHATHAM-KENT
Applicant

COURT FILE NO. CV-23-00001165-0000 (Chatham)
-and- **CANADIAN PACIFIC RAILWAY COMPANY**
Respondent

ONTARIO
SUPERIOR COURT OF JUSTICE
COURT OF DRAINAGE REFEREE

PROCEEDING COMMENCED AT
CHATHAM, ONTARIO

AFFIDAVIT OF BLAISE CHEVALIER

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David V. Taylor, LSO 59214A
Emily S. Crawford, LSO 69803D
Lawyers for the Applicant

THIS IS EXHIBIT " A" TO THE AFFIDAVIT OF
BLAISE CHEVALIER , SWORN ON THE 2ND DAY OF
APRIL, 2024.

Digitally signed by
Lynn Kalp

Lynn Kalp
Date: 2024.04.02
13:04:28 -0400

A COMMISSIONER, ETC.

**Linda Marie Kalp, a Commissioner, etc.
Province of Ontario, for the
Municipality of Chatham-Kent.
Expires August 31, 2026.**

- a) *the permitted uses shall include retail stores, offices, personal service shops, small goods repair shops, restaurants, warehousing and storage facilities, and dwelling units. Retail stores shall exclude supermarkets and the sale of department store-type merchandise shall be discouraged;*
- b) *the total gross floor area of all non-residential uses shall not exceed 925 sq. m;*
- c) *the gross floor area of any individual retail store shall not exceed 250 sq. m;*
- d) *not more than three dwelling units are permitted and such units need not be occupied by an owner/operator of the business or building caretaker;*
- e) *two or more of the non-residential uses may be combined under one roof.*

3.10 AGRICULTURAL AREA POLICIES

Traditional and value-added agriculture and associated activities make an important contribution to the economy of Chatham-Kent, and they dominate the rural landscape of the Municipality. Of about 600,000 acres in the former townships, over 550,000 acres are under cultivation; that number has remained steady since 1971. Virtually all of this acreage is considered to be prime agricultural land. By comparison, in Ontario as a whole, the area of land under cultivation has been reduced by about 15% over the same period.

Most of the land in the rural area of Chatham-Kent is prime agricultural land, and the Provincial Policy Statement requires that these lands be protected for agricultural uses unless appropriate justification is provided for alternative uses.

The number of individually owned farm operations has decreased by over half, but the family farm type of operation (over 98%) still dominates through partnerships, joint ventures and family corporations. Reflecting the decrease in farm operations is the steady decline in the rural population and, in particular, the rural farm population. This phenomenon is raising concerns about the loss of social and physical infrastructure (e.g., schools), important quality of life issues for the rural community.

Most of the land in the rural area of Chatham-Kent is prime agricultural land and the Provincial Policy Statements require that these lands be protected for agricultural uses unless appropriate justification is provided for alternative uses. In Chatham-Kent, prime agricultural lands surround all of the growth centres, including the Primary and Secondary Urban Centres and Hamlets. Any expansions to the boundaries of the growth centres onto adjacent prime agricultural lands to accommodate urban development will require planning justification under the Provincial Policy Statements to address a need for the proposed uses and availability of lower capability lands.

The Economic Opportunity Study concluded that in the agri-food sector, the major opportunity is in food production rather than food processing. Opportunities in food production exist in the areas of biotechnology and greenhousing. The Study recommended that to enhance the food sector, Chatham-Kent should:

- create and enhance partnerships with existing research and knowledge-based groups in the area including the University of Guelph through Ridgetown College.
- capitalize on the Municipality's position as a dominant tomato-producing region including exploring the concept of a Centre of Excellence.
- develop new export markets in product areas that offer high growth potential for products such as tomatoes and cucumbers (United States), floriculture (United States), pork (Asia, United States), etc.
- be a conduit of information linking local growers, processors and exporters with government programs and agencies.
- link local proposals based on solid business plans with investors in the community.

The Agricultural Economic Impact and Development Study concurred that the greenhouse industry generates significant economic activity and employment for Chatham-Kent/Essex, and that the region has a comparative advantage in greenhouse production due to a favourable climate, proximity to markets and access to gas and water. The Study identified the following priorities for farm operators:

- Having access to good infrastructure services (i.e., roads, water, gas, utilities, etc.) to facilitate continued expansion of the greenhouse industry in Chatham-Kent.
- Having access to professionals with expertise in the development of new products and markets to assist farmers in recognizing and capitalizing upon market opportunities.
- Having access to well-trained, skilled workers who will enhance the region's competitive advantage.
- Having access to municipal government, which will convey the concerns of agricultural producers regarding the impacts of development encroachment on agricultural lands.
- Having access to specialized training on human resource management practices.

The Greenhouse Development Feasibility Study found that there are no constraints in Chatham-Kent to preclude the expansion of greenhouse farming. The Study concluded that the weather is favourable, the needed infrastructure services are either available or can

be provided and the impact on the local economy is significant. The Study estimated that the economic multiplier spending associated with greenhouse farming is at a factor of five or six times the operating cost of a greenhouse facility. The Study found that the most important considerations for establishing locations for greenhouse farms are:

- a good and reliable source of water;
- an adequate fuel supply; and
- access to three-phase electrical power.

The Study concluded that the variables associated with greenhouse farming are too great to identify locations in advance. Each potential site should be evaluated based on its ability to provide a water supply, natural gas and three-phase electrical power. Once the adequacy of utilities has been confirmed, then other locational criteria such as road access, proximity to market, size of the proposed parcel and price of land should be considered. Environmental issues associated with greenhouses include the disposal of waste (i.e., plastic from plastic greenhouses, disposal of vines, noise, fertilized water, etc.). The major social issues associated with greenhouses revolve around the use of migrant workers to work the farms (i.e., the housing of a large number of workers onsite) and the need for supporting social and community services.

The intention of this Official Plan is to make provisions for the long-term protection of the agricultural industry in Chatham-Kent. Agriculture is a cornerstone of Chatham-Kent's economy. The policies affirm that agriculture is a predominant activity in the Municipality.

It shall be the objective of Chatham-Kent to:

- 3.10.1.1 Support a healthy and viable agricultural industry as a cornerstone of the Municipality's economy.***
- 3.10.1.2 Ensure that non-agricultural uses that may result in conflicts with agriculture are directed to growth centres and less productive farming areas.***
- 3.10.1.3 Support Chatham-Kent's agricultural industry, including local food production and distribution systems, farmers' markets and farm-gate sales, to provide healthy and accessible foods that serve the needs of Chatham-Kent residents.***

It shall be the policy of Chatham-Kent that:

- 3.10.2.1 Agricultural Areas that comprise prime agricultural lands (Class 1-3) and/or specialty crop lands shall also be designated on Schedule "A" Series – Land Use to this Official Plan.***
- 3.10.2.2 The Agricultural Area designation means that the primary use shall be agriculture, farm-related industrial and farm-related commercial uses and accessory uses.***

THIS IS EXHIBIT "B" TO THE AFFIDAVIT OF
BLAISE CHEVALIER , SWORN ON THE 2ND DAY OF
APRIL, 2024.

Lynn Kalp Digitally signed by Lynn Kalp
Date: 2024.04.02 13:04:00
-0400'

A COMMISSIONER, ETC.

**Linda Marie Kalp, a Commissioner, etc.
Province of Ontario, for the
Municipality of Chatham-Kent.
Expires August 31, 2026.**

Glebe 9th May 1892

To the Municipal Council
of the Township of Zone
Gentlemen:-

We beg to report that in accordance with instructions, we have taken levels for the repairing and cleaning of the Fairy Lake Drain in your Municipality and that of Brandon. The instructions did not ask for a re-assessment in connection therewith, and from what the parties on the ground told us we do not think that one is necessary, but that the work will be done in accordance with previous By-law.

We have prepared a profile showing the drain and proposed cleaning (in duplicate)

We might say that we have not asked the bottom to be made as wide as the original called for in places, as we do not consider such necessary, there being a comparatively small amount of territory draining through the same and the fall in the drain is comparatively large, and we think the width given on the profile will be found quite sufficient to carry off the water.

The work is to be performed in accordance with the depths and other dimensions given on the profile - The earth to be cast evenly on both sides at least 3 feet clear of the edge of the drain, and where no trimming of the sides is required, all the earth is to be cast 3 feet clear of the edge of the old drain - No earth to be cast in the sides of the old drain. The slopes to be one foot horizontal to one foot vertical.

New Culverts will be required at both places where the drain crosses the Emmerson Road. The one near the head may be a tile Culvert.

We estimate the cost of the work to be as follows:-

Excavating from stake

0 to 20 = 160 rods @ 40¢ = \$64.00
 20 - 42 = 176 " @ 35¢ = 61.60
 42 - 60 = 144 " @ 35¢ = 50.40
 60 - 73 = 104 " @ 25¢ = 26.00
 73 - 95 = 176 " @ 30¢ = 52.80
 95 - 120 = 200 " @ 30¢ = 60.00

Total Excavation in Zone = 314.80

" " " Camden

from Station 120 to 130 7/8 = 87 rods @ 50¢ = 43.50

Total Cost of Excavation \$ 358.30

2 Culverts 50.00

Assistance on Survey 7.00

Chute's fees 7.00

Lettering & superintending 24.70

Levels, Estimates &c (in duplicate) ^{\$30.00} 30.00

Total Estimated Cost \$ 474.00

All of which is respectfully submitted.

We have the honor to be

Gentlemen
 Your Obedient Servants
 Cradock & Robertson

477 00

486 25

407 5

No 632

Franklin Drain
Cleaning
Township of Zone

Dated 9th May 1892

Cooper Robertson

Gloucester

Glencoe 9th May 1892

To the Municipal Council
of the Township of Zone
Gentlemen:

We beg to report that in accordance with instructions we have taken levels for the repairing & cleaning of the Facey Creek Drain in your Municipality, and that of Camden. The instructions did not ask for a re-assignment in connection therewith, and from what the parties on the ground told us at the time of survey we do not think that one is necessary but that the work will be done in accordance with previous By-laws.

We have prepared a profile showing the drain and proposed cleaning (in duplicate)

We might say that we have not asked the bottom width to be made as wide as the original ^{in places} ~~cases~~ for, as we do not consider such necessary there being a comparatively small amount of territory draining through the same, and the fall in the drain is comparatively large, and we think the widths given on profile will be found quite sufficient to carry off the water.

The work is to be performed in accordance with the depths and other dimensions given on the profile. The earth to be cast evenly on both sides at least 3 feet clear of the edge of the drain and where no trimming of sides is required all the earth is to be cast 3 feet clear of the edge of the old drain. No earth to be cast in the sides of the old drain. The slopes to be one foot horizontal to one foot vertical.

New culverts will be required at both places where the drain crosses the Concession Road. The one near the head may be a tile culvert.

THIS IS EXHIBIT "C" TO THE AFFIDAVIT OF
BLAISE CHEVALIER , SWORN ON THE 2ND DAY OF
APRIL, 2024.

Lynn Kalp Digitally signed by Lynn Kalp
Date: 2024.04.02 13:03:38 -0400

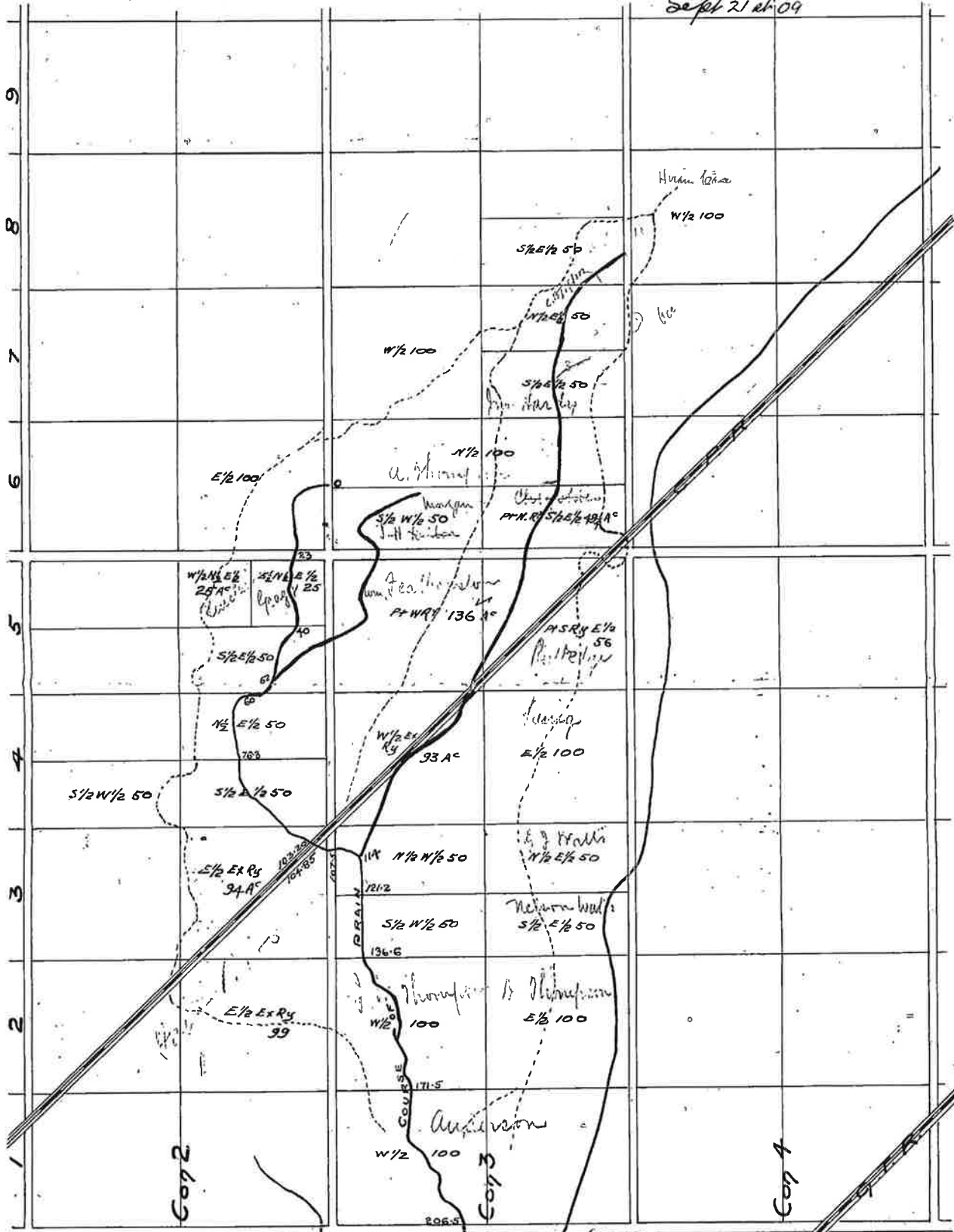
A COMMISSIONER, ETC.

**Linda Marie Kalp, a Commissioner, etc.
Province of Ontario, for the
Municipality of Chatham-Kent.
Expires August 31, 2026.**

Plan of Facey Drain Tp of Zone

Scale 20 Chains = 1 inch.

A.S. Code O.S., C.S.
 Alverton Dal
 Sept 21st 09



To the Municipal Council
of the Township of Zone

Gentlemen :

I beg to state that in accordance with instructions received from your Hon Body I have made an examination of the Facey Drain in your municipality with a view to putting the said drain in a proper state of repair.

Over the course of the drain I have planted stakes at intervals of two chains or eight rods and have taken levels from which the accompanying profile has been prepared and which profile shows the work I would propose and recommend. The plan accompanying this report shows the location of the drain and the lands affected by the proposed repair.

The fall in the drain is good and when the work is done the lands will have good drainage.

I estimate the cost of the work to be as follows :-

Excavation and spreading	
St 0 to St 52; 820 Cu Yds @ 11 Cts	\$ 90.20
" 52 " " 114; 1070 " " @ 11 "	117.70
" 114 " " 171; 980 " " @ 11 "	107.80
" 171 " " 206.5; 290 " " @ 11 "	<u>31.90</u>
	\$ 347.60
Assistance on survey	11.75
Printing and distributing Bylaw	8.25
Clerk's Fees	9.00
Survey , plans and report	40.00
Letting and superintending	14.40
Final inspection by engineer	<u>9.00</u>
Total estimated cost	\$ 440.00

This sum I assess and charge against the lands and roads in any way liable to assessment under The Drainage Act , as per the annexed schedule of assessment.

All of which is respectfully submitted.

I have the honor to be , Gentlemen.

Your obedient servant.

A. S. Code O.S.S., C.E.

Dated at Alvinston this 21 st day of September A.D. 1909.

Specification.

1. This specification comprises the repair to the Facey drain in the Township of Zone in accordance with the accompanying plan and profile from station 0 to station 206.5 , a distance of 826 rods.
 2. The depths shown on the profile are to be measured from the surface of the ground at the side of the planted and numbered stakes. These stakes are planted at intervals of two chains or eight rods and are numbered 0, 2, 4 etc from the head of the drain. The bottom excavations shown on the profile do not in any way govern the work and are given for estimating quantities only.
 - 3 The bottom of the drain is to be brought to a regular and even grade between the points of change shown on the profile so that no water will stand in the bottom. The side slopes are to be one to one cut straight from top to bottom.
 4. The earth from the drain is to be cast about evenly on both sides four feet clear from the edge of the drain and through the cleared lands is to be spread back not deeper than one foot and should crop be in at the time of repair then the contractor is to spread the earth after the removal of crop.
- All ditches runs or watercourses are to be left open their full size and no earth is to be thrown against fences along the drain.
5. Any bridges crossings or fences which the contractor may find necessary to remove are to be replaced by him immediately upon completion of that portion of the drain.
 6. A good and workmanlike job is to be made of the whole work to the satisfaction of the commissioner in charge and the engineer making the final inspection.

Schedule of Assessment. Facey Drain. Township of Zone.

Con Lot or Part	Acres	Value of Benefit	Value of Outlet Liability	Name of Owner
2. E 1/2 ex Ry	2 99	2.50	4.00	
E 1/2 " "	3 94	9.00	9.00	
S 1/2 E 1/2	4 50	11.50	12.00	
S 1/2 W 1/2	4 50		1.00	
N 1/2 E 1/2	4 50	10.50	13.00	
S 1/2 E 1/2	5 50	14.50	14.50	
E 1/2 N 1/2 E 1/2	5 25	16.00	11.50	Gragg
W 1/2 N 1/2 E 1/2	5 25	2.50	6.50	Sinclair
E 1/2	6 100	23.00	18.00	Farrell
3. W 1/2	1 100	10.00	2.50	
W 1/2	2 100	23.00	7.00	
E 1/2	2 100		3.00	
S 1/2 W 1/2	3 50	8.00	5.00	
S 1/2 E 1/2	3 50		2.00	
N 1/2 W 1/2	3 50	8.00	6.00	
N 1/2 E 1/2	3 50		1.50	
W 1/2 ex Ry	4 93	2.00	11.50	
E 1/2	4 100		5.00	
W 1/2 ex Ry	5 99	2.00	24.00	Featherston
Pt. W. Ry E 1/2	5 37		5.00	"
Pt E Ry E 1/2	5 56		3.00	Ruddick
S 1/2 W 1/2	6 50	2.50	16.00	Sutton
Pt N Ry S 1/2 E 1/2	6 49 1/2		5.50	Christopher
N 1/2	6 100	5.50	30.00	Thompson
W 1/2	7 100		9.50	
S 1/2 E 1/2	7 50		6.50	
N 1/2 E 1/2	7 50		5.50	
S 1/2 E 1/2	8 50		2.00	
W 1/2	8 100		1.00	
C.P.R.		2.50	4.00	
Total for Benefit		\$ 153.00	\$ 245.00	
" " Outlet Liability		245.00		
On Lands		\$ 398.00		

On Lands (Forward)	\$	398.00	
Roads of Municipality			
Con Road 2/3	\$	24.00	
" " 3/4		2.00	
Sideroad 5/6	16.00	<u>42.00</u>	
Total Assessment.	\$	440.00	

Engineer's Report

F A C E Y ■ D R A I N

Township of Zone

Dated September 21 st 1909

A.S.Code O.L.S.,C.E.

Alvinston Ont

BY-LAW NO.

A By-Law to provide for the improvement of the Facey Creek Drain in the Township of Zone and for borrowing on the credit of the Municipality of Zone the sum of \$440.00 being the sum necessary for completing the same. Provisionally adopted 25th day of Sept. 1909.

Whereas a notice was served on the Council of the Township of Zone by Charles Little a ratepayer on the Facey Drain asking for the improvement of the said drain to prevent damage to his lands and crops.

And whereas thereupon the Council of the Township of Zone procured an examination to be made by A. S. Code, C.E., Chief Engineer, of the said drain to be improved under Section No. 75 of the Ontario Drainage Act, and have also procured plans, estimates and assessments by the said A. S. Code of the real property to be benefited by the said improvement stating as nearly as he can the proportion of benefit outlet liability or injuring liability which in his opinion will be derived in consequence of such improvement by every road or lot or portion of lot the assessment so made being the assessment herein after by this By-Law enacted to be assessed and levied upon the roads or lots or parts of lots heretofore described and the report of the said A. S. Code in respect thereof and of the said improvement being as follows:

ENGINEER'S REPORT.

To the Municipal Council of the Township of Zone.

GENTLEMEN.—I beg to state that in accordance with instructions received from your Honorable Body I have made an examination of the Facey Drain in your municipality with a view to putting the said drain in a proper state of repair.

Over the course of the drain I have planted stakes at intervals of two chains or eight rods and have taken levels from which the accompanying profile has been prepared and which profile shows the work I would propose and recommend. The plan accompanying this report shows the location of the drain and the lands affected by the proposed repair.

The fall in the drain is good and when the work is done the lands will have good drainage.

I estimate the cost of the work to be as follows:

Excavation and Spreading.	
St 0 to St 52, 820 cu yds @ 11c...	\$ 90.20
St 52 to st 114, 1070 " " 11c...	117.70
St 114 to st 171, 980 " " 11c...	107.80
St 171 to st 206, 5,190 " " 11c...	31.90
	\$347.60
Assistance on survey	\$ 11.75
Printing and distributing by-laws	8.25
Clerk's fees	9.00
Surveys, plans and report	40.00
Letting and Superintending	14.40
Final inspection by Engineer	9.60
Total estimated cost	\$440.30

This sum I assessed and charged against the lands and roads in any way liable to assessment under the Drainage Act, as per the annexed Schedule of Assessment.

All of which is respectfully submitted, I have the honor to be Gentlemen, Your obedient Servant,
A. S. CODE, O.L.S.C.E.

Dated at Alvinston 21st Sept. A.D., 1909.

SPECIFICATION.

1.—This specification comprises the repair to the Facey Drain in the Township of Zone in accordance with the accompanying plan and profile from station 0 to station 206 a distance of 82 rods.

2.—The depths shown on the profile are to be measured from the surface of the ground at the side of the planted and numbered stakes. These stakes are planted at intervals of two chains or eight rods and are numbered 1 to 24 etc from the head of the drain, the bottom excavations shown on the profile do not in any way govern the work and are given for estimating quantities only.

3.—The bottom of the drain is to be brought to a regular and even grade between the points of change shown on the profile so that no water will stand on the bottom, the side slopes are to be one to one cut straight from top to bottom.

4.—The earth from the drain to be cast about evenly on both sides four feet from the edge of the drain and through the cleared lands is to be spread back not deeper than one foot, and should crops be in at the time of the repair, then the contractor is to spread the earth after the removal of crops. All ditches runs or watercourses are to be left open their full size, and no earth is to be thrown against fences along the drain.

5.—Any bridges, crossings or fences, with the contractor may find necessary to remove, are to be replaced by him immediately upon completion of that portion of the drain.

6.—A good and workmanlike job is to be made of the whole work to the satisfaction of the Commissioner in charge, and the Engineer making the final inspection.

Schedule of Assessment Facey Drain Township of Zone.

Con. Lot or Pt.	Acres.	Value of Benefit.	Value of Outlet.
2 e h Ex Ry 2	99	\$2 50	\$ 4 00
2 e " " 3	94	9 00	9 00
2 e h e h 4	50	11 50	13 00
2 e h w h 4	50	10 50	13 00
2 e h e h 5	50	13 50	14 50
2 e h h e h 5	25	16 00	11 50
2 w h n h e h 5	25	5 50	6 50
2 e h 6	100	21 00	18 00
3 w h 1	100	10 00	3 50
3 w h 2	100	23 00	7 00
3 e h 2	100		3 00
3 e h w h 3	50	8 00	5 00
3 e h e h 3	50		1 00
3 e h w h 3	50	8 00	6 00
3 e h e h 3	50		1 50
3 w h Ex Ry 4	93	2 00	11 50
3 e h 4	100		5 00
3 w h Ex Ry 5	99	2 00	2 00
3 p w Ry e h 5	37		5 00
3 p t e Ry e h 5	56		3 00
3 e h w h 6	50	2 50	16 00
3 R N R e h e h 6	49 1/2		5 50
3 e h 6	100	5 50	30 00
3 w h 7	100		9 50
3 e h e h 7	50		6 50
3 w h e q r 7	25		
3 e h e h 8	50		2 00
3 e w q r 8	50		
3 e w q r 8	50		
C. P. R.		2 50	4 00
Total for Benefit		\$153 00	
Total for Outlet Liability		245 00	

On Lands	\$398 00
Roads of Municipality:—	
Con. Road 2-3	\$ 25 00
3-4	2 00
Sideroad 5-6	15 00
Total Assessment	\$440 00

Be it therefore enacted by the Municipal Council of the Township of Zone in Council Assembled under and by virtue of the Municipal Drainage Act of Ontario.

That the Engineer's Report, Plans, Estimates and Assessments for the improvement of the Facey Creek Drain, in the Township of Zone, be and is hereby adopted, and that the work connected therewith be made and constructed in accordance therewith.

That the Reeve of the said Township of Zone may borrow on the credit of the Corporation of the Township of Zone the sum of \$440.00, Four Hundred and Forty Dollars, being the amount necessary for the work, and may issue debentures of the corporation to that amount, in sums of not less than \$50.00 each, and payable within 5 years from the date thereof, with interest at the rate of 5 per cent. per annum, that is to say in 5 equal annual payments. Such debentures shall be issued in bulk form, each debenture representing interest and unpaid principal, without coupons being attached for the payment of interest, said debentures shall be payable at the Merchants Bank in the Town of Bothwell.

That for the purpose of paying the sum of \$398.00, being the amount charged against the said lands so to be benefited as aforesaid, other than lands and roads belonging to or controlled by the municipality, and to cover interest thereon for 5 years at the rate of per cent. per annum, the following special rates over and above all other rates shall be assessed and levied in the same manner and at the same time as taxes are levied upon the undermentioned lots and parts of lots, and the amount of the said special rates and interest assessed as aforesaid against each lot or part of lot respectively shall be divided into 5 equal parts, and one such part shall be assessed and levied as aforesaid in each year for 5 years after the final passing of this by-law, during which the said debentures have to run.

That for the purpose of paying the sum of \$42.00, being the amount assessed as aforesaid against the roads of the municipality, and to cover interest thereon for 5 years at the rate of 5 per cent. per annum, a sufficient rate on the 4 to procure the required yearly amount thereof over and above all other rates, shall be levied and collected at the same time and in the same manner as other taxes are levied and collected on the whole rateable property in the Township of Zone in each year for 5 years after the final passing of this by-law, during which the said debentures have to run.

Con. Lot or Pt.	Acres.	Value of Benefit.	Value of Outlet.	To cover Int. at 5% for 5 yrs.	Twice Annual Special Paym't.	Owners Name.
2 e h Ex Ry 2	99	2 50	4 00	1 00	7 50	A. Montoith
2 e " " 3	94	9 00	9 00	2 80	20 80	W. Buchanan
2 e h e h 4	50	11 50	13 00	3 65	27 15	E. Harper
2 e h w h 4	50	10 50	13 00	3 5	15 23	
2 e h e h 5	50	14 50	14 50	4 50	33 50	Geo. Boothroyd
2 e h n h e h 5	25	16 00	11 50	4 75	31 75	Geo. Cragg
2 w h n h e h 5	25	5 50	6 50	1 40	10 40	C. Willis
2 e h 6	100	23 00	18 00	6 35	47 35	David Little
3 w h 1	100	10 00	3 50	3 25	14 25	J. Anderson
3 w h 2	100	23 00	7 00	4 65	34 65	J. Thompson
3 e h 2			3 00	45	3 45	Alex. Nickle
3 e h w h 3	50	8 00	5 00	2 00	15 00	Frank House
3 e h e h 3	50			3	3	Nelson Watts
3 e w q r 8	50	8 00	6 00	2 15	16 15	Geo. Watts

THIS IS EXHIBIT "D" TO THE AFFIDAVIT OF
BLAISE CHEVALIER , SWORN ON THE 2ND DAY OF
APRIL, 2024.

Lynn Kalp Digitaly signed by Lynn Kalp
Date: 2024.04.02 1:02:11
PM

A COMMISSIONER, ETC.

**Linda Marie Kalp, a Commissioner, etc.
Province of Ontario, for the
Municipality of Chatham-Kent.
Expires August 31, 2026.**

BY-LAW NUMBER 455-63.

A BY-LAW to provide for the repair and improvement of the East Branch Facey Drain of Zone Township in the County of Kent and for borrowing on the credit of the Municipality, the sum of \$2,156.00 for completing same.

Provisionally adopted February 4th, 1963.

FINALLY PASSED this day of , 1963.

WHEREAS Martin Stacho, owner of SE $\frac{1}{4}$, Lot 6, Concession 3 and Thos Snobelen, owner of E $\frac{1}{2}$ Lot 4, Concession 3 have petitioned the Council of the Township of Zone to have the East Branch Facey Drain repaired and improved;

AND WHEREAS the Council has procured a report made by E. G. Briscoe Jr., C. E. and the report is as follows:-

Chatham, Ontario,
January 15th, 1963.

To the Reeve and Council,
Township of Zone.

Gentlemen:-

In compliance with your instructions, I have made an examination and survey of the open portion of the East Branch of the Facey Drain. I submit herewith a plan, profile and specification for its repair and improvement. The plan shows the location of the drain and the lands affected by it; the profile and specification show the dimensions, grades, disposal of material and other particulars of the work.

I determine the amounts to be paid to owners under Section 8 of the Municipal Drainage Act for construction or enlargement of farm bridges to the extent rendered necessary by the work, or of or severance in lieu thereof, and for damages to lands and crops (if any) occasioned by disposal of material, as follows:-

Con.	Lot or Part	Owner	Allowances for	
			Bridges or Severance	Damage
3	N $\frac{1}{2}$ W $\frac{1}{2}$	Florence Bjillard	\$ 35.00	\$ 10.00
	W $\frac{1}{2}$ S. Ry.	Florence Bjillard	45.00	50.00
	Pt. of Ry.	Martin Featherstone	35.00	40.00
	SE $\frac{1}{4}$	Martin Stacho	35.00	20.00
	N $\frac{1}{2}$ ex. SE Corner	Earl Benjamin	35.00	25.00
	SE $\frac{1}{4}$	Cleto Elliott	10.00	15.00
				<u>\$ 195.00</u>	$ 160.00

The following is my estimate of the cost of the work and incidental expenses:

4200 Cu. Yds. Excavation and Levelling	\$ 1,300.00
Tile Repair	50.00
Allowances under Section 8	355.00
Survey, Plans and Report	190.00
Assistance and Expenses	76.00
By-Law	50.00
Clerk's Fees	50.00
Letting and Superintending	85.00
	\$ 2,156.00

I assess the estimated cost against lands and roads as shown in the annexed schedule.

After completion the work is to be maintained by the Municipality at the expense of the lands and roads herein assessed and in the same relative proportions, subject to any variations made under the Municipal Drainage Act.

Respectfully submitted,

E.C. BRISCO, JR.,
B.A.Sc., O.L.S., M.E.I.C.

Chatham, Ontario,
January 15th, 1963.

SCHEDULE OF ASSESSMENT
EAST BRANCH OF THE FACEY DRAIN
TOWNSHIP OF ZONE

Con.	Lot or Part	Acres Affected	Owner	Benefit	
3	E½ W½	3	5	Florence Bjillard	\$ 15.00
	W½ S.Ry.	4	61	Florence Bjillard	155.00
	W½ N.Ry.	4	20	Harvey Shaw	40.00
	E½	4	40	Thos. Snobelen	120.00
	Pt. Lots 3,4 & 5	8	8	C. P. Railway	50.00
	Pt. V. Ry.	5	70	Martin Featherstone	360.00
	Pt. E. Ry.	5	30	S. A. Lister	120.00
	SE¼	6	40	Martin Stacho	240.00
	W½ ex. S.E. Corner	6	35	Earl Benjamin	245.00
	SE¼	7	35	Gleta Elliott	245.00
	NE¼	7	40	Martin Stacho	240.00
4	SE¼	8	20	Martin Stacho	120.00
	W¼	8	10	George Case	60.00
Total on lands.....				\$ 2,010.00	
3-4 Con. Rd.			County of Kent	55.00	
5-6 Side Rd.			Zone Township	111.00	
Total on Roads.....				\$ 176.00	

E. G. BRISCO, JR.,
B.A.Sc., O.L.S., M.E.I.C.

Chatham, Ontario,
January 15th, 1963.

SPECIFICATION FOR REPAIRING AND IMPROVING

EAST BRANCH FACEY DRAIN

TOWNSHIP OF ZONE

DESCRIPTION OF WORK:

This specification and the report, plan and profile bearing the same date, apply to and govern the repair and improvement of 8700 lineal feet of open drain.

GENERAL CONDITIONS:

Tenders will be received and contracts awarded only in the form of a lump sum for the completion of the whole work or of specified sections thereof in accordance with the plan, profile and specification. No bid will be considered, nor will any contract be awarded, on the basis of classification or of unit prices. Contractors must estimate for themselves the quantity and value of the work required. They are expected to examine the locality and also the plan, profile and specifications; they will be at liberty, before bidding, to examine any data in the possession of the Municipality or of the Engineer.

All the work included in any contract must be completed on or before the date fixed at the time of letting and must, at the time of completion and final inspection, be in first class condition and comply fully with the specification. Final inspection will be made by the Commissioner of Engineer within twenty days after the Commissioner has received notice in writing from the contractor that the work is completed, or as soon thereafter as weather conditions permit.

Contractors will be held liable for any damages or expenses occasioned by their failure to complete the work on time and for any expenses of inspecting, superintending, reletting or restaking due to their neglect or failure to prosecute the work satisfactorily or to do it properly, also for any damages occasioned by leaving fences open or by any negligence in carrying on the work. Any such expenses or damages may be deducted by the Commissioner from the amount of the contract or may be recovered by the Municipality from the contractor and his sureties.

STAKES:

Stakes are set one hundred feet apart along the course of the drain numbered consecutively 1, 2, 3, etc. from the outlet of the tile near the centre of the south east quarter of lot 7, Concession 3 to the outlet into the main Facey Drain on the north west corner of Lot 3, Concession 3. Contractors will be held responsible for the preservation of stakes in their original positions during the progress of the work and also for seeing that bench marks are not

destroyed, defaced, or covered with excavated material.

ALIGNMENT:-

The centre of the present drain is to be taken generally as the centre of the repairs and improved drain but any short or irregular banks that have formed in the banks of the drain are to be corrected. The alignment of the finished work is to be satisfactory to the Commissioner in charge.

PROFILE:-

Excavation must be made at least to the depth intended by the grade line shown on the profile, which grade line is governed by the bench marks. The profile shows in figures, for the convenience of contractors and others, the approximate depths from the surface of the ground at the points where the numbered stakes are set, and the approximate depth of excavation below the bottom of the present drain as observed at the time of survey, but bench marks govern. The bottom width of the drain is to be three feet throughout. Side slopes are to be one and one half to one, the top width of the excavation to exceed the specified bottom width by three times the depth at all places. Contractors will not be restricted to the exact dimensions specified but must excavate clear of the specified cross sections and may excavate such additional depth or width as may be required to accommodate the use of suitable excavating equipment or to allow for sediment or caving prior to final inspection.

DISPOSAL OF MATERIAL:

All excavated material is to be placed on the immediately adjoining farm lands. It is to be kept at least six feet clear of the top edge of the drain and beyond this distance deposited over a width of not less than sixteen feet. On all lands that are cultivated or are reasonably free of brush, stumps or timber, excavated material is to be further levelled by bulldozer, or other suitable equipment, sufficiently to permit cultivation. No excavated material is to be placed in ditches, tiles or depressions intended to conduct water into the drain. The Commissioner in charge of the work will be the sole judge as to proper disposal of material under the contract and this specification.

OBSTRUCTIONS:

Any brush, timber, logs, stumps, stones, or other obstructions in the course of the work, and brush along the banks thereof, must be removed to a sufficient distance to be clear of the excavated material. No brush or trees are to be left inside the slopes of the drain whether they come within the limits of the required excavation or not. Brush removed from the drain and banks thereof is to be burned if sufficiently dry, otherwise it may be left in piles satisfactory to the Commissioner. Contractors will be permitted to cut standing timber along the banks of the drain to the extent that may, in the opinion of the Commissioner, be reasonably necessary for the operation of excavating equipment.

FENCES:

Where the contractor finds it necessary to remove any fences for the purpose of excavating the drain or disposing of material, he is to replace them promptly in as good condition as that in which they are found, or as the old material permits. He is not to leave any fences open when he is not at work in the immediate vicinity.

HIGHWAY CULVERT:

The existing culvert under the 5-6 Side Road need not be disturbed but is to be thoroughly cleaned of all sediment or other deposited material as part of the contract.

RAILWAY CULVERT:

The existing culvert under the Canadian Pacific Railway need not be disturbed but requires about 8" of earth removed in order to meet the grade line. This will be done by the Contractor as part of the contract, unless the Railway wishes to exercise its option and do the work on its right-of-way, in which case the Railway

will be allowed the sum of twenty five dollars (\$25.00) and this amount deducted from the contract for excavation.

TILE REPAIR:

Examination at the time of survey indicated that minor repairs are required on the tile portion of the drain. This is to be done by the contractor to the satisfaction of the commissioner, who will be the sole judge of the quantity and quality of work done under this paragraph of the specification.

COMMISSIONER:

Where the word "commissioner" is used in this specification, it shall mean the person or persons appointed by the Council of the Township of Zone to superintend the work.

E. C. BRISCO, JR.,
B.A.Sc., O.L.S., M.E.I.C.

Chatham, Ontario,
January 15th, 1963.

AND WHEREAS the Council is of the opinion that the drainage of the area described is desirable;

THEREFORE the Council of the Township of Zone, pursuant to the provisions of the Municipal Drainage Act enacts as follows:-

1. The report is hereby adopted and the drainage works as therein indicated and set forth are hereby authorized and shall be completed in accordance therewith.

2. The Corporation of the Township of Zone may borrow on the credit of the Corporation the sum of \$2,156.00, being the funds necessary for the drainage works not otherwise provided for; provided that such sum shall be reduced by the amount of grants and commuted payments with respect to lands and roads assessed, and may issue debentures of the Corporation to that amount in sums of not less than \$50.00 each and payable within three years from the date of such debentures with interest at the rate of 6 per centum per annum; such debentures to be payable at the Bank of Montreal in the Town of Bothwell.

3. For paying the sum of \$2,030.00, the amount charged against lands for benefit, apart from lands and roads belonging to or controlled by the Municipality and for covering interest thereon for three years, at the rate of 6 per centum per annum, the following total special rates over and above all other rates shall be assessed, levied and collected (in the same manner and at the same time as other taxes are levied and collected) upon and from the undermentioned parcels of land and parts of parcels and the amounts of the total special rates and interest against each parcel or part of parcel respectively shall be divided into three equal parts, and one such part shall be assessed, levied and collected as aforesaid in each year for three years, after the final passing of this By-Law, during which the debentures have to run, provided that no greater amount shall be levied than is required after taking into account and crediting the amount of grants under subsection 3 of section 5 of the Provincial Aid to Drainage Act and commuted payments with respect to lands and roads assessed.

SCHEDULE OF ASSESSMENT

EAST BRANCH FACEY DRAIN

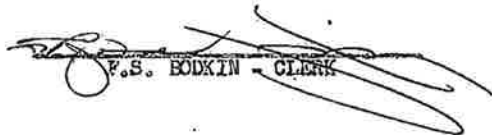
Con.	Lot or Part	Acres	Affec.	Assess ^{nt} .	Est. Grant	Net Assess ^{nt}	Interest	Total	Annual Payment
3	NW ¹ / ₄ 3	5		\$ 5.00	\$ 5.00	\$ 10.00	\$ 1.22	\$ 11.22	\$ 3.74
	W ¹ / ₄ SRY ¹ / ₄	61		155.00	51.67	103.33	12.65	115.98	38.65
	W ¹ / ₄ N. Ry ¹ / ₄	20		40.00	13.33	26.67	3.27	29.94	9.98
	E ¹ / ₄ 4	40		120.00	40.00	80.00	9.79	89.79	29.93
	Pt. 3, 4, 5	8		50.00	16.66	33.34	4.10	37.44	12.48
	Pt. W. Ry.								
	5	70		360.00	120.00	240.00	29.37	269.37	89.79
	Pt. E. Ry.								
	5	30		120.00	40.00	80.00	9.79	89.79	29.93
	SE ¹ / ₄ 6	40		240.00	80.00	160.00	19.55	179.55	59.85
	N ¹ / ₄ 6	35		245.00	81.67	163.33	19.97	183.30	61.10
	SE ¹ / ₄ 7	35		245.00	81.67	163.33	19.97	183.30	61.10
	NE ¹ / ₄ 7	40		240.00	80.00	160.00	19.55	179.55	59.85
	SE ¹ / ₄ 8	20		120.00	40.00	80.00	9.79	89.79	29.93
4	N ¹ / ₄ 8	10		60.00	20.00	40.00	4.83	44.83	14.96
Total on Lands				\$2,020.00	\$670.00	\$ 1,340.00	\$ 163.90	\$1,503.90	\$ 501.30
3-4 Con. Rd.									
County of Kent				35.00	11.67	23.33			
5-6 Side Rd.									
Twp. of Zone				111.00	37.00	74.00			
Total Assessment				\$2,156.00	\$718.67	\$1,437.33			

4.
(a) For paying the sum of \$35.00, the amount charged against the roads and lands of the County of Kent.

4.
(b) For paying the sum of \$111.00, the amount charged against the roads and lands of the Municipality, a special rate, sufficient to produce the required amount therefore, shall over and above all other rates, be levied and collected (in the same manner and at the same time as other taxes are levied and collected) upon and from the whole rateable property in the Township of Zone after the final passing of this By-Law.

5. This By-Law and notices shall be printed and a copy thereof mailed to each of the assessed owners and shall come into force upon and after the final passing thereof, and may be cited as the "Repair and Improvement of the East Branch Facey Drain By-Law", 1963.


CLAIR LUNN - REEVE


F.S. BODKIN - CLERK

I, F. S. Bodkin - Clerk of the Township of Zone, do hereby certify that the foregoing is a true copy of By-Law Number 455-63, providing for the repair and improvement of the East Branch Facey Drain, provisionally adopted the 4th day of February, 1963 and finally passed the day of , 1963.

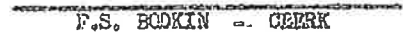

F.S. BODKIN - CLERK

NOTICE

NOTICE is hereby given that the Court of Revision will hold its first sitting at the Zone Township Hall on Monday, the 1st day of April, 1963, at 2:00 o'clock in the afternoon for the hearing and trial of complaints and appeals made against the above assessment or any part thereof, in the manner provided for by the Municipal Drainage Act, a notice of such complaint or appeal to be served on the Clerk of the said Municipality at least ten days before the first sitting of the said Court of Revision.

AND FURTHER NOTICE is hereby given that anyone intending to appeal to have the said By-Law or any part thereof quashed, must, not later than ten days after the final passing thereof, serve a notice in writing upon the Reeve or other head officer, and upon the Clerk of the said Municipality of his intention to make application for that purpose to the Drainage Referee, during the six weeks ensuing the final passing of this By-Law.

Dated this 4th day of February, 1963.


F.S. BODKIN - CLERK

TOWN OF SHATHAM

Resolved, that the Council of the Township of Shatham do hereby authorize the Town Engineer to borrow on the credit of the Township, the sum of \$2,560.00 for completing same.

Resolved, that the Council do hereby authorize the Town Engineer to complete same.

Resolved, that the Council do hereby authorize the Town Engineer to complete same.

Resolved, that the Council do hereby authorize the Town Engineer to complete same.

Resolved, that the Council do hereby authorize the Town Engineer to complete same.

Shatham, Ontario,
January 15th, 1965.

Resolved, that the Council do hereby authorize the Town Engineer to complete same.

Resolved, that the Council do hereby authorize the Town Engineer to complete same.

In compliance with your instructions, I have made an examination and survey of the East Branch of the Facey Drain. I submit herewith a plan, profile and specification for its repair and improvement. The plan shows the location of the drain and the lands affected by it; the profile and specification show the dimensions, grades, disposal of material and other particulars of the work.

I determine the amounts to be paid to owners under Section 8 of the Municipal Drainage Act for construction or enlargement of farm bridges to the extent rendered necessary by the work, or of or severance in lieu thereof, and for damages to lands and crops (if any) occasioned by disposal of material, as follows:

No.	Locality	Width	Owner	Allowances for	
				Bridges or Severance	Damage
1	1/2 W/2	3	Florence Bjillard	\$ 35.00	\$ 10.00
2	1/2 S/2	4	Florence Bjillard	45.00	50.00
3	1/2 E/2	5	Martin Featherstone	35.00	40.00
4	1/2 W/2	5	Martin Stacho	35.00	20.00
5	1/2 S/2	5	Earl Benjamin	35.00	25.00
6	1/2 E/2	4	Greta Elliott	10.00	15.00
				\$ 295.00	\$ 160.00

The following is my estimate of the cost of the work and incidental expenses:

4200 Cu. Yds. Excavation and Levelling	\$ 1,300.00
Tile Repair	50.00
Allowances under Section 8	355.00
Survey, Plans and Report	190.00
Assistance and Expenses	76.00
By-Law	50.00
Clark's Fees	50.00
Letting and Superintending	85.00
	\$ 2,156.00

I assess the estimated cost against lands and roads as shown in the annexed schedule.

After completion the work is to be maintained by the Municipality at the expense of the lands and roads herein assessed and in the same relative proportions, subject to any variations made under the Municipal Drainage Act.

Respectfully submitted,

E.G. BRISCO, JR.,
B.A.Sc., O.L.S., M.E.I.C.

Ghatham, Ontario,
January 15th, 1963.

SCHEDULE OF ASSESSMENT
EAST BRANCH OF THE FACEY DRAIN
TOWNSHIP OF ZONE

Con.	Lot or Part	Acrea Affected	Owner	Benefit
3	E½ W½	3	Florence Bjillard	\$ 15.00
	W½ S. Ry.	4	Florence Bjillard	155.00
	W½ N. Ry.	4	Hazvey Shaw	40.00
	E½	4	Thos. Snobelen	120.00
	Pt. Lots 3, 4 & 5	8	C. P. Railway	50.00
	Pt. V. Ry.	5	Martin Featherstone	360.00
	Pt. E. Ry.	5	S. A. Lister	120.00
	SE¼	6	Martin Stacho	240.00
	N½ cz. S.E. Corner 6	35	Earl Benjamin	245.00
	SE¼	7	Cleta Elliott	245.00
4	NE¼	7	Martin Stacho	240.00
	SE¼	8	Martin Stacho	120.00
	W½	8	George Gase	60.00
Total on lands.....				\$ 2,010.00
3-4 Con. Rd. 5-6 Side Rd.				35.00 111.00
Total on Roads.....				\$ 176.00
TOTAL ASSESSMENT.....				\$ 2,156.00

- 3 -
E. C. BRISCO, JR.,
B.A.Sc., O.L.S., M.E.I.C.

Chatham, Ontario,
January 15th, 1963.

SPECIFICATION FOR REPAIRING AND IMPROVING
EAST BRANCH FACEY DRAIN
TOWNSHIP OF ZONE

DESCRIPTION OF WORK:

This specification and the report, plan and profile bearing the same date, apply to and govern the repair and improvement of 8700 lineal feet of open drain.

GENERAL CONDITIONS:

Tenders will be received and contracts awarded only in the form of a lump sum for the completion of the whole work or of specified sections thereof in accordance with the plan, profile and specification. No bid will be considered, nor will any contract be awarded, on the basis of classification or of unit prices. Contractors must estimate for themselves the quantity and value of the work required. They are expected to examine the locality and also the plan, profile and specifications; they will be at liberty, before bidding, to examine any data in the possession of the Municipality or of the Engineer.

All the work included in any contract must be completed on or before the date fixed at the time of letting and must, at the time of completion and final inspection, be in first class condition and comply fully with the specification. Final inspection will be made by the Commissioner of Engineer within twenty days after the Commissioner has received notice in writing from the contractor that the work is completed, or as soon thereafter as weather conditions permit.

Contractors will be held liable for any damages or expenses occasioned by their failure to complete the work on time and for any expenses of inspecting, superintending, reletting or restaking due to their neglect or failure to prosecute the work satisfactorily or to do it properly, also for any damages occasioned by leaving fences open or by any negligence in carrying on the work. Any such expenses or damages may be deducted by the Commissioner from the amount of the contract or may be recovered by the Municipality from the contractor and his sureties.

STAKES:

Stakes are set one hundred feet apart along the course of the drain numbered consecutively 1, 2, 3, etc. from the outlet of the tile near the centre of the south east quarter of lot 7, Concession 3 to the outlet into the main Facey Drain on the north west corner of Lot 3, Concession 3. Contractors will be held responsible for the preservation of stakes in their original positions during the progress of the work and also for seeing that bench marks are not

destroyed, defaced, or covered with excavated material.

ALIGNMENT:-

The centre of the present drain is to be taken generally as the centre of the repaired and improved drain but any short or irregular bends that have formed in the banks of the drain are to be corrected. The alignment of the finished work is to be satisfactory to the Commissioner in charge.

PROFILE:-

Excavation must be made at least to the depth intended by the grade line shown on the profile, which grade line is governed by the bench marks. The profile shows in figures, for the convenience of contractors and others, the approximate depths from the surface of the ground at the points where the numbered stakes are set, and the approximate depth of excavation below the bottom of the present drain as observed at the time of survey, but bench marks govern. The bottom width of the drain is to be three feet throughout. Side slopes are to be one and one half to one, the top width of the excavation to exceed the specified bottom width by three times the depth at all places. Contractors will not be restricted to the exact dimensions specified but must excavate clear of the specified cross sections and may excavate such additional depth or width as may be required to accommodate the use of suitable excavating equipment or to allow for sediment or caving prior to final inspection.

DISPOSAL OF MATERIAL:

All excavated material is to be placed on the immediately adjoining farm lands. It is to be kept at least six feet clear of the top edge of the drain and beyond this distance deposited over a width of not less than sixteen feet. On all lands that are cultivated or are reasonably free of brush, stumps or timber, excavated material is to be further levelled by bulldozer, or other suitable equipment, sufficiently to permit cultivation. No excavated material is to be placed in ditches, tiles or depressions intended to conduct water into the drain. The Commissioner in charge of the work will be the sole judge as to proper disposal of material under the contract and this specification.

OBSTRUCTIONS:

Any brush, timber, logs, stumps, stones, or other obstructions in the course of the work, and brush along the banks thereof, must be removed to a sufficient distance to be clear of the excavated material. No brush or trees are to be left inside the slopes of the drain whether they come within the limits of the required excavation or not. Brush removed from the drain and banks thereof is to be burned if sufficiently dry, otherwise it may be left in piles satisfactory to the Commissioner. Contractors will be permitted to cut standing timber along the banks of the drain to the extent that may, in the opinion of the Commissioner, be reasonably necessary for the operation of excavating equipment.

FENCES:

Where the contractor finds it necessary to remove any fences for the purpose of excavating the drain or disposing of material, he is to replace them promptly in as good condition as that in which they are found, or as the old material permits. He is not to leave any fences open when he is not at work in the immediate vicinity.

HIGHWAY CULVERT:

The existing culvert under the 5-6 Side Road need not be disturbed but is to be thoroughly cleaned of all sediment or other deposited material as part of the contract.

RAILWAY CULVERT:

The existing culvert under the Canadian Pacific Railway need not be disturbed but requires about 8" of earth removed in order to meet the grade line. This will be done by the Contractor as part of the contract, unless the Railway wishes to exercise its option and do the work on its right-of-way, in which case the Railway

will be allowed the sum of twenty five dollars (\$25.00) and this amount deducted from the contract for excavation.

TILE REPAIR:

Examination at the time of survey indicated that minor repairs are required on the tile portion of the drain. This is to be done by the contractor to the satisfaction of the commissioner, who will be the sole judge of the quantity and quality of work done under this paragraph of the specification.

COMMISSIONER:

Where the word "commissioner" is used in this specification, it shall mean the person or persons appointed by the Council of the Township of Zone to superintend the work.

E. C. BRISCO, JR.,
B.A.Sc., O.L.S., M.E.I.C.

Chatham, Ontario,
January 15th, 1963.

AND WHEREAS the Council is of the opinion that the drainage of the area described is desirable;

THEREFORE the Council of the Township of Zone, pursuant to the provisions of the Municipal Drainage Act enacts as follows:-

1. The report is hereby adopted and the drainage works as therein indicated and set forth are hereby authorized and shall be completed in accordance therewith.
2. The Corporation of the Township of Zone may borrow on the credit of the Corporation the sum of \$2,156.00, being the funds necessary for the drainage works not otherwise provided for; provided that such sum shall be reduced by the amount of grants and commuted payments with respect to lands and roads assessed, and may issue debentures of the Corporation to that amount in sums of not less than \$50.00 each and payable within three years from the date of such debentures with interest at the rate of 6 per centum per annum; such debentures to be payable at the Bank of Montreal in the Town of Bothwell.
3. For paying the sum of \$2,010.00, the amount charged against lands for benefit, apart from lands and roads belonging to or controlled by the Municipality and for covering interest thereon for three years, at the rate of 6 per centum per annum, the following total special rates over and above all other rates shall be assessed, levied and collected (in the same manner and at the same time as other taxes are levied and collected) upon and from the unmentioned parcels of land and parts of parcels and the amounts of the total special rates and interest against each parcel or part of parcel respectively shall be divided into three equal parts, and one such part shall be assessed, levied and collected as aforesaid in each year for three years, after the final passing of this By-Law, during which the debentures have to run, provided that no greater amount shall be levied than is required after taking into account and crediting the amount of grants under subsection 3 of section 5 of the Provincial Aid to Drainage Act and commuted payments with respect to lands and roads assessed.

SCHEDULE OF ASSESSMENT

EAST BRANCH PIGEY CREEK

Con.	Part	Lot or Acres Affect.	Assess't.	Est. Grant	Net Assess't	Interest	Total	Annual Payment	
3	W ^{1/2} Sec 3	5	\$ 15.00	\$ 5.00	\$ 10.00	\$ 1.22	\$ 11.22	\$ 3.74	
	W ^{1/2} Sec 4	61	155.00	51.67	103.33	12.65	115.98	38.66	
	W ^{1/2} H. Ry 4	20	50.00	13.33	36.67	3.27	39.94	9.98	
	W ^{1/2} 4	40	120.00	40.00	80.00	9.79	89.79	29.93	
	Pa. 3, 4, 5	6	50.00	16.66	33.34	4.10	37.44	12.48	
	Pa. H. Ry.	5	70	360.00	120.00	240.00	29.37	269.37	89.79
	Pa. H. Ry.	5	30	120.00	40.00	80.00	9.79	89.79	29.93
	Sec 6	40	240.00	80.00	160.00	19.55	179.55	59.85	
	W ^{1/2} 6	35	245.00	81.67	163.33	19.97	183.30	61.10	
	Sec 7	35	245.00	81.67	163.33	19.97	183.30	61.10	
	W ^{1/2} 7	40	240.00	80.00	160.00	19.55	179.55	59.85	
	Sec 8	20	120.00	40.00	80.00	9.79	89.79	29.93	
4	W ^{1/2} 8	20	60.00	20.00	40.00	4.88	44.88	14.96	
Total on Lands			\$2,010.00	\$670.00	\$ 1,340.00	\$ 169.90	\$1,509.90	\$ 501.30	
3-4 Con. Rd. County of Kent			35.00	11.67	23.33				
5-6 Side Rd. Twp. of Zone			111.00	37.00	74.00				
Total Assessment			\$2,156.00	\$718.67	\$1,437.33				

4.
(a) For paying the sum of \$35.00, the amount charged against the roads and lands of the County of Kent.

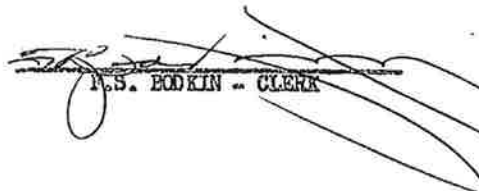
4.
(b) For paying the sum of \$111.00, the amount charged against the roads and lands of the Municipality, a special rate, sufficient to produce the required amount therefore, shall over and above all other rates, be levied and collected (in the same manner and at the same time as other taxes are levied and collected) upon and from the whole rateable property in the Township of Zone after the final passing of this By-Law.

5. This By-Law and notices shall be printed and a copy thereof mailed to each of the assessed owners and shall come into force upon and after the final passing thereof, and may be cited as the "Repair and Improvement of the East Branch Facey Drain By-Law", 1963.


CLAIR LUNN - REEVE


F.S. BODKIN - CLERK

I, F. S. Bodkin - Clerk of the Township of Zone, do hereby certify that the foregoing is a true copy of By-Law Number 455-63, providing for the repair and improvement of the East Branch Facey Drain, provisionally adopted the 4th day of February, 1963 and finally passed the _____ day of _____, 1963.


F.S. BODKIN - CLERK

NOTICE

NOTICE is hereby given that the Court of Revision will hold its first sitting at the Zone Township Hall on Monday, the 1st day of April, 1963, at 2:00 o'clock in the afternoon for the hearing and trial of complaints and appeals made against the above assessment or any part thereof, in the manner provided for by the Municipal Drainage Act, a notice of such complaint or appeal to be served on the Clerk of the said Municipality at least ten days before the first sitting of the said Court of Revision.

AND FURTHER NOTICE is hereby given that anyone intending to appeal to have the said By-Law or any part thereof quashed, must, not later than ten days after the final passing thereof, serve a notice in writing upon the Reeve or other head officer, and upon the Clerk of the said Municipality of his intention to make application for that purpose to the Drainage Referee, during the six weeks ensuing the final passing of this By-Law.

Dated this 4th day of February, 1963.

F.S. BODKIN - CLERK

Canadian Pacific

OFFICE OF THE SUPERINTENDENT

File: V.148.71

LONDON, Ontario,
May 21, 1964.

Mr. F. S. Bodkin,
Clerk,
Township of Zone,
THAMESVILLE, Ontario.

Dear Sir:

This is in connection with the East Branch of the Facey Drain and with particular reference to where it crosses under our track through a culvert at Mileage 47.3, Windsor Subdivision. -

The culvert in question is an 8' x 4'-6" reinforced concrete box with a concrete floor. The culvert needs some extensive repairs to the headwalls and in fact it is too short now that the track has been lifted and crushed stone ballast installed. It has occurred to us that a 48" corrugated metal pipe would provide sufficient opening, and we would appreciate your advising if there would be any objection to this arrangement. If there is none, please advise if there is any possibility that the bottom of the drain will be lowered. At the present time the bed of stream is some 8" or 9" above the bottom of the culvert.

Yours truly,


Superintendent.

July 8th, 1964.

To the Reeve and Council
of the Township of Zone.

Re: Railway Culvert
East Branch of Facey Drain.

In accordance with your instructions, I have examined the railway culvert in Lot 4, Concession 3, where the above mentioned drain crosses.

At present, there is a concrete box culvert 8 ft. span by 4' 6" high opening, which is in poor repair.

I would not approve the installation of a four foot pipe to replace this culvert. This would give a cross section of only 12.5 feet as opposed to the present 36 square feet.

However, I believe the present opening is larger than necessary, and would be prepared to approve a five foot diameter pipe.

Yours very truly,



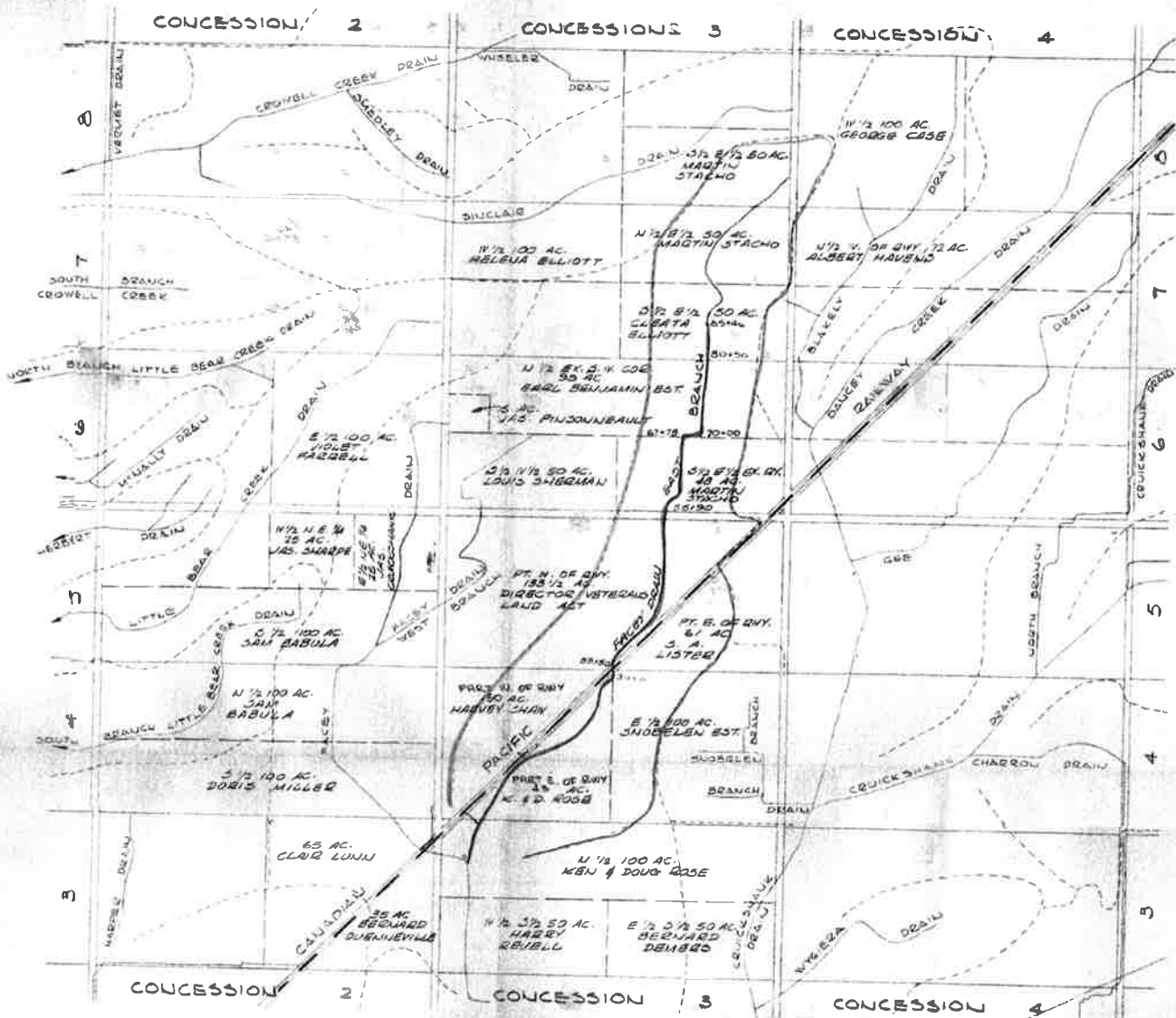
E. C. Brisco, Jr.,
B.A.Sc., O.L.S., M.E.I.C.

THIS IS EXHIBIT "E" TO THE AFFIDAVIT OF
BLAISE CHEVALIER , SWORN ON THE 2ND DAY OF
APRIL, 2024.

Lynn Kalp Digitally signed by Lynn Kalp
DN: cn=000042113919-0000

A COMMISSIONER, ETC.

**Linda Marie Kalp, a Commissioner, etc.
Province of Ontario, for the
Municipality of Chatham-Kent.
Expires August 31, 2026.**



CHATHAM ONTARIO
 SEPTEMBER 23, 1969

H. M. Toogham
 B.A. SC. O.E.S. M.E.I.C.

SCHEDULE "C"

TODGHAM & CASE LIMITED CONSULTING CIVIL ENGINEERS CHATHAM ONTARIO	
PLAN OF THE FACEY DRAIN E. BRANCH TOWNSHIP OF ZONE	
SCALE: 1" = 1000'	DATE: SEPT. 23, 1969
BY: H. M. TOOGHAM	CHECKED: J. A. GIBSON

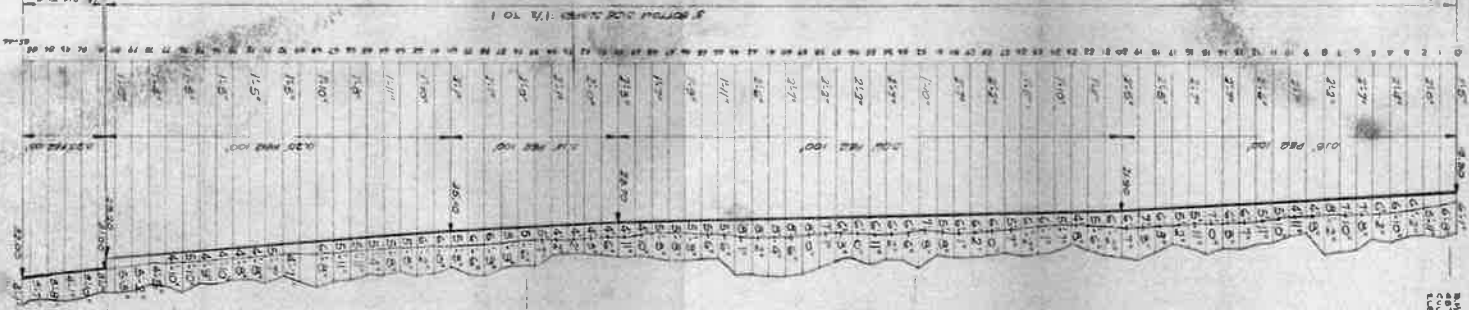
TOUGHAM & CASE LIMITED
 CONSULTING CIVIL ENGINEERS
 CHAIRMAN
 PROFILE OF
 RACEY DAMS EAST BRANCH
 TOWNSHIP OF ZONE
 SCALE AS SHOWN BOOK W-997
 DATE APRIL 25, 1969
 DRAWN BY W. J. [unclear] 68070-2 R



CHATHAM, ONTARIO
 SEPTEMBER 23, 1969
 RACEY DAMS EAST BRANCH

SCALE - HORIZ. 1" = 400'
 VERT. 1" = 10'

PROFILE



N.B. - FOR A LIST OF
 CONTRACTORS FOR THE
 ELEVATION SEE AD

1. 1" = 100' FOR CENTERLINE
 2. 1" = 100' FOR DAM
 3. 1" = 100' FOR ELEVATION
 4. 1" = 100' FOR BRANCH

1. 1" = 100' FOR CENTERLINE
 2. 1" = 100' FOR DAM
 3. 1" = 100' FOR ELEVATION
 4. 1" = 100' FOR BRANCH

1. 1" = 100' FOR CENTERLINE
 2. 1" = 100' FOR DAM
 3. 1" = 100' FOR ELEVATION
 4. 1" = 100' FOR BRANCH

TODGHAM AND CASE LIMITED
CONSULTING CIVIL ENGINEERS

151 THAMES STREET
CHATHAM, ONTARIO

HERBERT H. TODGHAM
B.A.SC., O.L.S., P.ENG.

POST OFFICE BOX 386
TELEPHONE 354-0400

C. WILLIAM CASE
M.A.SC., P.ENG.

September 23rd, 1969.

To the Reeve and Council
of the Township of Zone.

Re: East Branch of Facey Drain.

Gentlemen:

In compliance with your instructions we have made an examination and survey of the East Branch of the Facey Drain, beginning at its outlet into the Main part of the Facey Drain on the N $\frac{1}{2}$ of Lot 3, Concession 3 and continuing upstream to the outlet end of the tile part of the drain near the centre of the S $\frac{1}{2}$ E $\frac{1}{2}$ of Lot 7, Concession 3. From this point, upstream to the head of the drain at the west side of the 3-4 Concession Road, it appears that the existing tile is in good condition and nothing further is required.

The last work on the East Branch of the Facey Drain appears to have been carried out under a report by E. C. Brisco, Jr., dated January 15, 1963. That report provided for a nominal cleanout which was apparently considered sufficient at that time. Since then, the drain has become somewhat grown up with weeds and brush but, more important, some of the owners along the drain now want to improve the drainage of their lands. In order to do this, a better outlet is required through this East Branch of the Facey

Drain and to provide this, substantial deepening will have to be carried out. In addition, the owner of the S $\frac{1}{2}$ E $\frac{1}{2}$ Lot 7, Concession 3 is anxious to have the open ditch completely enclosed through this property in order to make the farming operation more efficient.

As a result of our examination and survey, we recommend that the East Branch of the Facey Drain be deepened by varying amounts from about 1 $\frac{1}{2}$ feet to 2 $\frac{1}{2}$ feet from the line between Lots 6 and 7, downstream to the outlet in the Main Drain; further, we recommend that the open part of the East Branch on the S $\frac{1}{2}$ E $\frac{1}{2}$ of Lot 7, Concession 3 be enclosed by installing tile from the end of the existing tile to the fence marking the line between Lots 6 and 7. Attached to this report and labeled "Schedule C" is our Drawing No. 68070-1A which is a plan showing the location of the proposed work marked in red and the lands affected by it outlined in green. Also attached and marked "Schedule D" is Drawing No. 68070-2A which is a profile for the work that we recommend. Attached and marked "Schedule B" is a Specification setting out the dimensions, grades, disposal of material and other particulars of the work.

In general terms, the proposed work involves the deepening of the existing drain as already outlined, together with the necessary widening to accomplish this. In addition, the part of the open drain on Lot 7 is to be enclosed with 14 inch tile. Road, railway and farm culverts are to be cleaned or replaced, as required.

In accordance with Section 8 (1) of The Drainage Act, 1962-63, we determine the amounts to be paid to the owners of the adjoining lands for damages to lands and crops (if any) occasioned by the disposal of material to be as shown in the following schedule:

SCHEDULE OF ALLOWANCES

<u>Con.</u>	<u>Lot</u>	<u>or</u>	<u>Part</u>	<u>Owner</u>	<u>Damages</u>
3	N $\frac{1}{2}$		3	Ken & Doug Rose	\$ 40.00
	Pt.E of Rwy.		4	K. & D. Rose	150.00
	Pt.W of Rwy.		5	Director Veterans Land Act	85.00
	S $\frac{1}{2}$ E $\frac{1}{2}$ ex.		Rwy.6	Martin Stacho	70.00
	N $\frac{1}{2}$ ex.		SWcor.6	Earl Benjamin Est.	40.00
	S $\frac{1}{2}$ E $\frac{1}{2}$		7	Cleata Elliott	<u>10.00</u>
					\$395.00

We estimate the cost of the work that we recommend, together with the expenses incidental thereto, to be as follows:

8050 Cu. Yds. of Excavation and Levelling	\$4450.00
Farm Culverts	650.00
484 lineal feet 14" diameter field tile	700.00
12 lineal feet 15" diameter C.S.P.	25.00
Allowances under Section 8	395.00
Survey, Plans, Report and Inspection	685.00
Assistance and Expenses	120.00
Bylaw	90.00
Clerk's Fees	100.00
Letting and Superintending	260.00
Municipal Board Fees	<u>25.00</u>
	\$7500.00

We assess the above estimated cost against the lands and roads as shown in the attached Schedule of Assessment labeled "Schedule A".

In addition to the work provided for in the above estimate and in the schedule of assessment, it may be necessary to extend the existing culvert where the drain crosses the road between Lots 5 and 6. If this is required, the Township Road Authorities will supply the necessary corrugated pipe and couplers for installation by the Contractor.

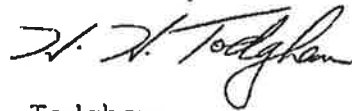
Under the provisions of The Railways Act, the Canadian Pacific Railway has the option of carrying out the work on its property. Should the Railway wish to exercise this option, it must so advise the Township by the time the Bylaw is finally passed and this work will then be eliminated from the Excavation Contract. If the Railway elects to excavate the open ditch on its property and clean the Railway culvert, the Township will pay it \$130 for this work.

After completion the East Branch of the Facey Drain from its outlet into the Main Drain, upstream to the centre of the S $\frac{1}{2}$ of Lot 7 Concession 3 (including the farm culverts referred to in the Specification) is to be maintained by the Township of Zone at the expense of the lands and roads herein assessed and in the same relative proportions subject, of course, to any variations that may be made under the authority of The Drainage Act, 1962-63.

Since most of the privately-owned lands are used for

agricultural purposes, and since no lateral drains are involved, we recommend that application be made to the Minister of Municipal Affairs in accordance with Section 63 of The Drainage Act, 1962-63, for a grant payable under Section 61 of this Act, as well as for all other grants for which this work may be eligible.

Respectfully submitted,



H. H. Todgham,

B.A.Sc., O.L.S., M.E.I.C.

HHT:lo

"SCHEDULE A"
 SCHEDULE OF ASSESSMENT
 FACEY DRAIN EAST BRANCH
 TOWNSHIP OF ZONE

1. PUBLICLY-OWNED LANDS:

(iii) Municipal:

	<u>Owner</u>	<u>Benefit</u>	<u>Outlet</u>
3-4 Concession Road	Township of Zone	-	\$ 91.00
5-6 Sideroad	Township of Zone	\$ <u>200.00</u>	<u>78.00</u>
Total on Publicly-owned Municipal Lands		\$ 200.00	\$ 169.00

2. PRIVATELY-OWNED LANDS:

(i) Not used for agricultural purposes:

<u>Con.</u>	<u>Lot or Part</u>	<u>Owner</u>	<u>Benefit</u>	<u>Outlet</u>
3	Pt. Lots 3, 4 & 5	Canadian Pacific Railway	\$ 75.00	\$ 55.00

(ii) Used for agricultural purposes:

<u>Con.</u>	<u>Lot or Part</u>	<u>Acres</u>	<u>Affected</u>	<u>Owner</u>	<u>Benefit</u>	<u>Outlet</u>
3	N $\frac{1}{2}$	3	15	Ken & Doug Rose	\$ 200.00	\$ 9.00-
	E $\frac{1}{2}$	4	40	Snobelen Est.	75.00	160.00-
	Pt. E of Rwy. 4		43	K. & D. Rose	450.00	131.00-
	Pt. W of Rwy. 4		30	Harvey Shaw	175.00	90.00-
	Pt. E of Rwy. 5		30	S. A. Lister	75.00	195.00-
	Pt. W of Rwy. 5		63	Director Veterans Land Act	800.00	495.00-
	S $\frac{1}{2}$ E $\frac{1}{2}$ ex. Rwy. 6		40	Martin Stacho	500.00	415.00-
	N $\frac{1}{2}$ ex. SW cor. 6		35	Earl Benjamin Est.	500.00	433.00-
	S $\frac{1}{2}$ E $\frac{1}{2}$	7	35	Cleata Elliott	700.00	533.00-
	N $\frac{1}{2}$ E $\frac{1}{2}$	7	40	Martin Stacho	-	608.00-
	S $\frac{1}{2}$ E $\frac{1}{2}$	8	20	Martin Stacho	-	305.00-
4	W $\frac{1}{2}$	8	10	George Case	-	<u>152.00</u>
Total on Privately-owned agricultural lands					\$3475.00	\$3526.00

	<u>Benefit</u>	<u>Outlet</u>
TOTAL ASSESSMENT.	<u>\$3750.00</u>	<u>\$3750.00</u>

ESTIMATED AMOUNT OF GRANTS:

- | | |
|--|------------------|
| 1. Under Section 61 of The Drainage Act, 1962-63 | \$2333.66 |
| 2. Agricultural Drainage Assistance in Ontario | <u>\$2333.66</u> |
| | \$4667.32 |

Chatham, Ontario,
September 23, 1969.



H. H. Todgham,
B.A.Sc., O.L.S., M.E.I.C.

"SCHEDULE B"

SPECIFICATION FOR THE REPAIR AND IMPROVEMENT
OF PART OF THE EAST BRANCH OF THE FACEY DRAIN
IN THE TOWNSHIP OF ZONE

This specification and the report, plan and profile bearing the same date, apply to and govern the repair and improvement of 8546 lineal feet of open drain by means of deepening and widening 8050 feet of it and enclosing 496 feet in tile. Included in this work will be the lowering or replacement of existing culverts and the cleaning of the existing Railway culvert.

DESCRIPTION
OF WORK

The General Specification for Open Drains attached hereto is part of "Schedule B". It also forms part of this specification and is to be read with it but where there is a difference between the requirements of the General Specification and those of the Special Provisions which follow, the Special Provisions shall govern. The section numbers shown in the Special Provisions which follow refer to the sections having the same numbers contained in the General Specification.

GENERAL
SPECIFICATION

SPECIAL PROVISIONS

The course of the work will follow the course of the existing open ditch except where tile is to be installed on the S $\frac{1}{2}$ of Lot 7, Concession 3. Here the Contractor will install the tile on one side or the other of the existing ditch, as directed by the

SECTION 3
ALIGNMENT

Commissioner in charge, rather than in the course of the drain itself. At the upstream end, he will swing the new tile over so that it may be connected into the outlet end of the existing tile.

The Contractor will be required to cut and pile the brush and trees but not to burn them.

SECTION 7
BRUSH AND TREES

Throughout the length of the work the material excavated from the drain is to be placed on either or both sides of the drain as directed by the Commissioner in charge. Where the disposal area is located in bush, the excavated material is to be spread over at least the width of the strip that has been cleared to permit the operation of the excavating equipment but in no case is the top surface to be more than 2 feet above natural ground level and it is to be spread and shaped to reasonably smooth uniform contours. Where the disposal area is on land that is sufficiently clear to permit cultivation, the excavated material is to be deposited and spread over a width of not less than 75 feet from Station 0 to Station 44 and over a width of not less than 50 feet from Station 44 to Station 80+50 at the head of the open part of the drain.

SECTION 8
DISPOSAL OF
MATERIAL

Where the drain crosses the Sideroad between Lots 5 and 6, the Contractor will remove the existing 36 foot length of 36 inch corrugated steel pipe, clean it to its full cross sectional area and re-install it

SECTION 10
ROAD CROSSING

at the proper elevation. Should the Township Road Authorities wish to have this culvert extended, they will supply the necessary pipe and couplers for this purpose and these are to be installed by the Contractor as part of his work.

At Station 0+25, the Contractor will remove the existing old wooden bridge and leave the material neatly piled beside the drain for disposal by the owner.

SECTION 11
FARM CULVERTS

At Station 0+50, the Contractor will remove the existing 48 inch concrete pipe, clean it to its full cross sectional area and leave it beside the drain for disposal by the owner. In its place he will install a 54 inch corrugated steel pipe (12 gauge) 36 feet long supplied by the Commissioner.

At Station 32+15, the Contractor will excavate the drain to its specified dimensions through the existing concrete Railway culvert, taking care to avoid causing damage to the structure.

At Station 62+75, the Contractor will remove the old wooden farm bridge, leaving the material from it neatly piled beside the drain for disposal by the owner. In its place he will install a new 36 inch corrugated steel pipe (14 gauge) 32 feet long supplied by the Commissioner.

Canadian Pacific Railway - As specified under Section 12, the Contractor will excavate the drain to

SECTION 13
UTILITIES,
RAILWAYS, ETC.

its required dimensions through the existing concrete culvert beneath the Railway. If it appears to the Commissioner that excavating the drain to the required depth will result in undermining the culvert footings, he will advise the Railway, at once, and it will become the responsibility of the Railway to carry out whatever underpinning may be necessary to protect its culvert.

The Municipality will enter into a contract with a tiling contractor to install the tile from Station 80+50 to Station 85+46 unless this is specifically made part of the excavation contract. All tile is to be furnished at the site of the work by the Municipality and its cost charged as part of the cost of the drain. It is to be first class agricultural tile, either clay or cement and cracked, chipped or uneven tile will not be acceptable and are to be discarded by the Contractor.

SECTION 18
TILE DRAIN

The tile must be laid with close joints and in regular grade and alignment, the invert of the tile conforming to the grade line of the profile. The Contractors must keep the tile free from earth or sediment during the progress of the work. Should quicksand be encountered, the joints of the tile are to be wrapped with polyethylene sheeting or with a fibreglass wrapping material made for this purpose. All drainage tiles intersected by the new tile are to be properly

connected into it and the joints are to be mortared tight.

As the laying of the tile progresses, a sufficient amount of backfill material is to be placed at the sides and on top of the tile to hold it in place, using sods for this purpose if conveniently available. After the laying of tile has been inspected by the Commissioner, additional filling is to be made up to the surface of the ground. The backfill material in the trench is to be mounded slightly to provide for future settlement. Care is to be taken in placing the backfill to ensure that big lumps of clay, large stones and chunks of frozen soil are not dropped on it.

At the outlet of the new tile, the Commissioner will supply and the Contractor will install a 12 foot length of 15 inch diameter corrugated steel pipe, in place of tile. This pipe is to be so located that it will freely discharge water from the tile drain into the open outlet. After installing this pipe, the Contractor will provide and attach to the end of it a removable wire mesh grating to prevent the entry of rodents into the tile.

At the upstream end of the new tile, the course of it is to be swung over to meet the course of the existing 12 inch tile and the new tile is to be connected to the existing tile. The Contractor will use care to

ensure that the connection of the new tile to the old tile is made in a neat and workmanlike manner and that it is properly supported so that it will not settle out of alignment or grade.

After the tile has been installed at the upper end of the work, the owner of the S $\frac{1}{2}$ E $\frac{1}{2}$ Lot 7 Concession 3 will be permitted to fill in the existing open ditch that is being replaced with tile and this open ditch will be considered abandoned. If, however, there is still a surface ditch above the tile through the N $\frac{1}{2}$ of Lot 7 and the S $\frac{1}{2}$ of Lot 8, the owner of the S $\frac{1}{2}$ of Lot 7 must retain enough surface ditch through his property to provide an outlet for water flowing in the surface ditch on the N $\frac{1}{2}$ of Lot 7 and the S $\frac{1}{2}$ of Lot 8. If he fills in the surface ditch on his property, he must make certain that the material used for this purpose is not allowed to wash out of this ditch into the newly dug drain on Lot 6.

SECTION 19

Chatham, Ontario,
September 23, 1969.



H. H. Todgham,

B.A.Sc., O.L.S., M.E.I.C.

GENERAL SPECIFICATION

FOR OPEN DRAINS

- (1) Tenders will be received and contracts awarded only in the form of a lump sum for the completion of the whole work or of specified sections thereof in accordance with the plan, profile and specification. No bid will be considered, nor will any contract be awarded, on the basis of classification or of unit prices. Contractors must estimate for themselves the quantity and value of the work required. They are expected to examine the locality and also the plan, profile and specification; they will be at liberty, before bidding, to examine any data in the possession of the Municipality or of the Engineer.
- (2) All the work included in any contract must be completed on or before the date fixed at the time of letting and must, at the time of completion and final inspection, be in first class condition and comply fully with the specification. Final inspection will be made by the Commissioner or Engineer within twenty days after the Commissioner has received notice in writing from the Contractor that the work is completed, or as soon thereafter as weather conditions permit.
- (3) Contractors will be held liable for any damage or expenses occasioned by their failure to complete the work on time and for any expenses of inspecting, superintending, reletting or restaking due to their neglect or failure to prosecute the work satisfactorily and for any damages occasioned by leaving fences open or by any negligence in carrying on the work. Any such expenses or damages may be deducted by the Commissioner from the amount of the contract or may be recovered by the Municipality from the Contractor and his sureties.

SECTION 1
GENERAL
CONDITIONS

- (1) Stakes are set one hundred feet apart along the course of the work, numbered consecutively, 0, 1, 2, 3, etc. The depths to which the drain is to be dug, as shown on the profile, are measured from the surface of the ground beside the stakes.
- (2) Contractors will be held responsible for the preservation of stakes in their original positions during the progress of the work and also for seeing that bench marks are not destroyed, defaced, or covered with excavated material.

SECTION 2
STAKES

- (1) Except where specified otherwise, the excavation will follow as nearly as possible the course of the existing drain. Wherever sharp or irregular bends occur, all sloping and widening is to be done on that side of the drain that will tend to flatten the bends and improve the flow of water in the drain.

SECTION 3
ALIGNMENT

(2) Where the drain is located next to the travelled part of any road or laneway, all sloping and widening is to be done on that side of the drain farthest from the roadway.

(3) Where one drain bank adjoins a fence line (except where the travelled part of a road or laneway adjoins the other bank) all required sloping and widening is to be done on that side of the drain farthest from the fence line, unless there is sufficient room between the ditch bank and the fence to permit widening on the fence side without disturbing the fence itself.

(4) The alignment of the finished work must be satisfactory to the Commissioner in charge.

(1) The excavation of the drain must be made at least to the depth intended by the grade line shown on the profile, which grade line is governed by the benchmarks. The profile shows, for the convenience of Contractors and others, the approximate depths from the surface of the ground at the points where the numbered stakes are set, as well as the amount of deepening required, as observed at the time of survey, but bench marks govern.

SECTION 4
PROFILE

(1) The bottom widths and the side slopes of the various sections of the finished drain are to be as shown on the profile. The sides of the excavation are to be sloped so that the top width of the finished excavation will exceed the bottom width by twice the slope times the depth, at all places.

SECTION 5
BOTTOM WIDTH
AND SIDE SLOPE

(2) Contractors will not be restricted to the exact dimensions specified but must excavate clear of the specified cross sections and may excavate such additional depth or width as may be required to accommodate the use of suitable excavating equipment or to allow for sediment or caving prior to final inspection, provided that at no place is the surface of the excavation to be steeper than the slope specified on the profile. The Contractor is not to excavate so much deeper than the grade line as to result in the formation of pockets in the drain bottom that will cause water to stand in pools along the drain.

(1) All brush, timber, logs, stumps, stones, or other obstructions in the course of the drain are to be removed by the Contractor. Timber, logs and stumps are to be dealt with in the same manner as specified for brush and trees. Large stones and similar materials are to be disposed of away from the site.

SECTION 6
OBSTRUCTIONS

SECTION 7
BRUSH AND TREE.

- (1) Where the existing bottom widths and side slopes of the drain are sufficient to permit the specified deepening of the drain without disturbing the existing banks above the present drain bottom, the Contractor will be required to cut the brush and trees on the sloping banks flush with the surface of the banks but he will not be required to remove their roots and stumps unless they will obviously create obstructions to the flow of water in the drain.
- (2) Where it is necessary to widen the drain and excavate material from the sloping bank, all brush and trees within the course of the drain are to be cut and those roots and stumps in the bottom of the drain and on the bank or banks where the widening takes place are to be removed.
- (3) Throughout the length of the work, the Contractor will cut off flush with the ground surface all brush and trees having a diameter less than 6 inches, within 10 feet of the top edge of the finished drain banks and within the disposal area covered by the excavated material. Where there is a fence adjoining the drain, he will be required to cut the brush on the opposite side of the fence only if excavated material is to be placed there.
- (4) Should the Contractor find it necessary to remove trees other than those specified above, in order to permit the excavation of the drain or the disposal of material, he will be at liberty to do so only on permission of the Commissioner in charge.
- (5) All trees over 8 inches in diameter that are cut are to be trimmed of branches and the trunks, along with the branches over 8 inches in diameter are to be cut up into log lengths and piled for the use of the adjoining owner unless the owner advises the Commissioner he does not want them, in which case they are to be disposed of by the Contractor along with the other brush. Small branches and limbs are to be disposed of by the Contractor along with the other brush. Tree stumps are to be burned by the Contractor if he so desires or are to be disposed of by him away from the site of the work.
- (6) Following completion of the work, the Contractor is to trim up any broken or damaged limbs on trees which remain standing, disposing of the branches cut off along with the other brush and leaving the trees in a neat and tidy condition.
- (7) Brush and trees removed from the drain and banks thereof and from the disposal area are to be burned by the Contractor.

- (8) Since the trees and brush that are cut off flush with the earth surface may sprout new growth later, it is strongly recommended that the Township make arrangements for spraying this new growth at the appropriate time so as to kill the trees and brush and prevent them from forming obstructions in the drain and on the banks.
- (1) Where a part of the drain is being relocated, the Contractor will strip the topsoil from the new course and stockpile it for re-use. Subsoil excavated from the new course is to be used first of all to fill the existing course which is being abandoned. Where the Contractor can conveniently do so, he may deposit the material in the old course as he excavates it from the new course but where the distance separating the new course from the old course is too great to permit this, he shall move the material to the old course with trucks. He will pack the material as much as is reasonably possible considering the equipment he is using but he need not carry out any special compaction procedures. Where there is more than enough material to fill the old course, the Contractor is to mound up the excavated material slightly to allow for settlement and he is then to bring the surface of the excavated material to a reasonably smooth and uniform contour. Where there is insufficient material to fill the old course, he is to grade the surface of the material so as to eliminate any holes that would collect water.
- (2) Material not required to fill the part of the existing course that is being abandoned and material excavated from the remainder of the drain is to be deposited on the immediately adjoining farm lands, in the locations and over the widths set out in the Special Specifications. It is to be kept at least 6 feet clear of the top edge of the drain and 3 feet clear of all fences and, beyond these distances, it is to be placed as evenly as is conveniently possible in view of the type of excavating equipment used.
- (3) Where the disposal area is in bush land, the excavated material may be placed in the form of a spoil bank rather than being spread over the width specified. In this case, it is not to be deposited on top of any existing spoil bank but, rather, it is to be placed on the natural ground on the side of the existing spoil bank farthest from the drain. The material is to be shaped to reasonably uniform contours and the top of the spoil bank is to be not over 2 feet above natural ground level.
- (4) Where the adjoining land is sufficiently clear to permit cultivation, the excavated material is to be further levelled by bulldozer or other suitable means sufficiently to permit cultivation.

SECTION 8
DISPOSAL OF
MATERIAL

- (5) After the excavated material has been levelled any stockpiled topsoil is to be spread over it and the adjoining land to a depth of not over 4 inches.
- (6) No excavated material is to be placed on lawns or ornamental shrubbery but is to be deposited on either side, on the lands of the same owner.
- (7) In no case is the topsoil or any excavated material to be deposited in ditches, tiles, or depressions intended to conduct water into the drain.
- (8) The Commissioner in charge will be the sole judge as to the proper disposal of material under the contract and this specification.

- (1) Where the Contractor finds it necessary to remove any fences in order to permit the excavation of the drain or the disposal of material, he will handle the fencing carefully. Unless otherwise specified, the Contractor will be required to re-construct the fences following the completion of the work of excavation and levelling in as good a condition as that in which they are found or as the old material permits.

SECTION 9
FENCES

- (2) Except as hereafter specified the Contractor is not to leave any fences open when he is not at work in the immediate vicinity. Where it is necessary to remove a fence paralleling the drain to excavate the drain or dispose of material, the Contractor is not to take it down more than 1 week before he starts work in that field and he is to replace it within 2 weeks after he finishes work there. The landowners and not the Contractor will then be responsible for the control of livestock in the adjoining fields, so long as the Contractor adheres to these time limits.
- (3) Any fences that are constructed or re-constructed along the course of the drain are to be kept at least 3 feet clear of the top edge of the drain bank.

- (1) Where the drain crosses the travelled part of a road through a bridge, the Contractor will excavate the drain to its specified dimensions through the bridge opening, using care to avoid damaging it.

SECTION 10
ROAD CROSSINGS

- (2) Where a new bridge is required, it is to be built by the Road Authority at its own expense.
- (3) Where the drain crosses the travelled part of a road through a pipe that does not have to be replaced or lowered, the Contractor will clean the pipe to its full cross-sectional area using care to avoid damaging it.

- 4) Where the existing pipe is of sufficient size and is in a good state of repair, but requires to be lowered, the Contractor will carefully remove it, clean it to its full cross-sectional area, and replace it in the drain at the proper elevation.
- (5) Where the existing pipe must be replaced, the Contractor will carefully remove it from the drain, clean it to its full cross-sectional area, and leave it beside the drain for removal by the Road Authority. He will then install the new culvert supplied by the Road Authority.
- (6) Under roadways, new pipes and those that are lowered are to be set with their inverts 4 inches below the grade line when the pipe is 42 inches in diameter or less and 6 inches below when it is over 42 inches in diameter.
- (7) Trenches across roadways are to be backfilled with compactable granular material supplied by the Road Authority.
- (8) The Contractor will notify the Road Authority at least 3 working days before starting work on any road crossing.
- (1) Where a farm or access bridge or pipe does not have to be replaced or lowered, the Contractor will clean it to its full cross-sectional area using care to avoid damaging it.
- (2) Where the culvert is a pipe that must be lowered, the Contractor will carefully remove it, clean it to its full cross-sectional diameter, and replace it in the drain with its invert 4 inches below the grade line.
- (3) Where a wooden bridge or pipe must be replaced, the Contractor will remove it, handling the material carefully and leaving it piled beside the drain for disposal or reuse by the owners. Where a concrete bridge must be replaced, the Contractor will remove it, disposing of the material away from the site. If a new pipe is to be installed, it will be supplied by the Commissioner at the site, at the expense of the drain. The Contractor will then install it with its invert 4 inches below the grade line.
- (4) The Contractor will backfill around each pipe either with compactable granular material supplied by the Commissioner at the expense of the drain or with material excavated from the drain, as directed by the Commissioner.
- (5) Where a new culvert is to be installed, the owner may request the Commissioner to have it placed in a different location from the existing one and this will be permitted so long as the relocation does not result in an increase in the area draining through the culvert. Adequate notice

SECTION 11
FARM AND
ACCESS CULVERT

of the change must be given to the Contractor. In no case may the existing culvert be left in the drain when it has been specified that it is to be removed.

- (6) Should the owner wish to construct timber head walls, he may do so but both the construction and maintenance of such head walls will be the responsibility of the owner concerned and not of the drain.
- (1) The Commissioner will supply to the Contractor the corrugated pipe in lengths of approximately 20 feet (with couplers, where required), in a prefabricated condition. The cost of such prefabrication will be charged as part of the cost of the drain. Any further fabricating or connecting will be the Contractor's responsibility. SECTION 12
PIPE CULVERT
INSTALLATION
- (2) Pipe culverts will be supplied on trucks and are to be unloaded, installed & backfilled by the Contractor as part of his work.
- (3) Following the placing of the pipe, the Contractor will backfill around it, placing and compacting the backfill material in 9 inch layers, equally on each side of the pipe up to the level of the adjoining ground. At the ends of the pipe, the backfill material is to be sloped 1½ feet horizontally to 1 foot vertically. Where clay material is readily available, the ends of the backfill are to be covered with clay to minimize erosion.
- (1) Before commencing work, the Contractor will investigate the location of any and all railways, utility lines, wires, pipes, poles, towers or cables which may interfere with the excavation of the drain. He will take all necessary steps to avoid damaging these and should any damage result to them from his operations, he will be completely responsible for these damages, and will save harmless the Township and the Engineer from any legal actions which may arise as a result of such damage. SECTION 13
UTILITIES,
RAILWAYS, ETC
- (2) If permits are required to allow the work to be carried out on or adjacent to any utilities, pipelines, railways, etc., the Contractor shall obtain these at his own expense.
- (3) All work on or adjacent to any utility, pipeline, railway, etc., is to be carried out in accordance with the requirements of the utility, pipeline, railway, or other, as the case may be, and its specifications for such work are to be followed as if they were part of this specification.
- (1) Where the Contractor is working on or adjoining a travelled roadway, he will erect the necessary barricades to protect the travelling public against accident and he shall keep these lighted from dusk to dawn. When he is installing a road crossing, he will arrange for the detouring of SECTION 14
PROTECTION
OF PUBLIC

traffic around the construction site. The Contractor will use all reasonable means to avoid damage claims as a result of his carelessness or negligence and, should any claims arise, he will save harmless the Township and the Engineer from any legal actions resulting from them.

- (1) On completion of his work, the Contractor will clean up the site, removing all debris and waste materials and leaving the site in a neat and tidy condition. SECTION 15
CLEAN-UP

- (1) Where the word "Commissioner" is used in this specification, it shall mean the person or persons appointed by the Council of the Township having jurisdiction, to superintend the work. SECTION 16
COMMISSIONER

- (2) The Commissioner will be permitted to make minor variations in the work so long as these variations will result in either a more satisfactory drain or a more economical one. These variations, however, must not be such as to change the intent of the work to be performed nor are they to reduce the standard of quality.

- (1) The part of the Specification headed "Special Provisions" which is attached hereto forms part of this Specification and is to be read with it. Where there is any difference between the requirements of this General Specification and those of the Special Provisions, the Special Provisions shall govern. SECTION 17
SPECIAL
PROVISIONS

TODGHAM AND CASE LIMITED,
CONSULTING ENGINEERS,
151 THAMES STREET,
CHATHAM, ONTARIO.

By Law Number 597-69

A By Law to provide for drainage work in the Township of Zone in the County of Kent and for borrowing on the credit of the Municipality the sum of Seven Thousand Five Hundred Dollars for completing the same.

Provisionally adopted the 19th. day of November, 1969.

ENGINEER'S REPORT

FACEY DRAIN -- EAST BRANCH
TOWNSHIP OF ZONE

TODGHAM & CASE LIMITED,
CONSULTING ENGINEERS.

TODGHAM AND CASE LIMITED
CONSULTING CIVIL ENGINEERS

181 TRAFALGAR STREET
CHATHAM, ONTARIO

HERBERT H. TODGHAM
O.A.C.E., O.L.S., P.ENG.

POST OFFICE BOX 256
TELEPHONE 292-0600

C. WILLIAM CASE
M.A.S.E., P.ENG.

September 23rd, 1969.

To the Reeve and Council
of the Township of Zone.

Re: East Branch of Facey Drain.

Gentlemen:

In compliance with your instructions we have made an examination and survey of the East Branch of the Facey Drain, beginning at its outlet into the Main part of the Facey Drain on the N $\frac{1}{2}$ of Lot 3, Concession 3 and continuing upstream to the outlet end of the tile part of the drain near the centre of the S $\frac{1}{2}$ E $\frac{1}{2}$ of Lot 7, Concession 3. From this point, upstream to the head of the drain at the west side of the 3-4 Concession Road, it appears that the existing tile is in good condition and nothing further is required.

The last work on the East Branch of the Facey Drain appears to have been carried out under a report by E. C. Brisco, Jr., dated January 15, 1963. That report provided for a nominal cleanout which was apparently considered sufficient at that time. Since then, the drain has become somewhat grown up with weeds and brush but, more important, some of the owners along the drain now want to improve the drainage of their lands. In order to do this, a better outlet is required through this East Branch of the Facey

Drain and to provide this, substantial deepening will have to be carried out. In addition, the owner of the S $\frac{1}{2}$ E $\frac{1}{2}$ Lot 7, Concession 3 is anxious to have the open ditch completely enclosed through this property in order to make the farming operation more efficient.

As a result of our examination and survey, we recommend that the East Branch of the Facey Drain be deepened by varying amounts from about 1 $\frac{1}{2}$ feet to 2 $\frac{1}{2}$ feet from the line between Lots 6 and 7, downstream to the outlet in the Main Drain; further, we recommend that the open part of the East Branch on the S $\frac{1}{2}$ E $\frac{1}{2}$ of Lot 7, Concession 3 be enclosed by installing tile from the end of the existing tile to the fence marking the line between Lots 6 and 7. Attached to this report and labeled "Schedule C" is our Drawing No. 68070-1A which is a plan showing the location of the proposed work marked in red and the lands affected by it outlined in green. Also attached and marked "Schedule D" is Drawing No. 68070-2A which is a profile for the work that we recommend. Attached and marked "Schedule B" is a Specification setting out the dimensions, grades, disposal of material and other particulars of the work.

In general terms, the proposed work involves the deepening of the existing drain as already outlined, together with the necessary widening to accomplish this. In addition, the part of the open drain on Lot 7 is to be enclosed with 14 inch tile. Road, railway and farm culverts are to be cleaned or replaced, as required.

In accordance with Section 8 (1) of The Drainage Act, 1962-63, we determine the amounts to be paid to the owners of the adjoining lands for damages to lands and crops (if any) occasioned by the disposal of material to be as shown in the following schedule:

SCHEDULE OF ALLOWANCES

<u>Con.</u>	<u>Lot or Part</u>	<u>Owner</u>	<u>Damages</u>
3	N $\frac{1}{2}$ 3	Ken & Doug Rose	\$ 40.00
	Pt. E of Rwy. 4	K. & D. Rose	150.00
	Pt. W of Rwy. 5	Director Veterans Land Act	85.00
	S $\frac{1}{2}$ E $\frac{1}{2}$ ex. Rwy. 6	Martin Stacho	70.00
	N $\frac{1}{2}$ ex. SW cor. 6	Earl Benjamin Est.	40.00
	S $\frac{1}{2}$ E $\frac{1}{2}$ 7	Cleata Elliott	<u>10.00</u>
			<u>\$395.00</u>

We estimate the cost of the work that we recommend, together with the expenses incidental thereto, to be as follows:

3050 Cu. Yds. of Excavation and Levelling	\$4450.00
Farm Culverts	650.00
484 lineal feet 14" diameter field tile	700.00
12 lineal feet 15" diameter C.S.P.	25.00
Allowances under Section 8	395.00
Survey, Plans, Report and Inspection	685.00
Assistance and Expenses	120.00
Bylaw	90.00
Clerk's Fees	100.00
Letting and Superintending	260.00
Municipal Board Fees	<u>25.00</u>
	<u>\$7500.00</u>

We assess the above estimated cost against the lands and roads as shown in the attached Schedule of Assessment labeled "Schedule A".

In addition to the work provided for in the above estimate and in the schedule of assessment, it may be necessary to extend the existing culvert where the drain crosses the road between Lots 5 and 6. If this is required, the Township Road Authorities will supply the necessary corrugated pipe and couplers for installation by the Contractor.

Under the provisions of The Railways Act, the Canadian Pacific Railway has the option of carrying out the work on its property. Should the Railway wish to exercise this option, it must so advise the Township by the time the Bylaw is finally passed and this work will then be eliminated from the Excavation Contract. If the Railway elects to excavate the open ditch on its property and clean the Railway culvert, the Township will pay it \$130 for this work.

After completion the East Branch of the Facey Drain from its outlet into the Main Drain, upstream to the centre of the S $\frac{1}{2}$ of Lot 7 Concession 3 (including the farm culverts referred to in the Specification) is to be maintained by the Township of Zone at the expense of the lands and roads herein assessed and in the same relative proportions subject, of course, to any variations that may be made under the authority of The Drainage Act, 1962-63.

Since most of the privately-owned lands are used for

agricultural purposes, and since no lateral drains are involved, we recommend that application be made to the Minister of Municipal Affairs in accordance with Section 63 of The Drainage Act, 1962-63, for a grant payable under Section 61 of this Act, as well as for all other grants for which this work may be eligible.

Respectfully submitted,

H. H. Tedghan,

B.A.Sc., O.L.S., M.E.I.C.

HHT:lo

"SCHEDULE A"

SCHEDULE OF ASSESSMENT
FACEY DRAIN EAST BRANCH
TOWNSHIP OF ZONE

1. PUBLICLY-OWNED LANDS:

(111) Municipal:

	<u>Owner</u>	<u>Benefit</u>	<u>Outlet</u>
3-4 Concession Road	Township of Zone	-	\$ 91.00
5-6 Sideroad	Township of Zone	\$ 200.00	<u>78.00</u>
Total on Publicly-owned Municipal Lands		\$ 200.00	\$ 169.00

2. PRIVATELY-OWNED LANDS:

(i) Not used for agricultural purposes:

<u>Con.</u>	<u>Lot or Part</u>	<u>Owner</u>	<u>Benefit</u>	<u>Outlet</u>
3	Pt. Lots 3, 4 & 5	Canadian Pacific Railway	\$ 75.00	\$ 55.00

(ii) Used for agricultural purposes:

<u>Con.</u>	<u>Lot or Part</u>	<u>Acres Affected</u>	<u>Owner</u>	<u>Benefit</u>	<u>Outlet</u>
3	N $\frac{1}{2}$	3	15 Ken & Doug Rose	\$ 200.00	\$ 9.00
	E $\frac{1}{2}$	4	40 Snobelen Est.	75.00	160.00
	Pt. E of Rwy. 4	43	43 K. & D. Rose	450.00	131.00
	Pt. W of Rwy. 4	30	30 Harvey Shaw	175.00	90.00
	Pt. E of Rwy. 5	30	30 S. A. Lister	75.00	195.00
	Pt. W of Rwy. 5	63	63 Director Veterans Land Act	800.00	495.00
	S $\frac{1}{2}$ E $\frac{1}{2}$ ex. Rwy. 6	40	40 Martin Stacho	500.00	415.00
	N $\frac{1}{2}$ ex. SW cor. 6	35	35 Earl Benjamin Est.	500.00	433.00
	S $\frac{1}{2}$ E $\frac{1}{2}$	7	35 Cleata Elliott	700.00	533.00
	N $\frac{1}{2}$ E $\frac{1}{2}$	7	40 Martin Stacho	-	608.00
	S $\frac{1}{2}$ E $\frac{1}{2}$	8	20 Martin Stacho	-	305.00
4	W $\frac{1}{2}$	8	10 George Case	-	<u>152.00</u>
Total on Privately-owned agricultural lands . .				\$3475.00	\$3526.00

	<u>Benefit</u>	<u>Outlet</u>
TOTAL ASSESSMENT.	\$3750.00	\$3750.00

ESTIMATED AMOUNT OF GRANTS:

- | | |
|--|------------------|
| 1. Under Section 61 of The Drainage Act, 1952-63 | \$2333.66 |
| 2. Agricultural Drainage Assistance in Ontario | <u>\$2333.66</u> |
| | \$4667.32 |

Chatham, Ontario,

September 23, 1969.

H. H. Todgham,

D.A.Sc., O.L.S., M.E.I.C.

"SCHEDULE B"

SPECIFICATION FOR THE REPAIR AND IMPROVEMENT
OF PART OF THE EAST BRANCH OF THE FACEY DRAIN
IN THE TOWNSHIP OF ZONE

This specification and the report, plan and profile bearing the same date, apply to and govern the repair and improvement of 8346 lineal feet of open drain by means of deepening and widening 8050 feet of it and enclosing 496 feet in tile. Included in this work will be the lowering or replacement of existing culverts and the cleaning of the existing Railway culvert.

DESCRIPTION
OF WORK

The General Specification for Open Drains attached hereto is part of "Schedule B". It also forms part of this specification and is to be read with it but where there is a difference between the requirements of the General Specification and those of the Special Provisions which follow, the Special Provisions shall govern. The section numbers shown in the Special Provisions which follow refer to the sections having the same numbers contained in the General Specification.

GENERAL
SPECIFICATION

SPECIAL PROVISIONS

The course of the work will follow the course of the existing open ditch except where tile is to be installed on the S½ of Lot 7, Concession 3. Here the Contractor will install the tile on one side or the other of the existing ditch, as directed by the

SECTION 3
ALIGNMENT

Commissioner in charge, rather than in the course of the drain itself. At the upstream end, he will swing the new tile over so that it may be connected into the outlet end of the existing tile.

The Contractor will be required to cut and pile the brush and trees but not to burn them.

SECTION 7
BRUSH AND TREES

Throughout the length of the work the material excavated from the drain is to be placed on either or both sides of the drain as directed by the Commissioner in charge. Where the disposal area is located in bush, the excavated material is to be spread over at least the width of the strip that has been cleared to permit the operation of the excavating equipment but in no case is the top surface to be more than 2 feet above natural ground level and it is to be spread and shaped to reasonably smooth uniform contours. Where the disposal area is on land that is sufficiently clear to permit cultivation, the excavated material is to be deposited and spread over a width of not less than 75 feet from Station 0 to Station 44 and over a width of not less than 50 feet from Station 44 to Station 60+50 at the head of the open part of the drain.

SECTION 9
DISPOSAL OF
MATERIAL

Where the drain crosses the Sideroad between Lots 5 and 6, the Contractor will remove the existing 36 foot length of 36 inch corrugated steel pipe, clean it to its full cross sectional area and re-install it

SECTION 10
ROAD CROSSING

at the proper elevation. Should the Township Road Authorities wish to have this culvert extended, they will supply the necessary pipe and couplers for this purpose and these are to be installed by the Contractor as part of his work.

At Station 0+25, the Contractor will remove the existing old wooden bridge and leave the material neatly piled beside the drain for disposal by the owner.

SECTION 11
FARM CULVERTS

At Station 0+50, the Contractor will remove the existing 48 inch concrete pipe, clean it to its full cross sectional area and leave it beside the drain for disposal by the owner. In its place he will install a 54 inch corrugated steel pipe (12 gauge) 36 feet long supplied by the Commissioner.

At Station 32+15, the Contractor will excavate the drain to its specified dimensions through the existing concrete Railway culvert, taking care to avoid causing damage to the structure.

At Station 62+75, the Contractor will remove the old wooden farm bridge, leaving the material from it neatly piled beside the drain for disposal by the owner. In its place he will install a new 36 inch corrugated steel pipe (14 gauge) 32 feet long supplied by the Commissioner.

Canadian Pacific Railway - As specified under Section 12, the Contractor will excavate the drain to

SECTION 13
UTILITIES,
RAILWAYS, ETC.

its required dimensions through the existing concrete culvert beneath the Railway. If it appears to the Commissioner that excavating the drain to the required depth will result in undermining the culvert footings, he will advise the Railway, at once, and it will become the responsibility of the Railway to carry out whatever underpinning may be necessary to protect its culvert.

The Municipality will enter into a contract with a tiling contractor to install the tile from Station 80+50 to Station 85+66 unless this is specifically made part of the excavation contract. All tile is to be furnished at the site of the work by the Municipality and its cost charged as part of the cost of the drain. It is to be first class agricultural tile, either clay or cement and cracked, chipped or uneven tile will not be acceptable and are to be discarded by the Contractor.

SECTION 18
TILE DRAIN

The tile must be laid with close joints and in regular grade and alignment, the invert of the tile conforming to the grade line of the profile. The Contractors must keep the tile free from earth or sediment during the progress of the work. Should quicksand be encountered, the joints of the tile are to be wrapped with polyethylene sheeting or with a fibreglass wrapping material made for this purpose. All drainage tiles intersected by the new tile are to be properly

connected into it and the joints are to be mortared tight.

As the laying of the tile progresses, a sufficient amount of backfill material is to be placed at the sides and on top of the tile to hold it in place, using sods for this purpose if conveniently available. After the laying of tile has been inspected by the Commissioner, additional filling is to be made up to the surface of the ground. The backfill material in the trench is to be mounded slightly to provide for future settlement. Care is to be taken in placing the backfill to ensure that big lumps of clay, large stones and chunks of frozen soil are not dropped on it.

At the outlet of the new tile, the Commissioner will supply and the Contractor will install a 12 foot length of 15 inch diameter corrugated steel pipe, in place of tile. This pipe is to be so located that it will freely discharge water from the tile drain into the open outlet. After installing this pipe, the Contractor will provide and attach to the end of it a removable wire mesh grating to prevent the entry of rodents into the tile.

At the upstream end of the new tile, the course of it is to be swung over to meet the course of the existing 12 inch tile and the new tile is to be connected to the existing tile. The Contractor will use care to

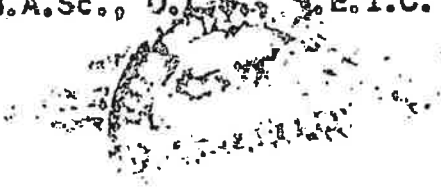
ensure that the connection of the new tile to the old tile is made in a neat and workmanlike manner and that it is properly supported so that it will not settle out of alignment or grade.

After the tile has been installed at the upper end of the work, the owner of the ~~S $\frac{1}{2}$~~ Lot 7 Concession 3 will be permitted to fill in the existing open ditch that is being replaced with tile and this open ditch will be considered abandoned. If, however, there is still a surface ditch above the tile through the N $\frac{1}{2}$ of Lot 7 and the S $\frac{1}{2}$ of Lot 8, the owner of the S $\frac{1}{2}$ of Lot 7 must retain enough surface ditch through his property to provide an outlet for water flowing in the surface ditch on the N $\frac{1}{2}$ of Lot 7 and the S $\frac{1}{2}$ of Lot 8. If he fills in the surface ditch on his property, he must make certain that the material used for this purpose is not allowed to wash out of this ditch into the newly dug drain on Lot 6.

SECTION 19

Chatham, Ontario,
September 23, 1969.

H. H. Todghan,
B.A.Sc., O.I.S., U.E.I.C.



And whereas the Council is of the opinion that the drainage of the area described is desirable:

Therefore the Council of the Township of Zone, pursuant to the provisions of the Drainage Acts, enacts as follows:-

1. The report is hereby adopted and the drainage works as therein indicated and set forth are hereby adopted and shall be completed in accordance therewith.
2. The Corporation of the Township of Zone may borrow on the credit of the Corporation the sum of Seven Thousand, Five Hundred and Dollars being the funds necessary for the drainage works not otherwise provided for, and such sum shall be reduced by the amount of grants and commuted payments with respect to lands and roads assessed and may issue debentures payable within 3 years from the date of such debentures with interest at the rate of nine per cent per annum, such debentures to be made payable at the Bank of Montreal in the Town of Bothwell.
3. For paying the sum of Three Thousand Four Hundred and Seventy - Five Dollars the amount charged against such lands of the Municipality for benefit and the sum of Three Thousand, Five Hundred and Twenty - Six Dollars the amount charged against such lands of the Municipality for outlet liability and for covering interest thereon for 3 years at nine per cent per annum, the total special rates over and above all other rates shall be assessed, levied and collected (in the same manner and at the same time as other taxes are levied and collected) upon and from the under-mentioned lots and parts of lots and the amounts of the total special rates and interest against each parcel or part of parcel respectively, shall be divided into three equal parts and one such part shall be levied and collected as aforesaid in each year for 3 years after the final passing of this By Law during which the said debentures have to run, provided that no greater amount shall be levied than is required after taking into account and crediting the amount of grants under Section 61, Sub.Sec.1 of the Drainage Acts and commuted payments with respect to lands and roads assessed.
4. For paying the sum of Three Hundred and Sixty - Nine Dollars the amount assessed against the lands and roads of the Municipality.
5. For Paying the sum of One Hundred and Thirty the amount assessed against the Canadian Pacific Railway.

SCHEDULE OF ASSESSMENT

FACEY DRAIN EAST BRANCH

TOWNSHIP OF ZONE 1969

<u>CON.</u>	<u>LOT OR PART</u>	<u>OWNER</u>	<u>ASS'T</u>	<u>GRANT</u>	<u>NET</u>	<u>INT.</u>	<u>TOT.</u>	<u>ANN.</u>	<u>PAY</u>
3	N $\frac{1}{2}$	3 K&D Rose	209.00	139.33	69.67	12.89	82/56		27.52
	E $\frac{1}{2}$	4 Snobelen Est.	235.00	156.67	78.33	14.49	92.82		30.94
	pt. E of Ry	4 K&D Rose	581.00	387.33	193.67	35.86	229.53		76.51
	pt. W of Ry	4 H Shaw	265.00	176.67	88.33	16.37	104.70		34.90
	pt. E of Ry	5 S Lister	270.00	180.00	90.00	16.65	106.65		35.55
	pt W of Ry	5 V. L. A.	1295.00	863.33	431.67	79.92	511.59		170.53
	S $\frac{1}{2}$ E $\frac{1}{2}$	6 M. Stacho	915.00	610.00	305.00	56.47	361.47		120.49
	N $\frac{1}{2}$	6 Benjamin Est.	933.00	622.00	311.00	57.58	368.58		122.86
	S $\frac{1}{2}$ E $\frac{1}{2}$	7 G. Elliott	1233.00	822.00	411.00	76.11	487.11		162.37
	N $\frac{1}{2}$ E $\frac{1}{2}$	7 M. Stacho	608.00	405.33	202.67	37.54	240.21		80.07
	S $\frac{1}{2}$ E $\frac{1}{2}$	8 M. Stach	305.00	203.33	101.67	18.84	120.51		40.17
4	W $\frac{1}{2}$	8 George. Case	152.00	101.33	50.67	9.39	60.06		20.02

Total on Lands: 7,001.00 4,667.32 2,333.68 432.11 2,765.79 921.93

3 pt. 3,4,85 C. P. R. 130.00

Roads Twp. of Zone 369.00

TOTAL ASSESSMENT: 7,500.00

6. This By Law shall be printed and a copy mailed to each ratepayer on the said drain and shall come into force and take effect upon and after the final passing thereof and may be cited as the Facey Drain East Branch By Law 1969.

RICHARD BUCKENHAM

REEVE

M A BODKIN CLERK

I, Aileen Bodkin, Clerk of the Township of Zone do hereby certify that the above is a true copy of By Law 597 - 69, provisionally adopted the 19th. day of November 1969 and finally passed the _____ day of _____ 1969.

Aileen Bodkin - Clerk

NOTICE

Notice is hereby given that a Court of Revision will be held at the Zone Township Community Centre on *Mon. Dec. 15* at 9 P.M. for the hearing of complaints and appeals made against the above assessments or any part thereof, in manner provided for by the Drainage Acts, a notice of such complaint or appeal must be served on the Clerk of the Municipality at least ten days before the first sitting of said Court of Revision.

AND FURTHER NOTICE is hereby given that anyone intending to appeal to have said By-Law or any part thereof quashed, must not later than 10 days after the final passing thereof, serve a notice upon the Reeve and Clerk of the Municipality of his intentions to make application for that purpose to the Drainage Referee, during the six weeks ensuing the final passing of this By Law.

AILEEN BODKIN, CLERK OF ZONE
TOWNSHIP.

By Law Number 597-69

A By Law to provide for drainage work in the Township of Zone in the County of Kent and for borrowing on the credit of the Municipality the sum of Seven Thousand Five Hundred Dollars for completing the same.

Provisionally adopted the 19th. day of November, 1969.

ENGINEER'S REPORT

FACEY DRAIN - EAST BRANCH
TOWNSHIP OF ZONE

TODGHAM & CASE LIMITED,
CONSULTING ENGINEERS.

TODGHAM AND CASE LIMITED
CONSULTING CIVIL ENGINEERS

159 TRAMER STREET
CHATHAM, ONTARIO

HERBERT M. TODGHAM
P.E., O.E., P.E.N.C.

POST OFFICE BOX 258
TELEPHONE 224-0200

G. WILLIAM CASE
P.E., P.E.N.C.

September 23rd, 1969.

To the Reeve and Council
of the Township of Zone.

Re: East Branch of Facey Drain.

Gentlemen:

In compliance with your instructions we have made an examination and survey of the East Branch of the Facey Drain, beginning at its outlet into the Main part of the Facey Drain on the N $\frac{1}{2}$ of Lot 3, Concession 3 and continuing upstream to the outlet end of the tile part of the drain near the centre of the S $\frac{1}{2}$ E $\frac{1}{2}$ of Lot 7, Concession 3. From this point, upstream to the head of the drain at the west side of the 3-4 Concession Road, it appears that the existing tile is in good condition and nothing further is required.

The last work on the East Branch of the Facey Drain appears to have been carried out under a report by E. C. Brisco, Jr., dated January 15, 1963. That report provided for a nominal cleanout which was apparently considered sufficient at that time. Since then, the drain has become somewhat grown up with weeds and brush but, more important, some of the owners along the drain now want to improve the drainage of their lands. In order to do this, a better outlet is required through this East Branch of the Facey

Drain and to provide this, substantial deepening will have to be carried out. In addition, the owner of the S $\frac{1}{2}$ E $\frac{1}{2}$ Lot 7, Concession 3 is anxious to have the open ditch completely enclosed through this property in order to make the farming operation more efficient.

As a result of our examination and survey, we recommend that the East Branch of the Facey Drain be deepened by varying amounts from about 1 $\frac{1}{2}$ feet to 2 $\frac{1}{2}$ feet from the line between Lots 6 and 7, downstream to the outlet in the Main Drain; further, we recommend that the open part of the East Branch on the S $\frac{1}{2}$ E $\frac{1}{2}$ of Lot 7, Concession 3 be enclosed by installing tile from the end of the existing tile to the fence marking the line between Lots 6 and 7. Attached to this report and labeled "Schedule C" is our Drawing No. 68070-1A which is a plan showing the location of the proposed work marked in red and the lands affected by it outlined in green. Also attached and marked "Schedule D" is Drawing No. 68070-2A which is a profile for the work that we recommend. Attached and marked "Schedule B" is a Specification setting out the dimensions, grades, disposal of material and other particulars of the work.

In general terms, the proposed work involves the deepening of the existing drain as already outlined, together with the necessary widening to accomplish this. In addition, the part of the open drain on Lot 7 is to be enclosed with 14 inch

In accordance with Section 8 (1) of The Drainage Act, 1962-63, we determine the amounts to be paid to the owners of the adjoining lands for damages to lands and crops (if any) occasioned by the disposal of material to be as shown in the following schedule:

SCHEDULE OF ALLOWANCES

<u>Con.</u>	<u>Lot or Part</u>	<u>Owner</u>	<u>Damages</u>
3	N $\frac{1}{2}$ 3	Ken & Doug Rose	\$ 40.00
	Pt. E of Rwy. 4	K. & D. Rose	150.00
	Pt. W of Rwy. 5	Director Veterans Land Act	85.00
	S $\frac{1}{2}$ E $\frac{1}{2}$ ex. Rwy. 6	Martin Stacho	70.00
	N $\frac{1}{2}$ ex. SW cor. 6	Earl Benjamin Est.	40.00
	S $\frac{1}{2}$ E $\frac{1}{2}$ 7	Cleata Elliott	<u>10.00</u>
			<u>\$395.00</u>

We estimate the cost of the work that we recommend, together with the expenses incidental thereto, to be as follows:

8050 Cu. Yds. of Excavation and Levelling	\$4450.00
Farm Culverts	650.00
484 lineal feet 14" diameter field tile	700.00
12 lineal feet 15" diameter C.S.P.	25.00
Allowances under Section 8	395.00
Survey, Plans, Report and Inspection	685.00
Assistance and Expenses	120.00
Bylaw	90.00
Clerk's Fees	100.00
Letting and Superintending	260.00
Municipal Board Fees	<u>25.00</u>
	<u>\$7500.00</u>

We assess the above estimated cost against the lands and roads as shown in the attached Schedule of Assessment labeled "Schedule A".

In addition to the work provided for in the above estimate and in the schedule of assessment, it may be necessary to extend the existing culvert where the drain crosses the road between Lots 5 and 6. If this is required, the Township Road Authorities will supply the necessary corrugated pipe and couplers for installation by the Contractor.

Under the provisions of The Railways Act, the Canadian Pacific Railway has the option of carrying out the work on its property. Should the Railway wish to exercise this option, it must so advise the Township by the time the Bylaw is finally passed and this work will then be eliminated from the Excavation Contract. If the Railway elects to excavate the open ditch on its property and clean the Railway culvert, the Township will pay it \$130 for this work.

After completion the East Branch of the Facey Drain from its outlet into the Main Drain, upstream to the centre of the S $\frac{1}{2}$ of Lot 7 Concession 3 (including the farm culverts referred to in the Specification) is to be maintained by the Township of Zone at the expense of the lands and roads herein assessed and in the same relative proportions subject, of course, to any variations that may be made under the authority of The Drainage Act, 1962-63.

Since most of the privately-owned lands are used for

agricultural purposes, and since no lateral drains are involved, we recommend that application be made to the Minister of Municipal Affairs in accordance with Section 63 of The Drainage Act, 1962-63, for a grant payable under Section 61 of this Act, as well as for all other grants for which this work may be eligible.

Respectfully submitted;

M. H. Todghan,

B.A.Sc., O.L.S., M.E.I.C.

HHT:lc



"SCHEDULE A"
 SCHEDULE OF ASSESSMENT
 FACEY DRAIN EAST BRANCH
 TOWNSHIP OF ZONE

1. PUBLICLY-OWNED LANDS:

(iii) Municipal:

	<u>Owner</u>	<u>Benefit</u>	<u>Outlet</u>
3-4 Concession Road	Township of Zone	-	\$ 91.00
5-6 Sideroad	Township of Zone	\$ 200.00	78.00
Total on Publicly-owned Municipal Lands		\$ 200.00	\$ 169.00

2. PRIVATELY-OWNED LANDS:

(i) Not used for agricultural purposes:

<u>Con.</u>	<u>Lot or Part</u>	<u>Owner</u>	<u>Benefit</u>	<u>Outlet</u>
3	Pt. Lots 3, 4 & 5	Canadian Pacific Railway	\$ 75.00	\$ 55.00

(ii) Used for agricultural purposes:

<u>Con.</u>	<u>Lot or Part</u>	<u>Acres Affected</u>	<u>Owner</u>	<u>Benefit</u>	<u>Outlet</u>
3	N $\frac{1}{2}$	3	15 Ken & Doug Rose	\$ 200.00	\$ 9.00
	E $\frac{1}{2}$	4	40 Snobelen Est.	75.00	160.00
	Pt. E of Rwy. 4	43	43 K. & D. Rose	450.00	131.00
	Pt. W of Rwy. 4	30	30 Harvey Shaw	175.00	90.00
	Pt. E of Rwy. 5	30	30 S. A. Lister	75.00	195.00
	Pt. W of Rwy. 5	63	63 Director Veterans Land Act	800.00	495.00
	S $\frac{1}{2}$ E $\frac{1}{2}$ ex. Rwy. 6	40	40 Martin Stacho	500.00	415.00
	N $\frac{1}{2}$ ex. SW cor. 6	35	35 Earl Benjamin Est.	500.00	433.00
	S $\frac{1}{2}$ E $\frac{1}{2}$	7	35 Cleata Elliott	700.00	533.00
	N $\frac{1}{2}$ E $\frac{1}{2}$	7	40 Martin Stacho	-	608.00
	S $\frac{1}{2}$ E $\frac{1}{2}$	8	20 Martin Stacho	-	305.00
4	W $\frac{1}{2}$	3	10 George Case	-	152.00
Total on Privately-owned agricultural lands				\$3475.00	\$3526.00

	<u>Benefit</u>	<u>Outlet</u>
TOTAL ASSESSMENT.	<u>\$3750.00</u>	<u>\$3750.00</u>

ESTIMATED AMOUNT OF GRANTS:

- | | |
|--|------------------|
| 1. Under Section 61 of The Drainage Act, 1952-63 | \$2333.66 |
| 2. Agricultural Drainage Assistance in Ontario | <u>\$2333.66</u> |
| | \$4667.32 |

Chatham, Ontario,
September 23, 1969.

H. H. Tedgham,
B.A.Sc., O.L.S., M.E.I.C.

"SCHEDULE B"

SPECIFICATION FOR THE REPAIR AND IMPROVEMENT
OF PART OF THE EAST BRANCH OF THE FACEY DRAIN
IN THE TOWNSHIP OF ZONE

This specification and the report, plan and profile bearing the same date, apply to and govern the repair and improvement of 6546 lineal feet of open drain by means of deepening and widening 8050 feet of it and enclosing 496 feet in tile. Included in this work will be the lowering or replacement of existing culverts and the cleaning of the existing Railway culvert.

DESCRIPTION
OF WORK

The General Specification for Open Drains attached hereto is part of "Schedule B". It also forms part of this specification and is to be read with it but where there is a difference between the requirements of the General Specification and those of the Special Provisions which follow, the Special Provisions shall govern. The section numbers shown in the Special Provisions which follow refer to the sections having the same numbers contained in the General Specification.

GENERAL
SPECIFICATION

SPECIAL PROVISIONS

The course of the work will follow the course of the existing open ditch except where tile is to be installed on the S $\frac{1}{2}$ of Lot 7, Concession 3. Here the Contractor will install the tile on one side or the other of the existing ditch, as directed by the

SECTION 3
ALIGNMENT

Commissioner in charge, rather than in the course of the drain itself. At the upstream end, he will swing the new tile over so that it may be connected into the outlet end of the existing tile.

The Contractor will be required to cut and pile the brush and trees but not to burn them.

SECTION 7
BRUSH AND TREES

Throughout the length of the work the material excavated from the drain is to be placed on either or both sides of the drain as directed by the Commissioner in charge. Where the disposal area is located in bush, the excavated material is to be spread over at least the width of the strip that has been cleared to permit the operation of the excavating equipment but in no case is the top surface to be more than 2 feet above natural ground level and it is to be spread and shaped to reasonably smooth uniform contours. Where the disposal area is on land that is sufficiently clear to permit cultivation, the excavated material is to be deposited and spread over a width of not less than 75 feet from Station 0 to Station 44 and over a width of not less than 50 feet from Station 44 to Station 80+50 at the head of the open part of the drain.

SECTION 8
DISPOSAL OF
MATERIAL

Where the drain crosses the Sideroad between Lots 5 and 6, the Contractor will remove the existing 36 foot length of 36 inch corrugated steel pipe, clean it to its full cross sectional area and re-install it

SECTION 10
ROAD CROSSING

at the proper elevation. Should the Township Road Authorities wish to have this culvert extended, they will supply the necessary pipe and couplers for this purpose and these are to be installed by the Contractor as part of his work.

At Station 0+25, the Contractor will remove the existing old wooden bridge and leave the material neatly piled beside the drain for disposal by the owner.

SECTION 11
FARM CULVERTS

At Station 0+50, the Contractor will remove the existing 48 inch concrete pipe, clean it to its full cross sectional area and leave it beside the drain for disposal by the owner. In its place he will install a 54 inch corrugated steel pipe (12 gauge) 36 feet long supplied by the Commissioner.

At Station 32+15, the Contractor will excavate the drain to its specified dimensions through the existing concrete Railway culvert, taking care to avoid causing damage to the structure.

At Station 62+75, the Contractor will remove the old wooden farm bridge, leaving the material from it neatly piled beside the drain for disposal by the owner. In its place he will install a new 36 inch corrugated steel pipe (14 gauge) 32 feet long supplied by the Commissioner.

Canadian Pacific Railway - As specified under Section 12, the Contractor will excavate the drain to

SECTION 13
UTILITIES,
RAILWAYS, ETC

its required dimensions through the existing concrete culvert beneath the Railway. If it appears to the Commissioner that excavating the drain to the required depth will result in undermining the culvert footings, he will advise the Railway, at once, and it will become the responsibility of the Railway to carry out whatever underpinning may be necessary to protect its culvert.

The Municipality will enter into a contract with a tiling contractor to install the tile from Station 80+50 to Station 85+46 unless this is specifically made part of the excavation contract. All tile is to be furnished at the site of the work by the Municipality and its cost charged as part of the cost of the drain. It is to be first class agricultural tile, either clay or cement and cracked, chipped or uneven tile will not be acceptable and are to be discarded by the Contractor.

SECTION 18
TILE DRAIN

The tile must be laid with close joints and in regular grade and alignment, the invert of the tile conforming to the grade line of the profile. The Contractors must keep the tile free from earth or sediment during the progress of the work. Should quicksand be encountered, the joints of the tile are to be wrapped with polyethylene sheeting or with a fibreglass wrapping material made for this purpose. All drainage tiles intersected by the new tile are to be properly

connected into it and the joints are to be mortared tight.

As the laying of the tile progresses, a sufficient amount of backfill material is to be placed at the sides and on top of the tile to hold it in place, using sods for this purpose if conveniently available. After the laying of tile has been inspected by the Commissioner, additional filling is to be made up to the surface of the ground. The backfill material in the trench is to be mounded slightly to provide for future settlement. Care is to be taken in placing the backfill to ensure that big lumps of clay, large stones and chunks of frozen soil are not dropped on it.

At the outlet of the new tile, the Commissioner will supply and the Contractor will install a 12 foot length of 15 inch diameter corrugated steel pipe, in place of tile. This pipe is to be so located that it will freely discharge water from the tile drain into the open outlet. After installing this pipe, the Contractor will provide and attach to the end of it a removable wire mesh grating to prevent the entry of rodents into the tile.

At the upstream end of the new tile, the course of it is to be swung over to meet the course of the existing 12 inch tile and the new tile is to be connected to the existing tile. The Contractor will use care to

ensure that the connection of the new tile to the old tile is made in a neat and workmanlike manner and that it is properly supported so that it will not settle out of alignment or grade.

After the tile has been installed at the upper end of the work, the owner of the S $\frac{1}{2}$ E $\frac{1}{2}$ Lot 7 Concession 3 will be permitted to fill in the existing open ditch that is being replaced with tile and this open ditch will be considered abandoned. If, however, there is still a surface ditch above the tile through the N $\frac{1}{2}$ of Lot 7 and the S $\frac{1}{2}$ of Lot 8, the owner of the S $\frac{1}{2}$ of Lot 7 must retain enough surface ditch through his property to provide an outlet for water flowing in the surface ditch on the N $\frac{1}{2}$ of Lot 7 and the S $\frac{1}{2}$ of Lot 8. If he fills in the surface ditch on his property, he must make certain that the material used for this purpose is not allowed to wash out of this ditch into the newly dug drain on Lot 6.

SECTION 19

Chatham, Ontario,
September 23, 1969.

H. H. Todghan,

B.A.Sc., O.E.S., M.E.I.C.



And whereas the Council is of the opinion that the drainage of the area described is desirable:

Therefore the Council of the Township of Zone, pursuant to the provisions of the Drainage Acts, enacts as follows:-

1. The report is hereby adopted and the drainage works as therein indicated and set forth are hereby adopted and shall be completed in accordance therewith.
2. The Corporation of the Township of Zone may borrow on the credit of the Corporation the sum of Seven Thousand, Five Hundred and Dollars being the funds necessary for the drainage works not otherwise provided for, and such sum shall be reduced by the amount of grants and commuted payments with respect to lands and roads assessed and may issue debentures payable within 3 years from the date of such debentures with interest at the rate of nine per cent per annum, such debentures to be made payable at the Bank of Montreal in the Town of Bothwell.
3. For paying the sum of Three Thousand Four Hundred and Seventy - Five Dollars the amount charged against such lands of the Municipality for benefit and the sum of Three Thousand, Five Hundred and Twenty - Six Dollars the amount charged against such lands of the Municipality for outlet liability and for covering interest thereon for 3 years at nine per cent per annum, the total special rates over and above all other rates shall be assessed, levied and collected (in the same manner and at the same time as other taxes are levied and collected) upon and from the under-mentioned lots and parts of lots and the amounts of the total special rates and interest against each parcel or part of parcel respectively, shall be divided into three equal parts and one such part shall be levied and collected as aforesaid in each year for 3 years after the final passing of this By Law during which the said debentures have to run, provided that no greater amount shall be levied than is required after taking into account and crediting the amount of grants under Section 61, Sub.Sec.1 of the Drainage Acts and commuted payments with respect to lands and roads assessed.
4. For paying the sum of Three Hundred and Sixty - Nine Dollars the amount assessed against the lands and roads of the Municipality.
5. For Paying the sum of One Hundred and Thirty the amount assessed against the Canadian Pacific Railway.

SCHEDULE OF ASSESSMENT


FACEY DRAIN EAST BRANCH TOWNSHIP OF ZONE 1969

<u>CON.</u>	<u>LOT OR PART</u>	<u>OWNER</u>	<u>ASS'T</u>	<u>GRANT</u>	<u>NET</u>	<u>INT.</u>	<u>TOT.</u>	<u>ANN.</u>	<u>PAY</u>
3	N $\frac{1}{2}$	3 K&D Rose	209.00	139.33	69.67	12.89	82/56		27.52
	E $\frac{1}{2}$	4 Snobelen Est.	235.00	156.67	78.33	14.49	92.82		30.94
	pt. E of Ry	4 K&D Rose	581.00	387.33	193.67	35.86	229.53		76.51
	pt. W of Ry	4 H Shaw	265.00	176.67	88.33	16.37	104.70		34.90
	pt. E of Ry	5 S Lister	270.00	180.00	90.00	16.65	106.65		35.55
	pt W of Ry	5 V.L.A.	1295.00	863.33	431.67	79.92	511.59		170.53
	S $\frac{1}{2}$ E $\frac{1}{2}$	6 M. Stacho	915.00	610.00	305.00	56.47	361.47		120.49
	N $\frac{1}{2}$	6 Benjamin Est.	933.00	672.00	311.00	57.58	368.58		122.86
	S $\frac{1}{2}$ E $\frac{1}{2}$	7 G. Elliott	1233.00	827.00	411.00	76.11	487.11		162.37
	N $\frac{1}{2}$ E $\frac{1}{2}$	7 M. Stacho	608.00	405.33	202.67	37.54	240.21		80.07
	S $\frac{1}{2}$ E $\frac{1}{2}$	8 M. Stacho	305.00	203.33	101.67	18.84	120.51		40.17
4	W $\frac{1}{2}$	8 George Case	152.00	101.33	50.67	9.39	60.06		20.02
Total on Lands:			7,001.00	4,667.32	2,333.68	432.11	2,765.79		921.93

3	pt. 3,4,85	C. P. R.	130.00						
	Roads	Twp. of Zone	369.00						

TOTAL ASSESSMENT: 7,500.00

6. This By Law shall be printed and a copy mailed to each ratepayer on the said drain and shall come into force and take effect upon and after the final passing thereof and may be cited as the Facey Drain East Branch By Law 1969.


 RICHARD BUCKENHAM REEVE

 M A BODKIN CLERK

I, Aileen Bodkin, Clerk of the Township of Zone do hereby certify that the above is a true copy of By Law 597 - 69, provisionally adopted the 19th. day of November 1969 and finally passed the day of 1969.

Aileen Bodkin - Clerk

NOTICE

Notice is hereby given that a Court of Revision will be held at the Zone Township Community Centre on *Mon. Dec. 15/69* at 9 P.M. for the hearing of complaints and appeals made against the above assessments or any part thereof, in manner provided for by the Drainage Acts, a notice of such complaint or appeal must be served on the Clerk of the Municipality at least ten days before the first sitting of said Court of Revision.

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POST OFFICE BOX 348
TELEPHONE 254-0108

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In accordance with Section 8 (1) of The Drainage Act, 1962-63, we determine the amounts to be paid to the owners of the adjoining lands for damages to lands and crops (if any) occasioned by the disposal of material to be as shown in the following schedule:

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Respectfully submitted,

H. H. Todgham,

B.A.Sc., O.L.S., M.E.I.C.

MHT:lo



"SCHEDULE A"
 SCHEDULE OF ASSESSMENT
 FACEY DRAIN EAST BRANCH
 TOWNSHIP OF ZONE

1. PUBLICLY-OWNED LANDS:

(iii) Municipal:

	<u>Owner</u>	<u>Benefit</u>	<u>Outlet</u>
3-4 Concession Road	Township of Zone	-	\$ 91.00
5-6 Sideroad	Township of Zone	\$ 200.00	78.00
Total on Publicly-owned Municipal Lands		\$ 200.00	\$ 169.00

2. PRIVATELY-OWNED LANDS:

(i) Not used for agricultural purposes:

<u>Con.</u>	<u>Lot or Part</u>	<u>Owner</u>	<u>Benefit</u>	<u>Outlet</u>
3	Pt. Lots 3, 4 & 5	Canadian Pacific Railway	\$ 75.00	\$ 55.00

(ii) Used for agricultural purposes:

<u>Con.</u>	<u>Lot or Part</u>	<u>Acres Affected</u>	<u>Owner</u>	<u>Benefit</u>	<u>Outlet</u>
3	N $\frac{1}{2}$	3 15	<i>Shirley Properties</i> <i>Ken & Doug Ross</i>	\$ 200.00	\$ 9.00
	E $\frac{1}{2}$	4 40	Snobelen Est. /	75.00	160.00
	Pt. E of Rwy. 4	43	<i>Shirley Properties</i> <i>Ken & Doug Ross</i>	450.00	131.00
	Pt. W of Rwy. 4	30	Harvey Shaw /	175.00	90.00
	Pt. E of Rwy. 5	30	<i>Paul McDonald</i> <i>G. A. Linton</i>	75.00	195.00
	Pt. W of Rwy. 5	63	<u>Dissector Veterans Land</u> <i>Mr. Martin Featherstone</i>	900.00	495.00
	S $\frac{1}{2}$ E $\frac{1}{2}$ ex. Rwy. 6	40	Martin Stacho /	500.00	415.00
	N $\frac{1}{2}$ ex. SW cor. 6	35	Earl Benjamin Est. /	500.00	433.00
	S $\frac{1}{2}$ E $\frac{1}{2}$	7 35	<i>Shirley Properties</i> <i>Miss K. Linton</i> <i>Blada Elliott</i>	700.00	533.00
	N $\frac{1}{2}$ E $\frac{1}{2}$	7 40	Martin Stacho /	-	608.00
	S $\frac{1}{2}$ E $\frac{1}{2}$	8 20	Martin Stacho /	-	305.00
4	N $\frac{1}{2}$	8 10	<i>Helen</i> <i>George Case</i>	-	152.00
Total on Privately-owned agricultural lands . . .				\$3475.00	\$3576.00

	<u>Benefit</u>	<u>Outlet</u>
TOTAL ASSESSMENT.	\$3750.00	\$3750.00

ESTIMATED AMOUNT OF GRANTS:

- | | |
|--|-----------|
| 1. Under Section 61 of The Drainage Act, 1962-63 | \$2333.66 |
| 2. Agricultural Drainage Assistance in Ontario | \$2333.66 |
| | \$4667.32 |

Chatham, Ontario,
September 23, 1969.

H. H. Tedgham,
B.A.Sc., C.L.S., M.E.I.C.

"SCHEDULE B"

SPECIFICATION FOR THE REPAIR AND IMPROVEMENT
OF PART OF THE EAST BRANCH OF THE FACEY DRAIN
IN THE TOWNSHIP OF ZONE

This specification and the report, plan and profile bearing the same date, apply to and govern the repair and improvement of 6346 lineal feet of open drain by means of deepening and widening 8050 feet of it and enclosing 496 feet in tile. Included in this work will be the lowering or replacement of existing culverts and the cleaning of the existing Railway culvert.

DESCRIPTION
OF WORK

The General Specification for Open Drains attached hereto is part of "Schedule B". It also forms part of this specification and is to be read with it but where there is a difference between the requirements of the General Specification and those of the Special Provisions which follow, the Special Provisions shall govern. The section numbers shown in the Special Provisions which follow refer to the sections having the same numbers contained in the General Specification.

GENERAL
SPECIFICATION

SPECIAL PROVISIONS

The course of the work will follow the course of the existing open ditch except where tile is to be installed on the S $\frac{1}{2}$ of Lot 7, Concession 3. Here the Contractor will install the tile on one side or the other of the existing ditch, as directed by the

SECTION 3
ALIGNMENT

Commissioner in charge, rather than in the course of the drain itself. At the upstream end, he will swing the new tile over so that it may be connected into the outlet end of the existing tile.

The Contractor will be required to cut and pile the brush and trees but not to burn them.

SECTION 7
BRUSH AND TREES

Throughout the length of the work the material excavated from the drain is to be placed on either or both sides of the drain as directed by the Commissioner in charge. Where the disposal area is located in bush, the excavated material is to be spread over at least the width of the strip that has been cleared to permit the operation of the excavating equipment but in no case is the top surface to be more than 2 feet above natural ground level and it is to be spread and shaped to reasonably smooth uniform contours. Where the disposal area is on land that is sufficiently clear to permit cultivation, the excavated material is to be deposited and spread over a width of not less than 75 feet from Station 0 to Station 44 and over a width of not less than 50 feet from Station 44 to Station 80+50 at the head of the open part of the drain.

SECTION 8
DISPOSAL OF
MATERIAL

Where the drain crosses the Sideroad between Lots 5 and 6, the Contractor will remove the existing 36 foot length of 36 inch corrugated steel pipe, clean it to its full cross sectional area and re-install it

SECTION 10
ROAD CROSSING

at the proper elevation. Should the Township Road Authorities wish to have this culvert extended, they will supply the necessary pipe and couplers for this purpose and these are to be installed by the Contractor as part of his work.

A7. Station 0+25, the Contractor will remove the existing old wooden bridge and leave the material neatly piled beside the drain for disposal by the owner.

SECTION 11
FARM CULVERTS

At Station 0+50, the Contractor will remove the existing 48 inch concrete pipe, clean it to its full cross sectional area and leave it beside the drain for disposal by the owner. In its place he will install a 54 inch corrugated steel pipe (12 gauge) 36 feet long supplied by the Commissioner.

At Station 32+15, the Contractor will excavate the drain to its specified dimensions through the existing concrete Railway culvert, taking care to avoid causing damage to the structure.

At Station 62+75, the Contractor will remove the old wooden farm bridge, leaving the material from it neatly piled beside the drain for disposal by the owner. In its place he will install a new 36 inch corrugated steel pipe (14 gauge) 32 feet long supplied by the Commissioner.

Canadian Pacific Railway - As specified under Section 12, the Contractor will excavate the drain to

SECTION 13
UTILITIES,
RAILWAYS, ETC

its required dimensions through the existing concrete culvert beneath the Railway. If it appears to the Commissioner that excavating the drain to the required depth will result in undermining the culvert footings, he will advise the Railway, at once, and it will become the responsibility of the Railway to carry out whatever underpinning may be necessary to protect its culvert.

The Municipality will enter into a contract with a tiling contractor to install the tile from Station 20+30 to Station 23+46 unless this is specifically made part of the excavation contract. All tile is to be furnished at the site of the work by the Municipality and its cost charged as part of the cost of the drain. It is to be first class agricultural tile, either clay or cement and cracked, chipped or uneven tile will not be acceptable and are to be discarded by the Contractor.

SECTION 16
TILE DRAIN

The tile must be laid with close joints and in regular grade and alignment, the invert of the tile conforming to the grade line of the profile. The Contractors must keep the tile free from earth or sediment during the progress of the work. Should quicksand be encountered, the joints of the tile are to be wrapped with polyethylene sheeting or with a fibreglass wrapping material made for this purpose. All drainage tiles intersected by the new tile are to be properly

connected into it and the joints are to be mortared tight.

As the laying of the tile progresses, a sufficient amount of backfill material is to be placed at the sides and on top of the tile to hold it in place, using sods for this purpose if conveniently available. After the laying of tile has been inspected by the Commissioner, additional filling is to be made up to the surface of the ground. The backfill material in the trench is to be mounded slightly to provide for future settlement. Care is to be taken in placing the backfill to ensure that big lumps of clay, large stones and chunks of frozen soil are not dropped on it.

At the outlet of the new tile, the Commissioner will supply and the Contractor will install a 12 foot length of 15 inch diameter corrugated steel pipe, in place of tile. This pipe is to be so located that it will freely discharge water from the tile drain into the open outlet. After installing this pipe, the Contractor will provide and attach to the end of it a removable wire mesh grating to prevent the entry of rodents into the tile.

At the upstream end of the new tile, the course of it is to be swung over to meet the course of the existing 12 inch tile and the new tile is to be connected to the existing tile. The Contractor will use care to

ensure that the connection of the new tile to the old tile is made in a neat and workmanlike manner and that it is properly supported so that it will not settle out of alignment or grade.

After the tile has been installed at the upper end of the work, the owner of the S $\frac{1}{2}$ E $\frac{1}{2}$ Lot 7 Concession 3 will be permitted to fill in the existing open ditch that is being replaced with tile and this open ditch will be considered abandoned. If, however, there is still a surface ditch above the tile through the N $\frac{1}{2}$ of Lot 7 and the S $\frac{1}{2}$ of Lot 8, the owner of the S $\frac{1}{2}$ of Lot 7 must retain enough surface ditch through his property to provide an outlet for water flowing in the surface ditch on the N $\frac{1}{2}$ of Lot 7 and the S $\frac{1}{2}$ of Lot 8. If he fills in the surface ditch on his property, he must make certain that the material used for this purpose is not allowed to wash out of this ditch into the newly dug drain on Lot 6.

SECTION 19

Chatham, Ontario,
September 23, 1969.

H. H. Todghan,

B.A.Sc., O.L.P., U.E.I.C.



And whereas the Council is of the opinion that the drainage of the area described is desirable:

Therefore the Council of the Township of Zone, pursuant to the provisions of the Drainage Acts, enacts as follows:-

1. The report is hereby adopted and the drainage works as therein indicated and set forth are hereby adopted and shall be completed in accordance therewith.
2. The Corporation of the Township of Zone may borrow on the credit of the Corporation the sum of Seven Thousand, Five Hundred and Dollars being the funds necessary for the drainage works not otherwise provided for, and such sum shall be reduced by the amount of grants and commuted payments with respect to lands and roads assessed and may issue debentures payable within 3 years from the date of such debentures with interest at the rate of nine per cent per annum, such debentures to be made payable at the Bank of Montreal in the Town of Bothwell.
3. For paying the sum of Three Thousand Four Hundred and Seventy - Five Dollars the amount charged against such lands of the Municipality for benefit and the sum of Three Thousand, Five Hundred and Twenty - Six Dollars the amount charged against such lands of the Municipality for outlet liability and for covering interest thereon for 3 years at nine per cent per annum, the total special rates over and above all other rates shall be assessed, levied and collected (in the same manner and at the same time as other taxes are levied and collected) upon and from the under-mentioned lots and parts of lots and the amounts of the total special rates and interest against each parcel or part of parcel respectively, shall be divided into three equal parts and one such part shall be levied and collected as aforesaid in each year for 3 years after the final passing of this By Law during which the said debentures have to run, provided that no greater amount shall be levied than is required after taking into account and crediting the amount of grants under Section 61, Sub.Sec.1 of the Drainage Acts and commuted payments with respect to lands and roads assessed.
4. For paying the sum of Three Hundred and Sixty - Nine Dollars the amount assessed against the lands and roads of the Municipality.
5. For Paying the sum of One Hundred and Thirty the amount assessed against the Canadian Pacific Railway.

SCHEDULE OF ASSESSMENTFACEY DRAIN EAST BRANCHTOWNSHIP OF ZONE 1969

<u>CON.</u>	<u>LOT OR PART</u>	<u>OWNER</u>	<u>ASS'T</u>	<u>GRANT</u>	<u>NET</u>	<u>INT.</u>	<u>TOT.</u>	<u>ANN.</u>	<u>PAY</u>
3	N $\frac{1}{2}$	3 K&D Rose	209.00	139.33	69.67	12.89	82/56		27.52
	E $\frac{1}{2}$	4 Snobelen Est.	235.00	156.67	78.33	14.49	92.82		30.94
	pt.E of Ry	4 K&D Rose	581.00	387.33	193.67	35.86	229.53		76.51
	pt.W of Ry	4 H Shaw	265.00	176.67	88.33	16.37	104.70		34.90
	pt.E of Ry	5 S Lister	270.00	180.00	90.00	16.65	106.65		35.55
	ptW of Ry	5 V.L.A.	1295.00	863.33	431.67	79.92	511.59		170.53
	S $\frac{1}{2}$ E $\frac{1}{2}$	6 M. Stacho	915.00	610.00	305.00	56.47	361.47		120.49
	N $\frac{1}{2}$	6 Benjamin Est.	933.00	622.00	311.00	57.58	368.58		122.86
	S $\frac{1}{2}$ E $\frac{1}{2}$	7 G. Elliott	1233.00	822.00	411.00	76.11	487.11		162.37
	N $\frac{1}{2}$ E $\frac{1}{2}$	7 M. Stacho	608.00	405.33	202.67	37.54	240.21		80.07
	S $\frac{1}{2}$ E $\frac{1}{2}$	8 M. Stach	305.00	203.33	101.67	18.84	120.51		40.17
4	W $\frac{1}{2}$	8 George Case	152.00	101.33	50.67	9.39	60.06		20.02
Total on Lands:			7,001.00	4,667.32	2,333.68	432.11	2,765.79		921.93

3	pt.3,4,85	C. P. R.	130.00						
	Roads	Twp. of Zone	369.00						

TOTAL ASSESSMENT: 7,500.00

6. This By Law shall be printed and a copy mailed to each ratepayer on the said drain and shall come into force and take effect upon and after the final passing thereof and may be cited as the Facey Drain East Branch By Law 1969.

RICHARD BUCKENHAM

REEVE

M A BODKIN CLERK

TOWNSHIP OF ZONE

~~XXXXXXXXXX~~ CLERK - TREAS.
R. Buckenham

THAMESVILLE, ONT.,
R. R. NO. X 5,

June 10, 1971,

Department of Municipal Affairs,
Municipal Subsidies Branch,
801 Bay Street,
Toronto 5, Ontario,

Dear Sir:

On examining the 1970 books of the Township of Zone, the Auditor discovered an error of \$ 178.56 in the assessment of the Facey Drain East Branch. When the D.G.2 form was submitted on Nov. 19, 1970, the total cost was reported to be \$ 7534.12, however this total should be \$ 7355.56.

I am enclosing an amended D.G.2 form and a cheque in the amount of \$ 111.12, which is the over-payment of subsidy, \$ 55.56 of which was paid by the Dept. of Agriculture & Food and a similar amount by the Dept. of Municipal Affairs.

I trust that this explains the situation.

Yours truly,



R. Buckenham,
Clerk-Treasurer,

Please submit 3 copies

Department of Municipal Affairs
Municipal Subsidies Branch
801 Bay Street, Toronto 5

The Drainage Act

APPLICATION FOR A GRANT

AMHERST

- a. Name of the municipality . Township . of . Zone
- b. Name of the drainage works . Dacey Drain East Branch
- c. Analysis of the assessments made with respect to the drainage works described in (b) above:

	Special Assessments	
	as estimated by the Engineer (1)	as imposed (2)
Lands		
1. Publicly-owned:		
(i) Canada	.....	.....
(ii) Ontario	.....	.....
(iii) Municipal	<u>369.00</u>	<u>361.90</u>
2. Privately-owned:		
(i) Not used for agricultural purposes	<u>150.00</u>	<u>127.50</u>
(ii) Used for agricultural purposes	<u>7001.00</u>	<u>6006.16</u>
	<u>\$ 7500.00</u>	<u>\$ 7395.56</u>

d. Amount of grant—if the drainage works is located within a county — 33-1/3% of the special assessments imposed against privately-owned land used for agricultural purposes, Item c.2(ii) Column (2) above, and if the works is located within a district or a provisional county, the rate is 66-2/3%.

\$ 2239.72

Certificate of the Engineer

I certify that the analysis of the estimated special assessments as shown in Column (1) above, including the estimated special assessments against privately-owned lands used for agricultural purposes, Item c.2(ii) Column (1) above, has been extracted from my report dated . . . , and, that for all practical purposes, the drainage works as described above is complete.

..... Date

..... Engineer

Certificate of the Treasurer

I certify that the requirements of the Act with respect to appeals against special assessments provided under Section 64(1) have been complied with and, that the analysis of the actual special assessments imposed, as shown in Column (2) above, including the special assessments levied against privately-owned land used for agricultural purposes, Item c.2(ii) Column (2) above, has been extracted from, and is in accordance with the records of the municipality in respect of the drainage works described in this Application For A Grant.

June 3, 1971
..... Date

Richard Bucklehan
..... Treasurer

Please submit 3 copies

Department of Municipal Affairs
Municipal Subsidies Branch
801 Bay Street, Toronto 5

The Drainage Act

APPLICATION FOR A GRANT

- a. Name of the municipality . Township . of . Zone .
- b. Name of the drainage works . Facey Drain East Branch .
- c. Analysis of the assessments made with respect to the drainage works described in (b) above:

	<u>Special Assessments</u>	
	<u>as estimated by the Engineer (1)</u>	<u>as imposed (2)</u>
Lands		
1. Publicly-owned:		
(i) Canada	.....	.....
(ii) Ontario	.....	.....
(iii) Municipal	<u>369.00</u>	<u>370.68</u>
2. Privately-owned:		
(i) Not used for agricultural purposes	.....130.00.....	.....130.59.....
(ii) Used for agricultural purposes	<u>7001.00</u>	<u>7032.85</u>
	<u>\$ 7500.00</u>	<u>\$ 7534.12</u>

d. Amount of grant—if the drainage works is located within a county—33-1/3% of the special assessments imposed against privately-owned land used for agricultural purposes, Item c.2(ii) Column (2) above, and if the works is located within a district or a provisional county, the rate is 66-2/3%.

\$ 2344.28

Certificate of the Engineer

I certify that the analysis of the estimated special assessments as shown in Column (1) above, including the estimated special assessments against privately-owned lands used for agricultural purposes, Item c.2(ii) Column (1) above, has been extracted from my report dated September 23, 1969, and, that for all practical purposes, the drainage works as described above is complete.

November 6, 1970
Date

[Signature]
Engineer

Certificate of the Treasurer

I certify that the requirements of the Act with respect to appeals against special assessments provided under Section 64(1) have been complied with and, that the analysis of the actual special assessments imposed, as shown in Column (2) above, including the special assessments levied against privately-owned land used for agricultural purposes, Item c.2(ii) Column (2) above, has been extracted from, and is in accordance with the records of the municipality in respect of the drainage works described in this Application For A Grant.

Nov. 19/70
Date

[Signature]
Treasurer

TODGHAM AND CASE LIMITED
CIVIL ENGINEERS
CHATHAM, ONTARIO

DRAINAGE WORKS INSPECTION REPORT

REPORT NO. 1

DATE... Nov. 5, 1970

MUNICIPALITY... Twp. of Zone

DRAINAGE WORKS... FACEY DRAIN E. BRANCH

DATE OF DRAINAGE REPORT... SEPT. 23, 1969

DATE FORM DG2 RECEIVED

INSPECTION BY: M. GUTTRIDGE

G. HERBERT

REMARKS: THE WORK APPEARS TO HAVE BEEN

CARRIED OUT SATISFACTORILY

INCLUDING THE RAILWAY CROSSING

RESULTS: THE DRAINAGE WORKS REQUIRED TO BE DONE UNDER OUR REPORT

REQUIRES FURTHER WORK

FOR ALL PRACTICAL PURPOSES, IS COMPLETE

THE FINAL DECISION THAT THE CONTRACTOR HAS COMPLIED WITH THE

CONTRACT REQUIREMENTS, AND HAS PERFORMED ALL OF THE WORK

SATISFACTORILY, WILL BE AT THE DISCRETION OF THE MUNICIPALITY

AND THE DRAINAGE COMMISSIONER IN CHARGE.

TODGHAM AND CASE LIMITED

PER. 

32 McDemgall St
Shellevburg, Ohio
Apr 21/30

Mr. R. H. Brinkbank
Chas. Geo. Tomasky of 3rd
Rts - Hamersville, Ind.

Attention: Reas & Council Tomasky of 3rd
Cent. Ind.

I beg to report that when the contractor was leveling the earth removed from the face drain which crosses our property near the third concession he filled in all our surface drainage ditches which drain into the drain especially the one which follows the line fence between Stans and ourselves. According to drainage act he is not allowed to do this. I beg of you to have this corrected immediately before the winter sets in, otherwise the water will lay on our land and please advise me on our part what action you are taking in this matter.

Yours very truly
Geo. W. Chapman of the
Ohio State
Chas. Tomasky

Notice of Actual Assessment
(Municipal Drainage Act)

Clerk's Office October 21 1970

TOWNSHIP OF ZONE

To _____

Address _____

DEAR SIR or MADAME:

The East Branch Facey drain has been completed, under the provisions of
The Municipal Drainage Act. The engineer's estimated cost of the drain was \$ 7500.00
The actual cost was \$ 7534.12 or 100.4549 % of the estimated cost.

The amount assessed against your property _____ of Lot No. _____
in the _____ Concession was \$ _____. Your share of the cost of the
drain, less provincial subsidy, will be \$ _____.

If you wish to pay this amount in full and avoid paying interest charges, you may do so on or
before the 10th day of November 1970.

Kindly let me know as soon as possible what your intentions are in this matter.

Yours truly,

FRED S. BODKIN,

Clerk, Township of Zone,
Thamesville, Ont., R.R. 2

~~September 27, 1970~~

October 13, 1970

To the Zone Township Council,
Thamesville, Ontario

Gentlemen,~ Re: *Facey Drain East Lamb* Drain

This is to certify that final inspection has been made and that work on the subject drainage project has been completed to my entire satisfaction and was done generally as called for in the specifications and plans.

Yours truly,

Gerald E. Herbert
COMMISSIONER

Please submit 1 copy

Department of Municipal Affairs
Municipal Subsidies Branch
801 Bay Street, Toronto 5

The Drainage Act

NOTICE OF INTENTION TO APPLY FOR A GRANT

- a. Name of the municipality: **Township** of **Zone**
- b. Name of the drainage works: **Facey Drain - East Branch**
- c. Analysis of the assessments made with respect to the drainage works described in (b) above:

Special
Assessments
as estimated
by the Engineer

Lands

1. Publicly-owned:

- (i) Canada
- (ii) Ontario
- (iii) Municipal

.....

.....

369.00

2. Privately-owned:

- (i) Not used for agricultural purposes
- (ii) Used for agricultural purposes

..... 130.00

..... 7001.00

\$ 7500.00

d. Estimated amount of grant — if the drainage works is located within a county — 33-1/3% of the special assessments imposed against privately-owned land used for agricultural purposes; Item c.2(ii) above; if the works is located within a district or a provisional county, the rate is 66-2/3%.

\$ 2333.66

e. Estimated date of:

Commencement of the work. **July 1/70** . Completion of the work. **July 30/70**

Certificate of the Treasurer

I certify that, the above analysis of the estimated special assessments has been extracted from the report of the engineer dated **Sept. 23, 1969** the provisional by-law that adopts the report of the engineer has been enacted, the construction or improvement of the drainage works referred to in the report has not been commenced and, the Council proposes to make application for a grant, in respect of the drainage works, upon final completion.

March 28, 1970

Date

Treasurer

East Branch Ferry.

Actual
Estimated Cost.

\$ 355,56
or 98,0741
7500.00

	Est.	ACT.	Grand	Net Balance.
H & O. Rose.	209.00 ✓	204.97	136.64	68.33
Snoblen. Est.	235.00 ✓	230.47	153.64	76.83
H & O. Rose.	581.00 ✓	569.81	379.88	189.93
H. Shaw	265.00	259.90 161.82	173.26	86.64 ✓
J. A. Lister	270.00	264.80 ✓	176.54	88.26 ✓
M. Featherstone	1295.00	1270.06	846.70	423.36
M. Starks	915.00	897.38 ✓	598.26	299.12
E Benjamin Est.	933.00	915.03 ✓	610.03	305.00
C. Elliott	1233.00	1209.25 ✓	806.17	403.08
M. Starks	608.00	596.29 ✓	397.52	198.77 ✓
"	305.00	299.13 ✓	199.42	99.71 ✓
H. Case.	152.00 ✓	149.07 ✓	99.38	49.69
	<u>7001.00</u>	6768.08	<u>4577.39</u>	<u>2288.72</u>
		6866.86	144	172
C. P. R.	<u>130.00 ✓</u>	127.50 ✓	12 26	127.50
		6895.38		127.50 ✓
		6993.66		89.25 ✓
County of Kent.	<u>91.00 ✓</u>	89.25 ✓ ✓		
up of zone.	<u>278.00 ✓</u>	272.65 ✓		272.65 ✓
		<u>7355.56</u>	<u>4577.39</u>	<u>2778.17</u>

Material excavated from the drain is to be deposited on the immediately adjoining farm lands. In accordance with Section 8 (1) of The Drainage Act, 1962-63, we determine the amounts to be paid to the owners of the lands for damages to lands and crops (if any) occasioned by the disposal of material to be as shown in the following schedule:

SCHEDULE OF ALLOWANCES

<u>Con.</u>	<u>Lot or Part</u>	<u>OWNER</u>	<u>Damages</u>
1	5 1/2	John Fancher	\$ 8.00
	1 1/2	Thomas O'Neill	35.00
	5 1/2	Mrs. Doreen Cherron	75.00
	1 1/2	Thomas O'Neill	<u>40.00</u>
			\$ 158.00

We estimate the cost of the work that we recommend, together with the incidental expenses, to be as follows:

2950 Cu. Yds. Excavation and Levelling	\$2300.00
Farm Culvert	400.00
Allowances under Section 8	155.00
Survey, Plans, Report and Inspection	375.00
Assistance and Expenses	64.00
Bylaw - Township of Zone	125.00
- Township of Camden	75.00
Clock's Fees - Township of Zone	125.00
- Township of Camden	75.00
Letting and Superintending	200.00
Miscellaneous	<u>85.00</u>
	\$3400.00

East Branch Farcy Drain By-law 597-69
 final adoption Dec 15/69

For the Roll of Petit Jurors to Serve in Her Majesty's Inferior Courts of Criminal and Civil Jurisdiction

No.	No. of Lot or House Where Known to the Selectors			No. of Lot or House Where Known to the Selectors	Concession or Street or Village or Hamlet, Where Known to the Selectors			Occupations			
	Lot	Part	Assessors		Owner	Orig. Assess.	Act. Assess.	Grant.	Net Assess.	Interest	Total	Ann. Pay
3	N 1/2	3	15	K. & D. Rose ✓	209.00	209.95	139.86	69.99	12.96	82.95	27.65
	E 1/2	4	40	Inoblen Est. ✓	235.00	236.07	157.38	78.69		Pd.	
	Pr. E. Rwy	4	43	K. & D. Rose ✓	581.00	583.64	389.09	194.55	36.03	230.58	76.86
	Pr. W. Rwy	4	30	Harvey Shaw ✓	265.00	266.21	177.47	88.74			
	E. Rwy	5	30	S. A. Lister ✓ V. L. H.	270.00	271.23	180.82	90.41	16.75	107.16	35.72
	E. W. Rwy	5	63	M. Featherstone ✓	1295.00	1300.89	867.26	433.63	21.77	395.40	131.80
	1/2 E 1/2	6	40	M. Stacks ✓	915.00	919.16	612.77	306.39	56.73	363.12	121.04
	W. Rwy	6	35	Paul Benjamin Est. ✓	933.00	937.24	624.82	312.42	57.84	370.26	123.42
	1/2 E 1/2	7	35	Cleata Elliott ✓	1233.00	1238.61	825.74	412.87	76.46	489.33	163.11
	N 1/2 E 1/2	7	40	M. Stacks ✓	608.00	610.77	407.18	203.59	37.70	241.29	80.43
	S 1/2 E 1/2	8	20	M. Stacks ✓	305.00	306.39	204.26	102.13	18.92	121.05	40.35
4.	W 1/2	8	10	George Case ✓	152.00	152.69	101.79	50.90		Pd.	
	Total on agricultural lands				6975.00 7001.00	7032.85	4688.50	2344.31	375.16	2401.14	800.38
3.	Pr 3 1/2	5		C. P. R. ✓	130.00	130.59					
	County Rd 23			County of Kent ✓							
	3-4 Con. Rd			Twp of Jones	91.00	91.41					
	5-6 Sideroad			Township of Jones ✓	278.00	279.27					
	Total on roads				369.00	370.68					
	Total Assessed.				7500.00	7534.12					
	Actual Assessment				7534.12	or	100.4549%	of estimated road.			
	By-law 597-69										
	Notice sent out Oct 21/70										



G 9933(e)70

ONTARIO MUNICIPAL BOARD

IN THE MATTER OF Section 64 of
The Ontario Municipal Board Act,
(R.S.O. 1960, c. 274)

- and -

IN THE MATTER OF an application
by The Corporation of the Township
of Zone for approval of the under-
taking of drainage work in connection
with the Facey Drain at a cost of
\$7,500.00 and the borrowing of the sum
of \$2,333.68 therefor

B E F O R E :

D. JAMIESON,
Vice-Chairman

-and-

A. L. McCRAE,
Member

)
) Wednesday, the 15th day of

)
) April, 1970
)

THE BOARD ORDERS, under and in pursuance of the legis-
lation hereinbefore referred to, and of any and all other
powers vested in the Board, that the said application be and
the same is hereby granted, and that the corporation may now
proceed with the said undertaking at a total cost not to ex-
ceed \$7,500.00 and for such purpose may pass all requisite by-
laws, including by-laws providing for the issue of debentures
in a principal amount not exceeding \$2,333.68 repayable over a
term not exceeding three years, and may borrow money to the
extent sufficient to provide an amount not exceeding \$2,333.68
therefor, provided:

1. that the corporation may borrow the whole or any part of the
said sum of \$7,500.00 as required pending receipt of sub-
sidies and the sale of debentures, or the receipt of moneys
from any other source, and



ONTARIO

ONTARIO MUNICIPAL BOARD

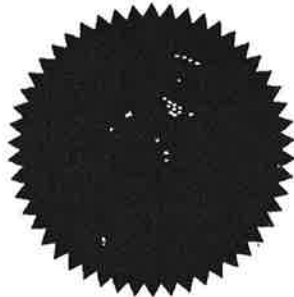
G 9933(e)70

- 2 -

- 2. that the amount to be debentured shall not exceed in any event the net cost to the corporation after deducting any grant or contribution from the Province of Ontario or from any other source in respect of the said work.

R. Scott

SECRETARY



ENTERED	
G. E. No.	431
File No.	329
APR 10 1970	
<i>R. Scott</i>	
Secretary, Ontario Municipal Board	

THIS IS EXHIBIT "F" TO THE AFFIDAVIT OF
BLAISE CHEVALIER , SWORN ON THE 2ND DAY OF
APRIL, 2024.

Lynn Kalp Digitally signed by Lynn Kalp
DN: cn=2023.04.02 13:11:18
o=PDF

A COMMISSIONER, ETC.

**Linda Marie Kalp, a Commissioner, etc.
Province of Ontario, for the
Municipality of Chatham-Kent.
Expires August 31, 2026.**

TODGHAM AND CASE LIMITED
CONSULTING CIVIL ENGINEERS

151 THAMES STREET
CHATHAM, ONTARIO

HERBERT H. TODGHAM
B.A.SC., O.L.S., P.ENG.

POST OFFICE BOX 386
TELEPHONE 354-0400

C. WILLIAM CASE
M.A.SC., P.ENG.

September 2nd, 1970.

To the Reeve and Council
of the Township of Zone.

Re: Facey Drain, Crossing Under
Canadian Pacific Railway,
Lot 3, Concession 2.

Gentlemen:

As requested we have made a detailed examination of the Facey Drain where it crosses the right-of-way of the Canadian Pacific Railway on Lot 3, Concession 2. There is now a 6 feet wide by 6½ feet high concrete culvert which carries the water in the drain through the Railway embankment. Although this culvert is quite old it is in reasonably good repair and shows no serious signs of weakness.

In our report to you dated September 19, 1969, for the repair and improvement of the Facey Drain, we recommended that the drain be deepened between 1½ and 2 feet where it crosses the Railway right-of-way. However, our detailed examination of this crossing has shown that there is a concrete floor in the existing railway culvert that is only a few inches above the present drain bottom. When the drain has been excavated to the depth set out in our report of September 19, 1969, the floor of this culvert will form an obstruction to the flow of water in

the drain and will, in fact, dam the water back to a depth of approximately 1.80 feet.

In order to eliminate this obstruction, there are two alternatives:

1. Remove the floor of the concrete culvert.
2. Install a pipe beneath the embankment with its invert at the grade line of the deepened drain.

Removing the floor of the existing culvert would weaken it to the point where it would probably collapse and we therefore recommend that a pipe be installed to take the low flow in the drain. We recommend that this be a 30 inch diameter smooth wall steel pipe made from $\frac{1}{2}$ inch thick material and that it be installed by jacking and boring beneath the Railway embankment. The existing culvert is to be left in place to take the overflow water which cannot be handled by the pipe, in times of freshet.

The pipe is to be approximately parallel with the existing culvert and 20 feet away from it. In order that the water in the drain may flow to the pipe and away from it, with the greatest efficiency, it will be necessary to re-align the drain upstream from the Railway for a distance of about 100 feet and it will be necessary to dig a new channel downstream from the outlet end of the pipe for a distance of about 35 feet to connect with the existing channel.

In addition, a small amount of rip-rap will have to be placed in the ditch bottom at the downstream end of the existing culvert and the Railway ditch along the south side of the embankment, immediately east of the new pipe, will have to be diverted

for a distance of about 40 feet.

Attached is our Drawing no. 68070-3 which consists of a plan of the crossing and a cross section along the centre line of the proposed pipe. Also attached is a specification for the work to be carried out.

In accordance with Section 3 of The Drainage Act, 1952-63, we determine that the amount of \$50.00 is to be paid to Clair Lunn, the owner of the E₁ of Lot 3, Concession 2 west of the Railway, for damages to lands and crops (including damage to the fence along the existing drain) occasioned by the disposal of material and the excavation thereof.

We estimate the cost of the work that we recommend, together with the expenses incidental thereto, to be as follows:

Supply and install 56 lineal feet of 30" smooth wall steel pipe	\$5100.00 ✓
250 Cu. Yds. Additional Excavation and Levelling	150.00 ✓
Rip-rap	30.00 ✓
Allowances under Section 3	50.00 ✓
Survey, Plans and Report	325.00 ✓
Expenses	5.00 ✓
Bylaw	15.00
Clerk's Fees	75.00
Letting and Superintending	50.00
Engineering Supervision	100.00
Miscellaneous	<u>100.00</u>
	<u>\$6000.00</u>

Under the provisions of The Railways Act, the Canadian Pacific Railway has the right to carry out the work on its property but it has already advised the Township that it does not wish to do so and it has asked the Township to arrange to do whatever work may be required.

All of the work covered by this report is made necessary by the fact that the floor of the concrete Railway culvert is too high to permit the drain to be dug to the specified depth across the Railway right-of-way. This means that the cost of the repair and improvement of the Facey Drain is increased by the total cost of the work covered by this report and in accordance with Section 273 (5) of The Railways Act, we assess the entire cost of this work against the Canadian Pacific Railway.

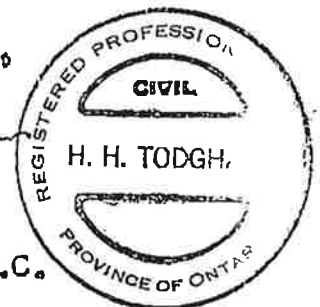
After completion, all of the work (including the pipe culvert) covered by this report is to be maintained by the Township of Zone. The cost of maintaining the pipe culvert is to be charged against the Canadian Pacific Railway whereas the cost of maintaining the open ditch portions of the work is to be at the expense of the lands and roads assessed in our report of September 19, 1969 and in the same relative proportions as set out in that report.

Respectfully submitted,



H. H. Todgham,

B.A.Sc., O.L.S., P.E.I.C.



HHF:lo

SPECIFICATION FOR INSTALLING RAILWAY CULVERT
UNDER CANADIAN PACIFIC RAILWAY

FACEY DRAIN

TOWNSHIP OF ZONE

1. LOCATION:

The culvert is to be installed under the tracks of the Canadian Pacific Railway where the Facey Drain crosses the Railway right-of-way on the E $\frac{1}{2}$ of Lot 3, Concession 2, Township of Zone. The centre line of the new culvert is to be 20 feet northeast of the northeast wall of the existing concrete culvert.

2. ALIGNMENT:

The pipe is to cross the right-of-way approximately at right angles to the centre line of the tracks but a variation of 10 degrees in either direction will be permitted.

3. CULVERT PIPE:

The culvert is to be a 30 inch diameter smooth wall steel pipe with a wall thickness of $\frac{1}{2}$ inch. The pipe is to be true in shape with no deformed or damaged areas. It is to be 56 feet long.

4. ELEVATION AND GRADE:

The elevation and grade of the culvert are to be as shown on the attached Drawing No. 68070-3. Since the elevation of the new culvert in relation to the old culvert is critical, the boring contractor will exercise care to keep the elevation and grade as near as possible to that shown on the drawing. The maximum allowable variation will be plus or minus 0.15 feet.

5. SUPPLY OF MATERIALS:

The boring contractor will supply at the site all materials required for installing the pipe including the pipe itself, timber blocking, sheeting, gravel bedding, etc.

6. INSTALLATION:

The pipe is to be installed by boring and jacking from one side or the other of the Railway embankment. Care is to be taken to ensure that the sections of pipe are properly joined together to the full strength of the pipe to avoid any possibility of the joints opening up under the embankment. When the pipe has been installed, all wooden material such as blocking, shoring, etc., is to be removed by the boring contractor and disposed of by him. He will not be required, however, to remove the earth brought out by the boring process but this may be left in the bottom of the shaft.

7. DITCH RELOCATION:

The excavation contractor will dig a new course for the drain, upstream from the culvert, commencing at the upstream end of the pipe and continuing northwesterly to re-join the existing course at a point approximately 180 feet from the end of the culvert. This relocation is to be a smooth curve that will bring the water in the drain directly to the culvert inlet. The new course is to have a 3 foot bottom with side slopes of $1\frac{1}{2}:1$ and it is to be excavated to the depths shown for this part of the drain on Drawing No. 68070-2 attached to the report of Todgham and Case Limited dated September 19, 1969. Material excavated from the new course is to be used first of all to fill

the existing course as shown on the drawing but material not required for this purpose is to be spread on the adjoining farm lands as set out in the specification attached to the report of September 19, 1969.

From the outlet end of the culvert a new course is to be dug southeasterly to join the existing course just south of the Railway limit. On this side of the Railway, the existing course is to be kept open to its present elevation and material excavated from the new course is to be deposited on the immediately adjoining farm lands.

In digging the new course of the drain, the excavation contractor will slope the Railway embankment at each end of the new culvert, as shown on Drawing No. 68070-3.

8. EXISTING CULVERT:

The excavation contractor will remove the silt that has been deposited on the floor of the existing concrete Railway culvert, cleaning the culvert so that the floor will be exposed over its entire area. He will then excavate the existing ditch, upstream, in the area shown on Drawing No. 68070-3, to connect the new course of the drain to the existing Railway culvert. This excavation is to be carried down to the level of the top surface of the floor of the Railway culvert.

9. SOUTH RAILWAY DITCH:

There is a small ditch along the southeast side of the Railway which the excavation contractor will be required to relocate slightly to the southeast to permit it to discharge into the new course of the drain clear of the mouth of the new Railway

culvert.

10. RIP-RAP:

The Commissioner appointed by the Township to superintend the work will arrange for the installation of rip-rap in the bottom of the existing course of the drain, immediately downstream from the existing concrete Railway culvert. This rip-rap is to be 6 feet wide (the width of the culvert opening) and is to extend 5 feet out from the end of the culvert floor. It is to be made of broken concrete or stone in pieces weighing not less than 50 pounds each. The rip-rap is to be hand laid to provide a reasonably uniform surface. The top surface is to be about the same elevation as the floor of the culvert (but not higher) and is to slope down to meet the elevation of the ditch bottom at its outer end.

11. NOTICE:

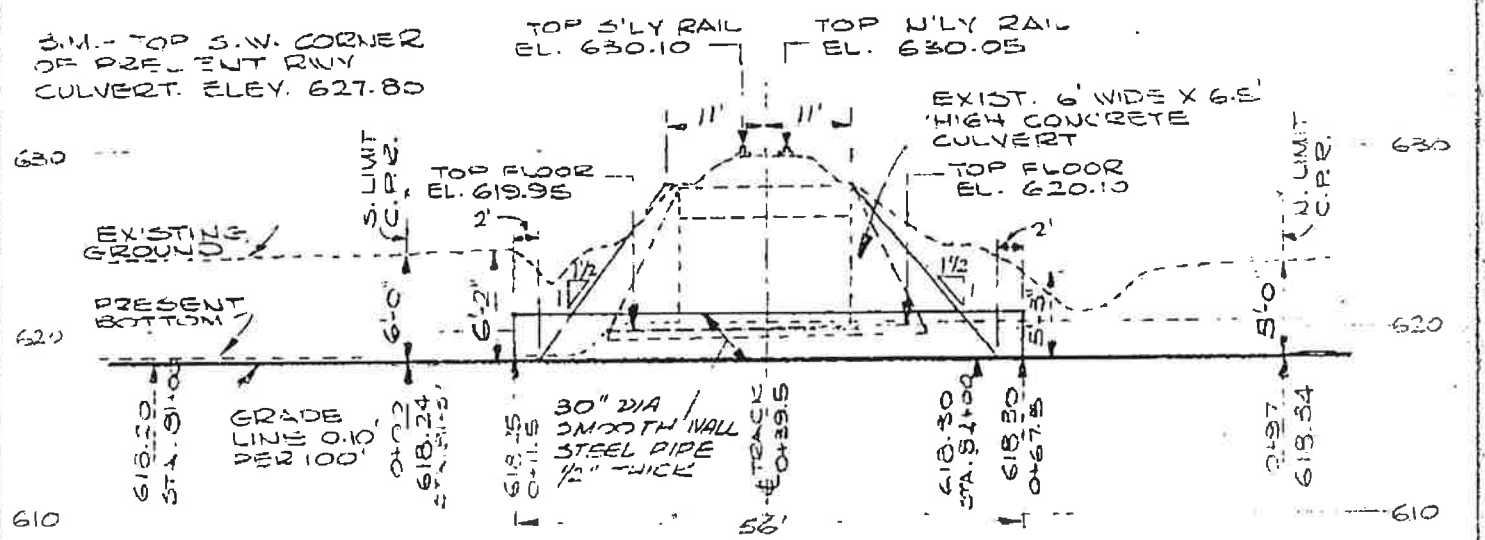
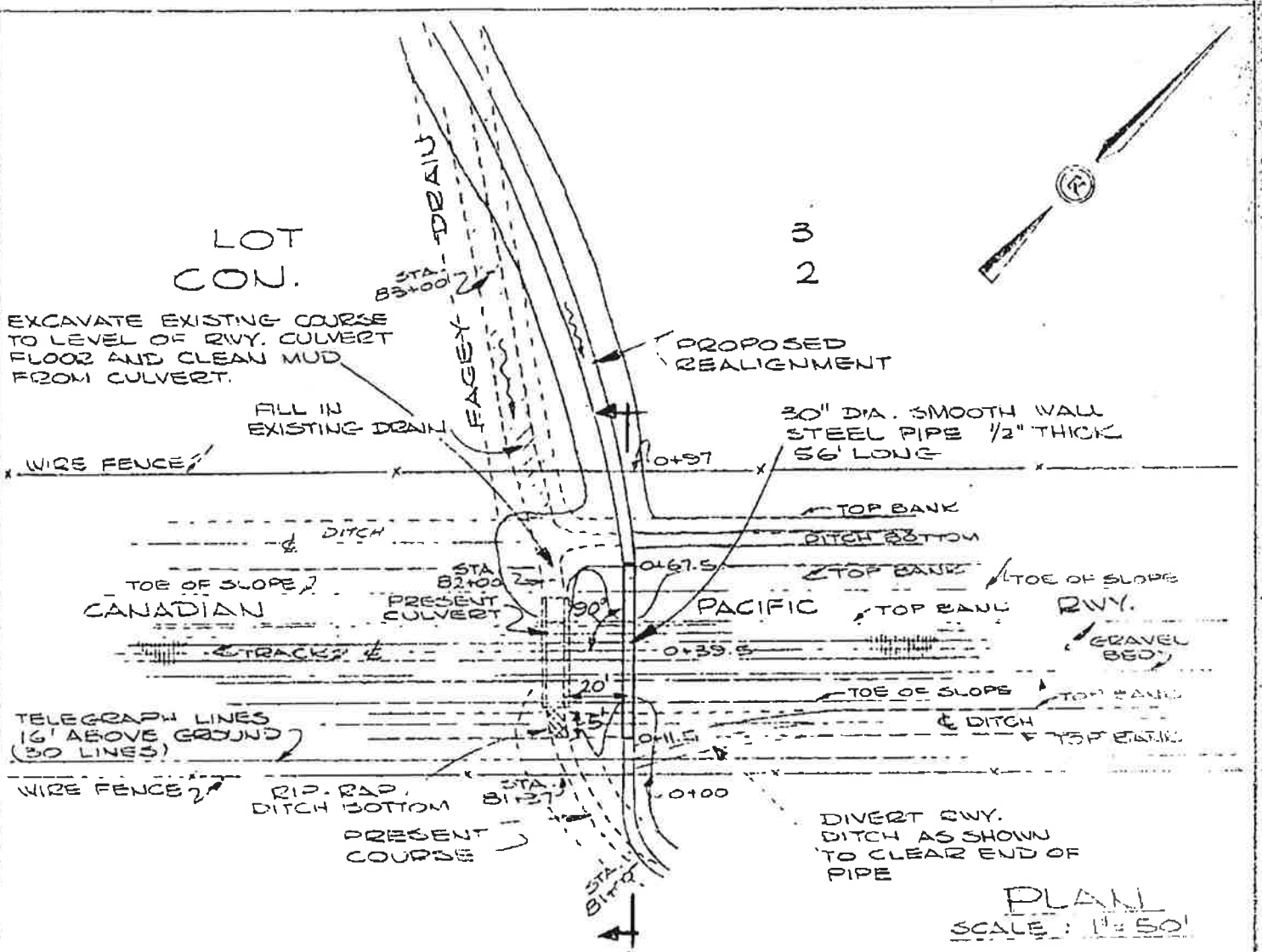
The Commissioner in charge of the work for the Township will see that suitable notice is given to the Canadian Pacific Railway to permit the Railway to arrange for an inspector to attend at the site while the work on the Railway is being carried out. This notice is to be not less than 3 clear working days before any work is begun on the Railway right-of-way.

12. PROTECTION OF RAILWAY:

The attention of all concerned is drawn to the fact that this is the main line of the Canadian Pacific Railway and great care must be taken to avoid causing any damage to the tracks, road bed or embankment which might endanger the safety of the line. Each contractor working on the project will be responsible for any

damage that may result to the tracks, road bed, or embankment as a result of his operations.

TODGHAM AND CASE LIMITED
Consulting Engineers
Chatham, Ontario.



CROSS SECTION THROUGH RAILWAY
LOOKING SOUTH Westerly
SCALE: HORIZ. 1" = 20', VERT. 1" = 10'

TODDHAM & CASE LIMITED
CONSULTING CIVIL ENGINEERS
CHATHAM ONTARIO
AUGUST 17, 1970
BOOK NO. 927

FACEY DRAIN
C.P.R. CULVERT
CROSSING DETAILS
TOWNSHIP OF ZONE

TODGHAM AND CASE LIMITED
CONSULTING CIVIL ENGINEERS

151 THAMES STREET
CHATHAM, ONTARIO

HERBERT H. TODGHAM
B.A.S.C., O.L.S., P.ENG.

POST OFFICE BOX 388
TELEPHONE 354-0400

C. WILLIAM CASE
M.A.S.C., P.ENG.

September 3rd, 1970.

To the Reeve and Council
of the Township of Zone.

Re: Facey Drain East Branch,
Crossing Under Canadian Pacific
Railway, Lot 5, Concession 3.

Gentlemen:

As requested we have made a detailed examination of the East Branch of the Facey Drain where it crosses the right-of-way of the Canadian Pacific Railway just north of the line between Lots 4 and 5, Concession 3. There is now an 8 feet wide by 5 feet high concrete culvert which carries the water in the drain through the railway embankment. This culvert has been extended not too long ago and is in a reasonably good state of repair.

In our report to you dated September 23, 1969, for the repair and improvement of the East Branch of the Facey Drain, we recommended that the drain be deepened about 2 feet where it crosses the railway right-of-way. However, our detailed examination of this crossing has shown that there is a concrete floor in the existing railway culvert that is only a few inches below the present drain bottom. When the drain has been excavated to the depth set out in our report of September 23, 1969, the floor of this culvert will form an obstruction to the flow of water in

the drain and will, in fact, dam the water back to a depth of approximately 1.75 feet.

In order to eliminate this obstruction, there are two alternatives:

1. Remove the floor of the concrete culvert.
2. Install a pipe beneath the embankment with its invert at the grade line of the deepened drain.

Removing the floor of the existing culvert would weaken it to the point where it would probably collapse and we therefore recommend that a pipe be installed to take the low flow in the drain. We recommend that this be a 30 inch diameter smooth wall steel pipe made from $\frac{1}{2}$ inch thick material and that it be installed by jacking and boring beneath the Railway embankment. The existing culvert is to be left in place to take the overflow water which cannot be handled by the pipe, in times of freshet.

The pipe is to be approximately parallel with the existing culvert and 20 feet away from it. In order that the water in the drain may flow to the pipe and away from it, with the greatest efficiency, it will be necessary to re-align the drain on the north side of the Railway right-of-way, beginning at the inlet end of the new pipe and running northeasterly to join the existing course at about the point where it crosses the northwest limit of the right-of-way. It will also be necessary to dig a new channel downstream from the outlet end of the pipe to connect it to the existing channel on the farm lands southeast of the Railway right-of-way.

In addition, rip-rap will have to be placed in the ditch

bottom at the downstream end of the existing culvert, where the drain bends to enter the new culvert and where the new channel connects with the existing channel southeast of the right-of-way.

Attached is our Drawing No. 68070-3A which consists of a plan of the crossing and a cross section along the centre line of the proposed pipe. Also attached is a specification for the work to be carried out.

Material excavated from the new course is to be deposited on the immediately adjoining farm lands. In accordance with Section 8 of The Drainage Act, 1962-63, we determine that the following amounts are to be paid to the owners of the adjoining property for damages to lands and crops (if any) occasioned by the disposal of material:

<u>Con.</u>	<u>Lot or Part</u>	<u>Owner</u>	<u>Damages</u>
3	1/2 1/2	Harvey Chew K & D Rose	\$10.00 ✓
	1/2	Director of Veterans Land Act	<u>15.00</u> ✓
			<u>\$25.00</u>

We estimate the cost of the work that we recommend, together with the expenses incidental thereto to be as follows:

Supply and Install 54 lineal feet of 30" smooth wall steel pipe	\$4900.00
350 Cu. Yds. Additional Excavation and Levelling	200.00 ✓
Rip-rap	<u>50.00</u> ✓
Allowances under Section 8	130.00 ✓
Survey, Plans & Report	25.00
Expenses	325.00
	5.00

Bylaw	\$ 15.00
Clerk's Fees	75.00
Letting and Superintending	50.00
Engineering Supervision	100.00
Miscellaneous	<u>75.00</u>
	<u>\$5900.00</u>

Under the provisions of The Railways Act, the Canadian Pacific Railway has the right to carry out the work on its property but it has already advised the Township that it does not wish to do so and it has asked the Township to arrange to do whatever work may be required.

All of the work covered by this report is made necessary by the fact that the floor of the concrete Railway culvert is too high to permit the drain to be dug to the specified depth across the Railway right-of-way. This means that the cost of the repair and improvement of the East Branch of the Facey Drain is increased by the total cost of the work covered by this report and in accordance with Section 273 (5) of The Railways Act, we assess the entire cost of this work against the Canadian Pacific Railway.

After completion, all of the work (including the pipe culvert) covered by this report is to be maintained by the Township of Zone. The cost of maintaining the pipe culvert is to be charged against the Canadian Pacific Railway whereas the cost of maintaining the open ditch portions of the work is to be at the expense of the lands and roads assessed in our report of September

23, 1969 and in the same relative proportions as set out in that report.

Respectfully submitted,



H. H. Todgham,

B.A.Sc., O.L.S., M.E.I.

INIT:lo



SPECIFICATION FOR INSTALLING RAILWAY CULVERT
UNDER CANADIAN PACIFIC RAILWAY
FACEY DRAIN EAST BRANCH
TOWNSHIP OF ZONE

1. LOCATION:

The culvert is to be installed under the tracks of the Canadian Pacific Railway where the East Branch of the Facey Drain crosses the Railway right-of-way at approximately the line between Lots 4 and 5, near the centre of Concession 3, Township of Zone. The centre line of the new culvert is to be 20 feet southwest of the southwest wall of the existing concrete culvert.

2. ALIGNMENT:

The pipe is to cross the right-of-way approximately at right angles to the centre line of the tracks but a variation of 10 degrees in either direction will be permitted.

3. CULVERT PIPE:

The culvert is to be a 30 inch diameter smooth wall steel pipe with a wall thickness of $\frac{1}{2}$ inch. The pipe is to be true in shape with no deformed or damaged areas. It is to be 54 feet long.

4. ELEVATION AND GRADE:

The elevation and grade of the culvert are to be as shown on the attached Drawing No. 68070-3A. Since the elevation of the new culvert in relation to the old culvert is critical, the boring contractor will exercise care to keep the elevation and grade as near as possible to that shown on the drawing. The maximum allowable variation will be plus or minus 0.15 feet.

5. SUPPLY OF MATERIALS:

The boring contractor will supply at the site all materials required for installing the pipe including the pipe itself, timber blocking, sheeting, gravel bedding, etc.

6. INSTALLATION:

The pipe is to be installed by boring and jacking from one side or the other of the Railway embankment. Care is to be taken to ensure that the sections of pipe are properly joined together to the full strength of the pipe to avoid any possibility of the joints opening up under the embankment.

When the pipe has been installed, all wooden material such as blocking, shoring, etc., is to be removed by the boring contractor and disposed of by him. He will not be required, however, to remove the earth brought out by the boring process but this may be left in the bottom of the shaft.

7. DITCH RELOCATION:

The excavation contractor will dig a new course for the drain, upstream from the culvert, commencing at the upstream end of the pipe and continuing northwesterly and then northeasterly to re-join the existing course at about the point where it crosses the northwest limit of the Railway right-of-way. This relocation is to be a smooth curve that will permit undisturbed flow of the water to the culvert inlet. The new course is to have a 3 foot bottom with side slopes of 1½:1 and it is to be excavated to the depths shown for this part of the drain on Drawing No. 68070-2A attached to the report of Todgham and Case Limited dated September 23, 1969.

From the outlet end of the culvert a new course is to be dug southeasterly, at right angles to the track, to join the existing course just south of the Railway limit.

On both sides of the Railway tracks, the existing course is to be kept open to permit the flow of surplus water to pass through the existing culvert. Material excavated from the new course is to be deposited on the immediately adjoining farm lands.

In digging the new course of the drain, the excavation contractor will slope the Railway embankment at each end of the new culvert, as shown on Drawing No. 68070-3A.

8. EXISTING CULVERT:

The excavation contractor will remove the silt that has been deposited on the floor of the existing concrete Railway culvert, cleaning the culvert so that the floor will be exposed over its entire area. He will then excavate the existing ditch, upstream, in the area shown on Drawing No. 68070-3A, to connect the new course of the drain to the existing Railway culvert. This excavation is to be carried down to the level of the top surface of the floor of the Railway culvert.

9. RIP-RAP:

The Commissioner appointed by the Township to superintend the work will arrange for the installation of rip-rap in the bottom of the existing course of the drain, immediately downstream from the existing concrete Railway culvert. This rip-rap is to be 8 feet wide (the width of the culvert opening) and is to extend 5 feet out from the end of the culvert floor.

It is to be made of broken concrete or stone in pieces weighing not less than 50 pounds each. The rip-rap is to be hand laid to provide a reasonably uniform surface. The top surface is to be about the same elevation as the floor of the culvert (but not higher) and is to slope down to meet the elevation of the ditch bottom at its outer end.

The Commissioner will also arrange for the installation of rip-rap on the southeast side of the existing ditch southeast of the Railway, opposite the point where the new course enters it, in the location shown on Drawing No. 68070-3A. This rip-rap is to have a length of not less than 10 feet measured parallel with the Railway fence. It is to extend from a point 6 inches below the ditch bottom up to an elevation 2 feet 6 inches above the ditch bottom. It is to be made of broken concrete or stone in pieces weighing not less than 50 pounds each and is to be hand laid to provide a reasonably uniform surface. The surface of this rip-rap is to conform to the surface of the adjoining ditch banks.

10. NOTICE:

The Commissioner in charge of the work for the Township will see that suitable notice is given to the Canadian Pacific Railway to permit the Railway to arrange for an inspector to attend at the site while the work on the Railway is being carried out. This notice is to be not less than 3 clear working days before any work is begun on the Railway right-of-way.

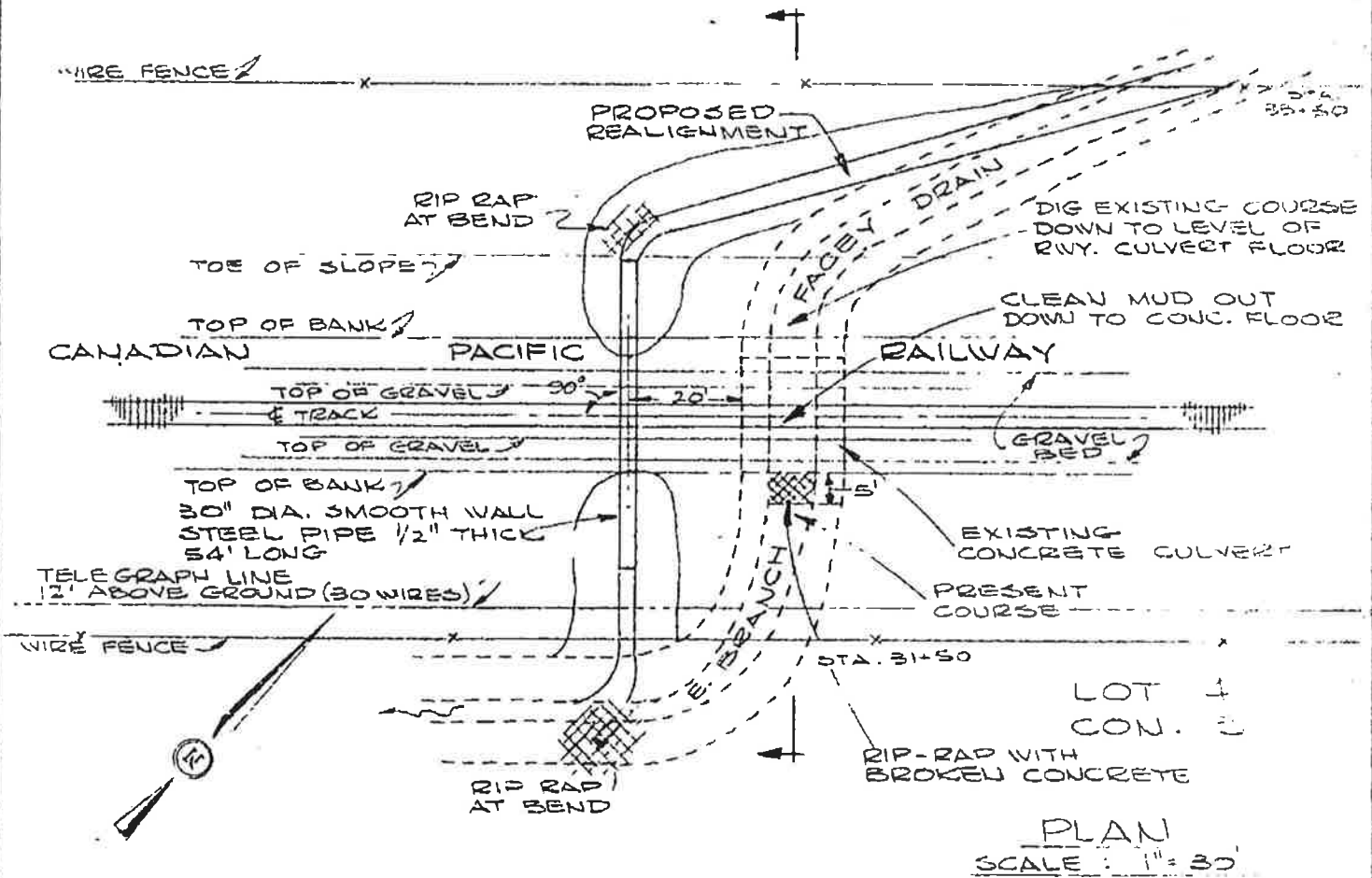
11. PROTECTION OF RAILWAY:

The attention of all concerned is drawn to the fact that

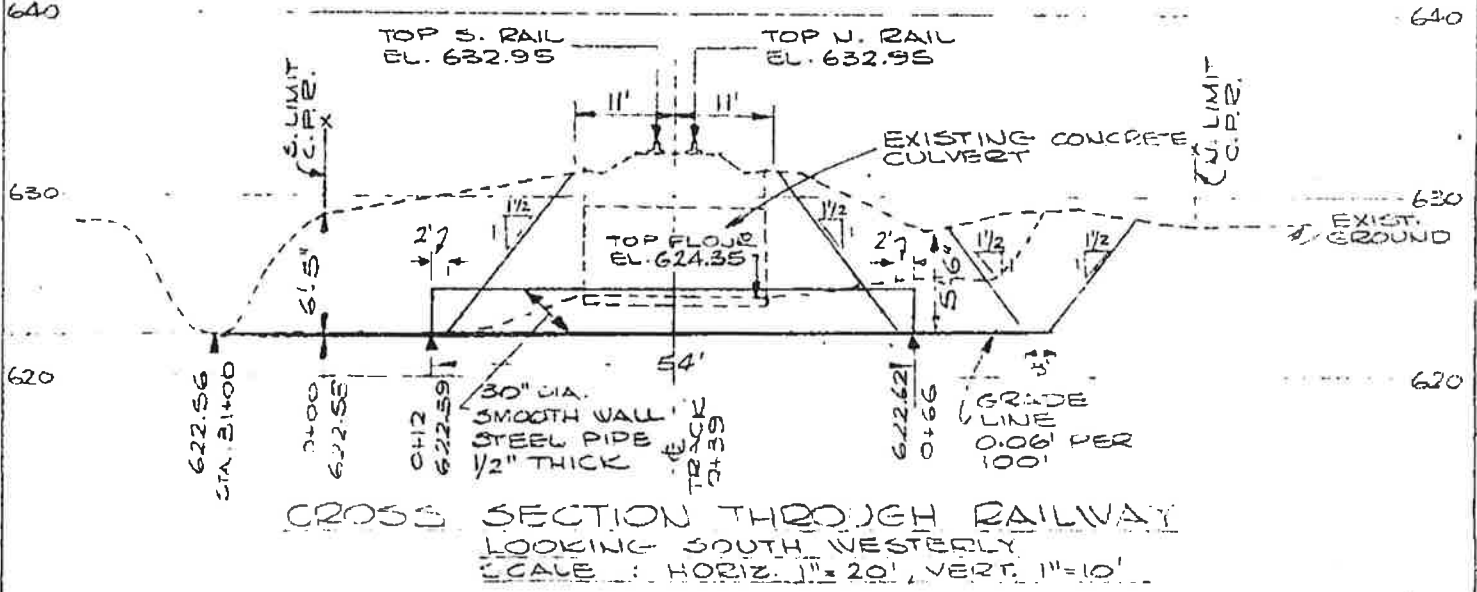
this is the main line of the Canadian Pacific Railway and great care must be taken to avoid causing any damage to the tracks, road bed or embankment which might endanger the safety of the line. Each contractor working on the project will be responsible for any damage that may result to the tracks, road bed, or embankment as a result of his operations.

TODGHAM AND CASE LIMITED,
Consulting Engineers,
Chatham, Ontario.

LOT 5
CON. 3



B.M. - TOP OF CORNER OF
SOUTH END OF EXISTING
CONCRETE CULVERT.
ELEV. - 631.40



CROSS SECTION THROUGH RAILWAY
LOOKING SOUTH WESTERLY
SCALE : HORIZ. 1" = 20', VERT. 1" = 10'

TORGHAM & CASE LIMITED
CONSULTING CIVIL ENGINEERS
CHATHAM ONTARIO
AUGUST 17, 1970
BOOK NO 937

FACEY DRAIN E. BRANCH
C. P. R. CULVERT
CROSSING DETAILS
TOWNSHIP OF ZONE

BY-LAW 59 - 70

A by-law to provide for the improvement of the Facey Drain and for borrowing on the credit of the Municipality the sum of Six Thousand Dollars for completing the same.

Provisionally adopted the 5th day of October 1970.

BY-LAW 59 - 70

A by-law to provide for the improvement of the Facey Drain and for borrowing on the credit of the Municipality the sum of Six Thousand Dollars for completing the same.

Provisionally adopted the 5th day of October 1970.

And whereas the Council of the Township of Zone is of the opinion that the drainage is desirable.

Therefore the Council of the Township of Zone pursuant to the provisions of the Municipal Drainage Act, enacts as follows,-

1. The report is hereby adopted and the drainage works as therein indicated and set forth are hereby authorized and shall be completed in accordance therewith.
2. The Reeve and Treasurer of the said Township of Zone may borrow on the credit of the Municipality the sum of Six Thousand Dollars being the funds necessary for the cost of the construction.
3. For the paying of Six Thousand Dollars the amount charged against the Canadian Pacific Railway.
4. This by-law and notices shall be printed and a copy thereof mailed to the Canadian Pacific Railway as the only assessed owner and shall come into force upon the final passing thereof.

Read a first and second time and provisionally adopted this 5th day of October 1970.

Read a third and final time this day of

Douglas Meredith, Reeve

Richard Buckenham, Clerk

I, Richard Buckenham, Clerk of the Township of Zone, do hereby certify that the above is a true copy of by-law 59 - 70, provisionally adopted the 5th day of October 1970 and finally passed

And whereas the Council of the Township of Zone is of the opinion that the drainage is desirable.

Therefore the Council of the Township of Zone pursuant to the provisions of the Municipal Drainage Act, enacts as follows,-

1. The report is hereby adopted and the drainage works as therein indicated and set forth are hereby authorized and shall be completed in accordance therewith.
2. The Reeve and Treasurer of the said Township of Zone may borrow on the credit of the Municipality the sum of Six Thousand Dollars being the funds necessary for the cost of the construction.
3. For the paying of Six Thousand Dollars the amount charged against the Canadian Pacific Railway.
4. This by-law and notices shall be printed and a copy thereof mailed to the Canadian Pacific Railway as the only assessed owner and shall come into force upon the final passing thereof.

Read a first and second time and provisionally adopted this 5th day of October 1970.

Read a third and final time this day of

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Richard Buckenham, Clerk

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Douglas Meredith, Reeve

Richard Buckenham, Clerk

I, Richard Buckenham, Clerk of the Township of Zone, do hereby certify that the above is a true copy of by-law 59 - 70, provisionally adopted the 5th day of October 1970 and finally passed

BY-LAW 60 - 70

Aby-law to provide for the improvement of the Facey Drain East Branch and for borrowing on the credit of the Municipality the sum of Five Thousand Nine Hundred Dollars for completing the same.

Provisionally adopted the 5th day of October 1970.

And whereas the Council is of the opinion that the drainage is desirable.

Therefore the Council of the Township of Zone pursuant to the provisions of the Municipal Drainage Act, enacts as follows:-

- 1. The report is hereby adopted and the drainage works as therein indicated and set forth are hereby authorized and shall be completed in accordance therewith.
- 2. The Reeve and Treasurer of the said Township of Zone may borrow on the credit of the Municipality the sum of Five Thousand Nine Hundred Dollars, being the funds necessary for the cost of the construction.
- 3. For the paying of Five Thousand Nine Hundred Dollars the amount charged against the Canadian Pacific Railway.
- 4. This by-law and articles shall be printed and a copy thereof mailed to the Canadian Pacific Railway as the only assessed owner and shall come into force upon the final passing thereof.

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Read a third and final time this _____ day of _____

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Richard Bushaban, Clerk

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3. For the paying of Five Thousand Nine Hundred Dollars the amount charged against the Canadian Pacific Railway.
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Read a third and final time this _____ day of _____

Douglas Meredith, Reeve

Richard Buckenham, Clerk

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THIS IS EXHIBIT "G" TO THE AFFIDAVIT OF
BLAISE CHEVALIER , SWORN ON THE 2ND DAY OF
APRIL, 2024.

Digitally signed by
Lynn Kalp
Date: 2024.04.02
13:18:00 -0400

A COMMISSIONER, ETC.

**Linda Marie Kalp, a Commissioner, etc.
Province of Ontario, for the
Municipality of Chatham-Kent.
Expires August 31, 2026.**

TODGHAM AND CASE LIMITED
CONSULTING CIVIL ENGINEERS

151 JAMES STREET
CHATHAM, ONTARIO

HERBERT H. TODGHAM
B.A.Sc., O.L.S., P.Eng.

POST OFFICE BOX 388
TELEPHONE 354-0400

C. WILLIAM CASE
M.A.Sc., P.Eng.

August 17th, 1970.

Canadian Pacific Railway,
Office of the Division Engineer,
Richmond Street,
London, Ontario.

Attention: Mr. Tom Clark.

Re: Facey Drain and Facey Drain East Branch,
Township of Zone, County of Kent.

Gentlemen:

Further to our consultation with your Mr. Clark, Township Officials and property owners, we have prepared a sketch and specification for installing a new culvert under your tracks where each of these drains crosses your right-of-way.

We enclose three copies of the sketch and specification for each of these installations and we should appreciate it very much if you could review them and let us have your comments at the earliest possible moment. I expect to be in the office most of Wednesday and Thursday of this week and perhaps you would be good enough to call me as soon as you have looked these over.

When I have your comments I shall make any necessary amendments and the Township will then arrange to obtain prices for the necessary work.

Yours very truly,

TODGHAM AND CASE LIMITED

Per:



HHT:mm
Encs.
C.C. Mr. R. Buckenham,
Clerk of Zone Twp.,
2 copies sketch &
specification.

R. P. Smith, P. Eng.
Division Engineer
438-4061

664 Richmond Street, North
London 12, Ontario
August 26, 1970

File: D-W-47.94

Mr. H. H. Todgham
Todgham and Case Limited
Consulting Civil Engineers
151 Thames Street
CHATHAM, Ontario

Dear Sir:

Your letter - August 17, 1970
Subject - Facey Drain and Facey Drain East Branch
Township of Zone, County of Kent
Mlre. 47.94, Windsor Subdivision

Confirming conversation with Mr. Macredie.

The preliminary specifications and plans 68070-3 and
68070-3A covering the two drains undercrossings by means
of 30" dia. steel pipes are satisfactory to the Railway.


Will you please proceed with arranging a contract for the
work on Railway property.

Yours truly,


Division Engineer.

JRCMacredie:sec

cc: Mr. R. Buckenham
Clerk
Township of Zone
R. R. No.2
THAMESVILLE, Ontario



THIS IS EXHIBIT "H" TO THE AFFIDAVIT OF
BLAISE CHEVALIER , SWORN ON THE 2ND DAY OF
APRIL, 2024.

Lynn Kalp Digitally signed by Lynn Kalp
Date: 2024.04.02 13:18:20
-0400

A COMMISSIONER, ETC.

**Linda Marie Kalp, a Commissioner, etc.
Province of Ontario, for the
Municipality of Chatham-Kent.
Expires August 31, 2026.**

TODGHAM AND CASE LIMITED
CONSULTING CIVIL ENGINEERS

151 THAMES STREET
CHATHAM, ONTARIO

HERBERT H. TODGHAM
B.A.S.C., O.L.S., P.ENG.

POST OFFICE BOX 386
TELEPHONE 354-0400

C. WILLIAM CASE
M.A.S.C., P.ENG.

March 23rd, 1971.

Mr. Richard Buckenham,
Clerk of Zone Township,
R. R. #5,
Thamesville, Ontario.

Re: Facey Drain and
East Branch of Facey Drain -
Crossings under C.P.R.

Dear Richard:

We have now received from the Canadian Transport Commission copies of the approvals for these crossings and we enclose these for insertion in the Township records.

We also enclose a photocopy of an estimate we have prepared of the probable cost of the 1971 drainage program for Zone Township. This estimate is, of course, very rough but it may give you some idea of what will be involved. We hope it will be helpful.

Yours very truly,

TODGHAM AND CASE LIMITED

Per: *Herb*

HHT:lo
Encs.



RAILWAY TRANSPORT COMMITTEE

COMITÉ DES TRANSPORTS PAR CHEMIN DE FER

ORDER NO. R-10835

ORDONNANCE N° R-10835

January 27, 1971
OttawaLe 27 janvier 1971
Ottawa

IN THE MATTER OF the application of the Township of Zone, herein-after called the "Applicant", for approval of the reconstruction and improvement of:

(a) the Facey Drain across and under the right of way and track of the Canadian Pacific Railway Company at mileage 47.29 Windsor Subdivision, in Lots 4 and 5, Concession 3, Township of Zone, in the Province of Ontario, as shown on Drawing No. 68070-3A dated August 17, 1970, on file with the Commission under file No. 9473.532; and

(b) the Facey Drain East Branch across and under the right of way and track of the Canadian Pacific Railway Company at mileage 47.94 Windsor Subdivision, in Lot 3, Concession 2, Township of Zone, in the Province of Ontario, as shown on Drawing No. 68070-3 dated August 17, 1970, on file with the Commission under file No. 9473.533.

Files Nos. 9473.532
9473.533

UPON reading the submissions filed-

IT IS ORDERED THAT:

The reconstruction and improvement, by the Applicant, of:

(a) the Facey Drain across and under the right of way and track of the Canadian Pacific Railway Company at mileage 47.29 Windsor Subdivision, in Lots 4 and 5, Concession 3, Township of Zone, in the Province of Ontario, as shown on

RELATIVE à la requête que le canton de Zone, ci-après dénommé "Requérant", a présentée en vue d'obtenir l'approbation de la reconstruction et de l'amélioration

a) de l'égout Facey sous l'emprise et la voie ferrée de la Compagnie de chemin de fer du Pacifique-Canadien, au point milliaire 47.29 de la subdivision de Windsor, dans les lots 4 et 5, concession 3, canton de Zone, dans la province d'Ontario, comme il est indiqué sur le dessin n° 68070-3A, daté du 17 août 1970, versé au dossier n° 9473.532 de la Commission; et

b) de la branche est de l'égout Facey sous l'emprise et la voie ferrée de la Compagnie de chemin de fer du Pacifique-Canadien, au point milliaire 47.94 de la subdivision de Windsor, dans le lot 3, concession 2, canton de Zone, dans la province d'Ontario, comme il est indiqué sur le dessin n° 68070-3, daté du 17 août 1970, versé au dossier n° 9473.533 de la Commission.

Dossiers n°s 9473.532
9473.533

APRÈS lecture des pièces déposées -

IL EST ORDONNÉ CE QUI SUIT:

La reconstruction et l'amélioration, par le Requérant,

a) de l'égout Facey sous l'emprise et la voie ferrée de la Compagnie de chemin de fer du Pacifique-Canadien, au point milliaire 47.29 de la subdivision de Windsor, dans les lots 4 et 5, concession 3, canton de Zone, dans la province d'Ontario, comme

the Drawing No. 68070-3A dated August 17, 1970; and

(b) the Facey Drain East Branch across and under the right of way and track of the Canadian Pacific Railway Company at mileage 47.94 Windsor Subdivision, in Lot 3, Concession 2, Township of Zone, in the Province of Ontario, as shown on Drawing No. 68070-3 dated August 17, 1970,

are hereby approved.

il est indiqué sur le dessin n° 68070-3A daté du 17 août 1970; et

b) de la branche est de l'égout Facey sous l'emprise et la voie ferrée de la Compagnie de chemin de fer du Pacifique-Canadien, au point milliaire 47.94 de la subdivision de Windsor, dans le lot 3, concession 2, canton de Zone, dans la province d'Ontario, comme il est indiqué sur le dessin n° 68070-3 daté du 17 août 1970,

sont par les présentes approuvées.

(Signed)

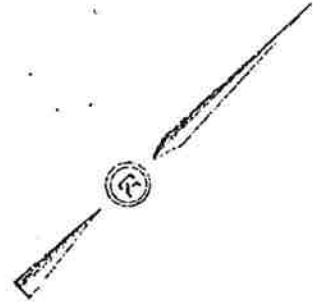
(Signature)

C.W. Rump
Secretary,
Railway Transport Committee.

Secrétaire,
Comité des transports par chemin de fer.

LOT
COU.

3
2



EXCAVATE EXISTING COURSE
TO LEVEL OF R.V.V. CULVERT
FLOOR AND CLEAN MUD
FROM CULVERT.

FILL IN
EXISTING DRAIN

PROPOSED
REALIGNMENT

30" DIA. SMOOTH WALL
STEEL PIPE 1/2" THICK
56' LONG

WIRE FENCE

TOE OF SLOPE
CANADIAN

STA. 82+00
PRESENT
CULVERT

0+67.5

TOP BANK
DITCH BOTTOM

TOP BANK

TOP BANK

0+33.5

TOP BANK

TOP BANK

0+11.5

TOP BANK

0+100

TOP BANK

TOP BANK

TELEGRAPH LINES
16' ABOVE GROUND
(20 LINES)

WIRE FENCE

RIO. R.D.
DITCH BOTTOM

PRESENT
COURSE

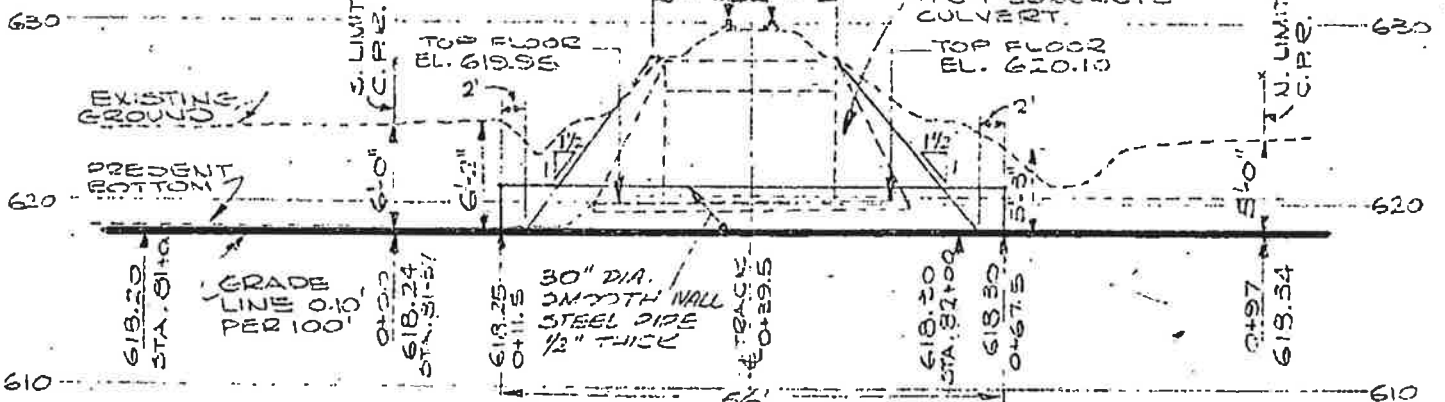
DIVERSE SWY.
DITCH AS SHOWN
TO CLEAR END OF
PIPE

PLAN
SCALE: 1" = 50'

S.M. - TOP S.W. CORNER
OF PRESENT R.V.V.
CULVERT. ELEV. 627.80

TOP S'LY RAIL
EL. 630.10

TOP N'LY RAIL
EL. 630.05



CROSS SECTION THROUGH RAILWAY

LOOKING SOUTH WESTERLY

SCALE: HORIZ. 1" = 20' VERT. 1" = 10'

TODGHAM & CASE LIMITED
CONSULTING CIVIL ENGINEERS
CHATHAM ONTARIO
AUGUST 17, 1970
BOOK NO. 937

FACEY DRAIN
C.P.R. CULVERT
CROSSING DETAILS
TOWNSHIP OF ZONE

CANADIAN TRANSPORT COMMISSION
Railway Transport Committee

Certified as a copy of the original duly sanctioned by Order of the Committee under Section
.....of the Railway Act.

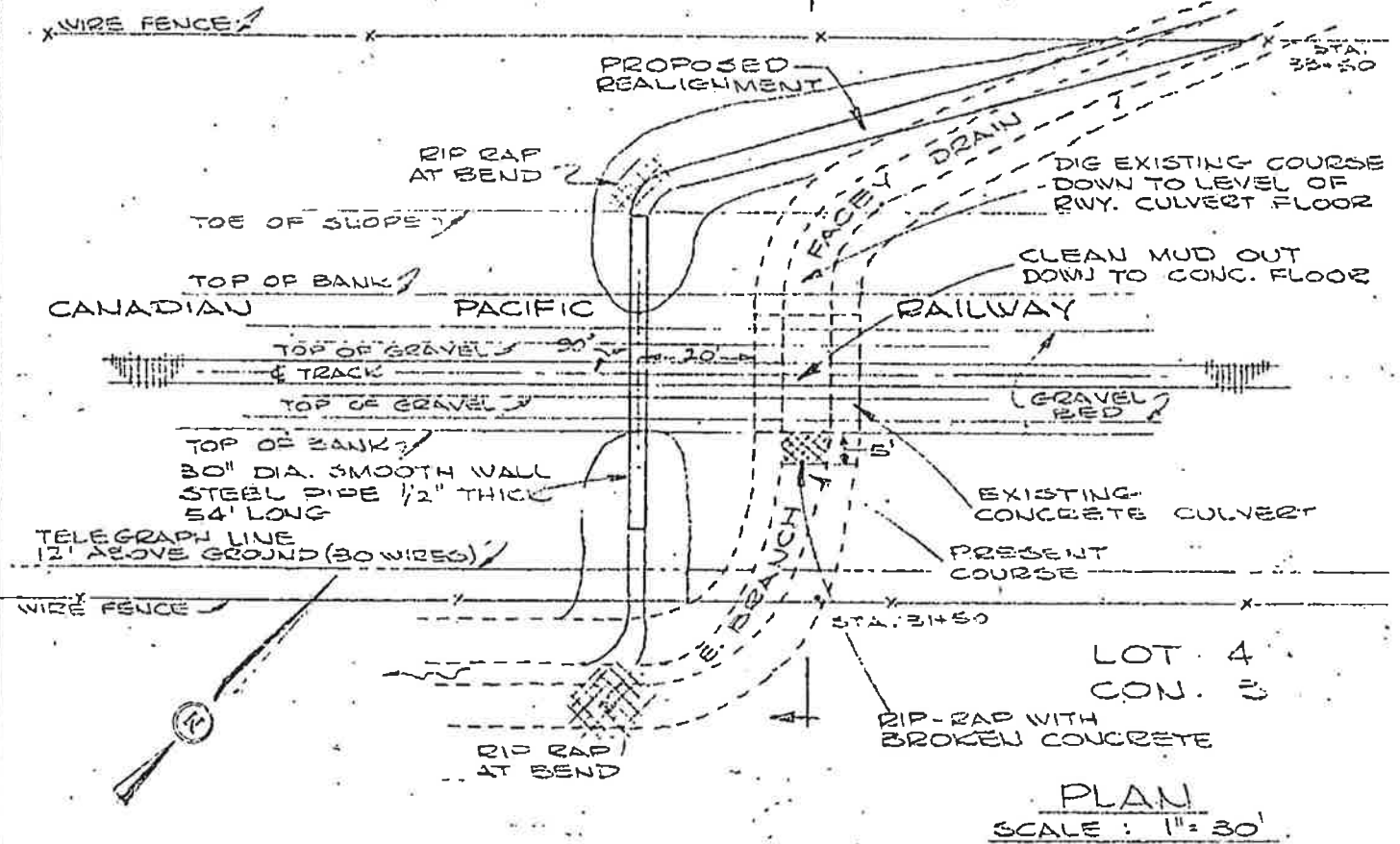
on the 27 day of Jan 1971

Order No. R-10835


D. J. Murphy
Railway Transport Committee

Ottawa, Ont. Mar 15 1971

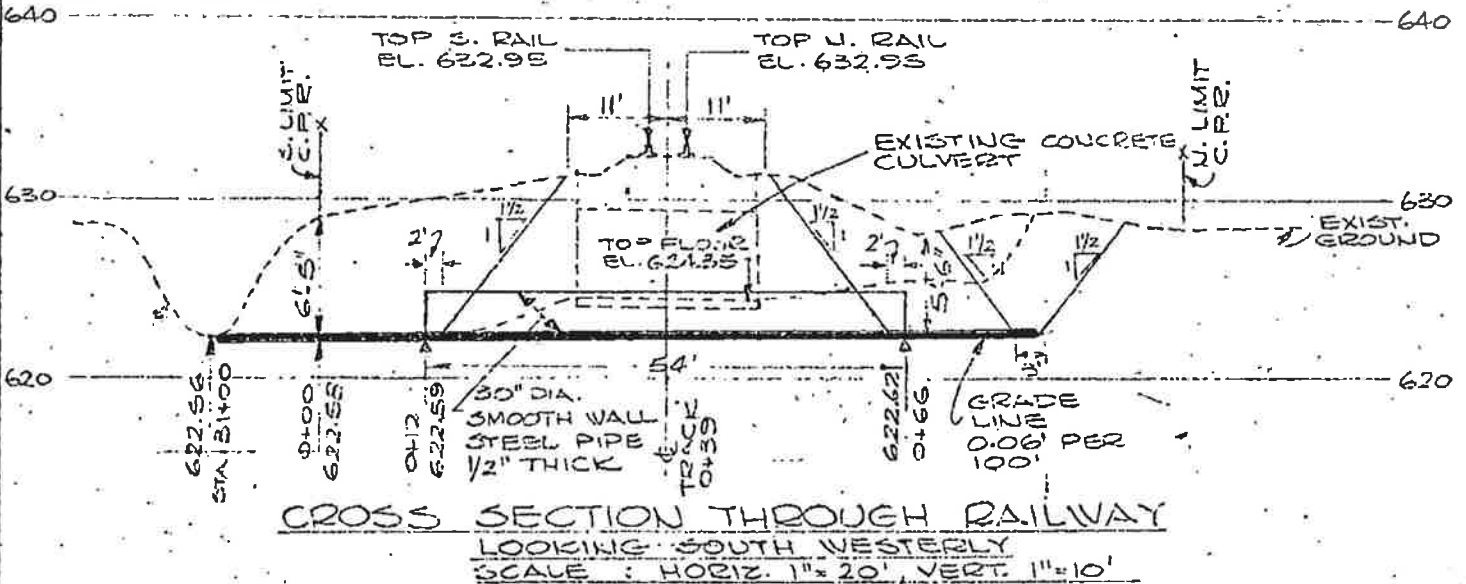
LOT 5
CON. 3



LOT 4
CON. 3

PLAN
SCALE: 1" = 30'

B.M. - TOP OF CORNING OF SOUTH END OF EXISTING CONCRETE CULVERT.
ELEV. - 631.40



CROSS SECTION THROUGH RAILWAY
LOOKING SOUTH WESTERLY
SCALE: HORIZ. 1" = 20', VERT. 1" = 10'

TODGHAM & CASE LIMITED
CONSULTING CIVIL ENGINEERS
CHATHAM ONTARIO
AUGUST 17, 1970
BOOK NO. 937

FACEY DRAIN E. BRANCH
C. P. R. CULVERT
CROSSING DETAILS
TOWNSHIP OF ZONE

CANADIAN TRANSPORT COMMISSION

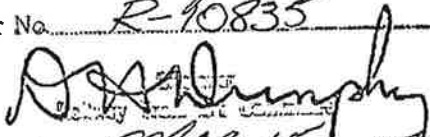
Railway Transport Committee

Certified as a copy of the original duly sanctioned by Order of the Committee under Section

..... of the Railway Act

on the 27 day of Jan 1971

Order No. R-10835



Ottawa, Ont. Mar 15 1971



September 10, 1970.

Mr. R. Buckenham
Clerk-Treasurer
Township of Zone
R. R. 5
Thamesville, Ontario.

Dear Mr. Buckenham: Re: construction of Railway
 Culvert under C.P.R. on
 Facey Drain, East Branch & Main Branch


With reference to your letter of September 2nd, we
return one copy of each contract duly signed.

Our certified cheque in the amount of \$990.00 is
also attached.

Trusting this meets with your requirements,

Yours very truly,

GRAHAM & GRAHAM LIMITED


D. V. Carroll
Vice-President

/ac
encs.

MUNICIPAL
CONTRACTORS



Thamesville, Ont.,
September 9, 1970,

Dear Sir:

Please take notice that the Engineer appointed by the Township of Zone to make a report on the installation of a railway culvert under the Canadian Pacific Railway on the Facey Drain has filed the same with me.

The estimated cost of the work is \$ 6,000.00 which will be borne entirely by the Canadian Pacific Railway. Included in this amount is the sum of \$ 50.00 which is to be paid to the owner of the E.½ of Lot 3, Con, 2 west of the railway for damages to lands and crops.

The report will be read and considered by the Council of the Township of Zone on Monday evening September 21st 1970 at 9 P.M. at the Zone Township Community Centre.

Yours truly,
Richard Buckenham,
Clerk of Zone Township,

TODGHAM AND CASE LIMITED
CONSULTING CIVIL ENGINEERS

151 THAMES STREET
CHATHAM, ONTARIO

HERBERT H. TODGHAM
B.A.Sc., O.L.S., P.Eng.

POST OFFICE BOX 386
TELEPHONE 354-0400

C. WILLIAM CASE
M.A.Sc., P.Eng.

August 17th, 1970.

Canadian Pacific Railway,
Office of the Division Engineer,
Richmond Street,
London, Ontario.

Attention: Mr. Tom Clark.

Re: Facey Drain and Facey Drain East Branch,
Township of Zone, County of Kent.

Gentlemen:

Further to our consultation with Mr. Clark, Township Officials and property owners, we have prepared a sketch and specification for installing a new culvert under your tracks where each of these drains crosses your right-of-way.

We enclose three copies of the sketch and specification for each of these installations and we should appreciate it very much if you could review them and let us have your comments at the earliest possible moment. I expect to be in the office most of Wednesday and Thursday of this week and perhaps you would be good enough to call me as soon as you have looked these over.

When I have your comments I shall make any necessary amendments and the Township will then arrange to obtain prices for the necessary work.

Yours very truly,

TODGHAM AND CASE LIMITED

Per:



HHT:mm
Encs.
C.C. Mr. R. Buckenham,
Clerk of Zone Twp.,
2 copies sketch &
specification.

R. P. Smith, P. Eng.
Division Engineer
438-4061

664 Richmond Street, North
London 12, Ontario
August 26, 1970

File: D-W-47.94

Mr. H. H. Todgham
Todgham and Case Limited
Consulting Civil Engineers
151 Thames Street
CHATHAM, Ontario

Dear Sir:

Your letter - August 17, 1970
Subject - Facey Drain and Facey Drain East Branch
Township of Zone, County of Kent
Mlce. 47.94, Windsor Subdivision

Confirming conversation with Mr. Macredie.

The preliminary specifications and plans 68070-3 and
68070-3A covering the two drains undercrossings by means
of 30" dia. steel pipes are satisfactory to the Railway.


Will you please proceed with arranging a contract for the
work on Railway property.

Yours truly,


Division Engineer.

JRC:macredie:sec

cc: Mr. R. Buckenham
Clerk
Township of Zone
R. R. No.2
THAMESVILLE, Ontario



PROPOSAL

TO: THE REEVE AND COUNCIL OF THE TOWNSHIP OF ZONE
RE: THE CONSTRUCTION OF a Railway Culvert under Canadian Pacific
Railway on the Facey Drain , Main Branch.

Gentlemen;-

I/we the undersigned, having carefully examined the plans, specifications
and location of the work and understanding all conditions, hereby offer
to enter into a contract to supply all materials and to construct the
said work for the said Municipality, complete and ready for use in
accordance with the plans, profiles and specifications therefore on file
at the office of the Engineer, which drawings and specifications form
the basis of the proposal for the following prices,

To Wit: \$ 5,040.00

A Certified Cheque for 10 % of the amount of the bid, payable to the
Municipality is enclosed.

The work will begin on or before September 10, 1970

The work will be completed on or before September 25, 1970

OFFERED ON BEHALF OF THE CONTRACTOR

GRAHAM & GRAHAM LIMITED

Name... D. C. Graham.....
Address... 764 Wharncliffe Road, South
London 64, Ontario.....
Date... September 10, 1970.....

ACCEPTED ON BEHALF OF THE MUNICIPALITY

Reeve... Douglas Meredith.....
Clerk... Richard Lundenham.....
Date... Sept. 8, 1970.....
(Seal)

This proposal or Tender Form when signed and offered by the Contractor
shall constitute a formal and binding Contract when accepted and
signed on behalf of the Municipality.

THIS IS EXHIBIT "1" TO THE AFFIDAVIT OF
BLAISE CHEVALIER , SWORN ON THE 2ND DAY OF
APRIL, 2024.

Lynn Kalp Digitally signed by Lynn Kalp
Date: 2024.04.02 14:09:44 -0400

A COMMISSIONER, ETC.

**Linda Marie Kalp, a Commissioner, etc.
Province of Ontario, for the
Municipality of Chatham-Kent.
Expires August 31, 2026.**

EAST BRANCH OF FACEY DRAIN

TOWNSHIP OF ZONE

TODGHAM AND CASE ASSOCIATES INCORPORATED
CONSULTING ENGINEERS
CHATHAM, ONTARIO

79 10 01

TODGHAM AND CASE ASSOCIATES

INCORPORATED

CONSULTING CIVIL ENGINEERS

280 GRAND AVE. EAST
P. O. BOX 1326 N7M 5R9

CHATHAM, ONTARIO
519/354-0400

79 10 01

To the Reeve and Council
of the Township of Zone.

Re: East Branch of Facey Drain.

Gentlemen:

In accordance with your instructions, we have made an examination and survey of the open portion and tile portion of the East Branch of the Facey Drain commencing at the outlet of the open portion into the Facey Drain in the N $\frac{1}{2}$ of Lot 3, Concession 3 and proceeding upstream along the entire length of the open and closed portions to the head of the existing tile at the westerly limit of County Road No. 23 in the S $\frac{1}{2}$ of Lot 8. We have extended our examination and survey of the tile portion of the drain across County Road No. 23, in accordance with your instructions, acting upon the drainage petition by the Kent County Engineer, for the upstream extension of the drain.

A review of the records indicates that the existing tile drain extends from its head at the west limit of County Road No. 23 in the S $\frac{1}{2}$ of Lot 8 (Station 20) to its outlet into the open portion of the drain at the line between Lots 6 and 7. The largest part of this tile drain was installed under a report by the late George A. McCubbin dated June 3, 1937. At that time approximately 150 m of 150 mm (6") diameter tile, 180 m of 180 mm (7") diameter tile and 425 m of 200 mm (8") diameter tile were installed from the west limit of County Road No. 23 to the middle of the S $\frac{1}{2}$ E $\frac{1}{2}$ of Lot 7, Concession 3 (Station 20 to Station 722). The remainder of the existing tile was installed under a report by this office dated September 23, 1969. At that time the existing tile drain was extended downstream across the remainder of Lot 7 by the installation of 350 mm (14") diameter tile. The remainder of the East Branch of the Facey Drain from the outlet of the tile drain at the line between Lots 6 and 7 downstream to its outlet into the Facey Drain in the N $\frac{1}{2}$ of Lot 3, Concession 3, consists of an open drain. A review of the records indicates that the last work of repair and improvement on the open portion of the drain was done under a report by this office dated September 23, 1969.

At that time, the open portion of the East Branch of the Facey Drain was repaired and improved from its outlet into the Facey Drain, upstream to the line between Lots 6 and 7 by carrying out a substantial deepening of the drain. The remainder of the open drain across the S $\frac{1}{2}$ of Lot 7 was enclosed at that time, by the installation of 350 mm (14") diameter tile. In addition, the necessary farm culvert construction was carried out throughout the length of the work.

Since the last work of repair and improvement, the open portion of the East Branch has become obstructed with brush, weeds, bars and sediment to a point where it no longer provides adequate drainage to the lands that it is intended to serve. We, therefore, recommend that the open portion of the East Branch of the Facey Drain be repaired and improved by means of deepening and widening along its entire length and the necessary farm culvert construction throughout the length of the work.

During our examination of the tile portion of the East Branch of the Facey Drain, we found that the existing 150 mm (6") diameter tile in Lot 8 was substantially filled with silt which caused considerable water pressure in the tile. In addition, we examined the location where the tile portion of the East Branch is immediately adjacent to the west limit of County Road No. 23. We found a large pond of water on each side of the road and that the road ditches were filled with water. There was no evidence that water was draining away, at all. We, therefore, recommend that the tile portion of the East Branch of the Facey Drain be repaired and improved to have a capacity to remove approximately one-half inch of runoff per acre per 24 hours from the area to be served by the tile. Due to the poor condition of the existing 150 mm (6") diameter tile in Lot 8 and the age of the 150 mm (6"), 175 mm (7") and 200 mm (8") tile installed under the report by the late George A. McCubbin, we recommend that the section of tile drain from Station 20 to Station 722 be abandoned and replaced with a new tile drain capable of conveying the entire design flow of one-half inch of runoff per acre per 24 hours. In order to achieve the recommended capacity at the gradient available, we recommend that the new tile be at least 250 mm (10") diameter from Station 20 to Station 155, 300 mm (12") diameter from Station 155 to Station 500 and 350 mm (14") diameter from Station 500 to Station 722. The existing 350 mm (14") diameter tile in the S $\frac{1}{2}$ E $\frac{1}{2}$ of Lot 7, Concession 3 (Station 722 to the line between Lots 6 and 7) is of sufficient capacity and appears to be in good working order and therefore requires no work at this time. We would further recommend that the new tile be installed parallel to the existing tile but far enough away from it to avoid damaging it and that the existing tile and new tile be cross-connected near Station 500. In this manner, the maximum utilization of the existing tile drain will be achieved.

In addition, we recommend that the East Branch of the Facey Drain be extended across County Road No. 23 to its east limit by installing 300 mm (12") diameter corrugated steel pipe across the road allowance and that a catch basin be installed on each side of the road.

Attached to this report and labelled "Schedule C" is our Drawing No. 78076 which consists of a plan showing the location of the proposed work marked in a heavy solid line and the lands affected by the work outlined in a heavy dashed line, together with a profile for the work that we recommend. Also attached and labelled "Schedule B" is a specification showing the dimensions, grades, disposal of material and other particulars of the work to be carried out.

In general terms, the proposed work on the open portion of the drain involves deepening of the drain by varying amounts up to 0.39 m as well as the necessary farm culvert construction along the length of the work. The proposed work on the tile portion of the drain involves the installation of 250 mm (10"), 300 mm (12") and 350 mm (14") diameter tile, the upstream extension of the drain across County Road No. 23 and the installation of two catch basins on County Road No. 23. Upon completion, the tile portion of the drain will have the capacity to remove approximately one-half inch of runoff per acre per 24 hours from the area served by the tile. The invert of the proposed tile drain will be installed at or slightly lower than the invert of the existing tile. In addition, the tile portion of the East Branch and all private tiles entering the open portion of the drain will have at least 0.30 m of freeboard beneath their inverts.

Throughout the length of the work, the excavated material is to be disposed of as set out in the Special Specifications. In accordance with Sections 29 and 30 of The Drainage Act, we determine the amounts to be paid to the owners for damages to lands and crops (if any) occasioned by the construction of the drainage works and by the disposal of material, to be as shown in the following Schedule of Allowances under the heading "Damages".

SCHEDULE OF ALLOWANCES

<u>Con.</u>	<u>Lot</u>	<u>or</u>	<u>Part</u>	<u>Owner</u>	<u>Damages</u>
3	Pt. Lot 4 E of Rwy. & Pt. Lot		3	Paul Sweet	20 \$ 365.00
	Pt. Lot 4 E of Rwy. & Pt. Lot		3	<i>Joe Park</i> Shirley Properties	585.00 240.00
	Pt. W of Rwy.		5	Martin Featherstone	380.00
	S $\frac{1}{2}$ E $\frac{1}{2}$ ex. Rwy.		6	M. Stacho Croeymensch	260.00
	N $\frac{1}{2}$ ex. cor.		6	Earl Benjamin Est.	180.00
	S $\frac{1}{2}$ E $\frac{1}{2}$ ex. cor.		7	Cleata-Elliot C. Shaw	80.00
	N $\frac{1}{2}$ E $\frac{1}{2}$		7	M. Stacho <i>F. Vandewezen</i>	140.00
	S $\frac{1}{2}$ E $\frac{1}{2}$		8	M. Stacho <i>F. Vandewezen</i>	55.00
					<u>\$1700.00</u>

We estimate the cost of the work that we recommend, together with the expenses incidental thereto, to be as follows:

	1900 m ³ Excavation and Levelling	\$ 5600.00
	End Walls for Culvert	450.00
443	135 m of 250 mm (10") dia. tile - Supply	425.00
	- Install	600.00 ✓
1150	345 m of 300 mm (12") dia. tile - Supply	1375.00
	- Install	1850.00 ✓
750	222 m of 350 mm (14") dia. tile - Supply	1175.00
	- Install	1425.00 ✓
	18 m of 300 mm (12") dia. CSP road crossing - Supply	300.00
	- Install	750.00 ✓
	2 Catch Basins	1000.00 X
	Allowances under Sections 29 and 30	1700.00
	Survey, Plans, Report and Inspection	2725.00
	Assistance and Expenses	375.00
	Incidentals and Contingencies	750.00
		<u>\$20500.00</u>

We assess the above estimated cost against the lands and roads as shown in the attached Schedule of Assessment labelled "Schedule A".

Under the provisions of The Railway Act, the Canadian Pacific Railway has the right to carry out the work on its property within a reasonable time. If it elects to do so, it must advise the Township before the calling of tenders so that the work will be deleted from the work of the excavating contract. If the Railway elects to carry out the excavation of the East Branch

within its right-of-way and the cleaning of the concrete culvert and the steel pipe culvert on the East Branch at this Railway crossing, the municipality will pay the sum of \$150.00 to the Railway.

We have estimated the value of benefit derived by the construction of end walls on the existing culvert near Station 10 in the N $\frac{1}{2}$ of Lot 3, Concession 3. This amount is shown as a Special Benefit charged against the affected property in addition to the regular drainage assessment against this property.

We have estimated the increase in cost of the drainage works related to the installation of corrugated steel pipe and placement of granular materials across County Road No. 23 and for the repair of the asphalt roadway. Of the total estimated cost of \$20,500.00, we estimate that \$1,200.00 is directly attributable to the additional work involved in crossing the road. This increase in cost is assessed against the County of Kent as owner of County Road No. 23, under Section 26 of The Drainage Act, 1975, in addition to the normal drainage assessments against the road.

After completion, the East Branch of the Facey Drain and the farm culverts along the length of the work are to be maintained by the Township of Zone at the expense of the lands and roads herein assessed and in the same relative proportions subject, of course, to any variations that may be made under the authority of The Drainage Act. For the purpose of maintenance, the amounts assessed for Special Benefit shall be deleted from the assessment schedule.

Since most of the privately-owned lands are used for agricultural purposes and no lateral drains are involved in the work, we recommend that application be made to the Ministry of Agriculture and Food in accordance with Section 88 of The Drainage Act, for a grant payable under Section 85 of this Act, as well as for all other grants for which this work may be eligible.

Respectfully submitted,



H. H. Todgham,
B.A.Sc., O.L.S., P. Eng.

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"SCHEDULE A"
 SCHEDULE OF ASSESSMENT
 FACEY DRAIN EAST BRANCH
 TOWNSHIP OF ZONE.

1. PUBLICLY-OWNED LANDS:

(iii) Municipal:

	<u>Owner</u>	<u>Benefit</u>	<u>Special Benefit</u>	<u>Outlet</u>	<u>Total Assessment</u>
County Road No. 23	County of Kent	\$ 1150.00	\$1200.00	\$ 415.00	\$ 2765.00
5-6 Sideroad	Township of Zone	175.00	-	110.00	285.00
Total on Publicly-Owned Lands		\$ 1325.00	\$1200.00	\$ 525.00	\$ 3050.00

2. PRIVATELY-OWNED LANDS:

(i) Not used for agricultural purposes:

<u>Con.</u>	<u>Lot or Part</u>	<u>Area Affected (Acres) (Hectares)</u>	<u>Owner</u>	<u>Benefit</u>	<u>Special Benefit</u>	<u>Outlet</u>	<u>Total Assessment</u>
3	Pt. S $\frac{1}{2}$ E $\frac{1}{2}$ 7	1	0.41 L. Myers	-	-	\$ 25.00	\$ 25.00
	Pt. 3, 4 & 5	14	5.67 Canadian Pacific Railway	\$ 300.00	-	315.00	615.00
Total on Privately-Owned Non-Agricultural Lands				\$ 300.00		\$ 340.00	\$ 640.00

(ii) Used for agricultural purposes:
 (Excluding A.R.D.A. Lands)

<u>Con.</u>	<u>Lot or Part</u>	<u>Area Affected (Acres) (Hectares)</u>	<u>Owner</u>	<u>Benefit</u>	<u>Special Benefit</u>	<u>Outlet</u>	<u>Total Assessment</u>
3	Pt. Lot 4 E of Rwy & Pt. Lot 3	27	10.9 Paul Sweet	\$ 325.00	\$ 225.00	\$ 65.00	\$ 615.00 330.00
	Pt. Lot 4 E of Rwy & Pt. Lot 3	31	12.5 Shirley Properties <i>Joe Park 663</i>	275.00	-	105.00	380.00
	Pt. W of Rwy 4	30	12.1 Harvey Shaw <i>Paul Sweet</i>	135.00	-	110.00	245.00
	E $\frac{1}{2}$ 4	25	10.1 T. Snobelen Est.	100.00	-	50.00	150.00
	Pt. W of Rwy 5	63	25.5 Martin Featherstone	1200.00	-	610.00	1810.00
	Pt. E of Rwy 5	30	12.1 G. McDonald	100.00	-	205.00	305.00
	S $\frac{1}{2}$ E $\frac{1}{2}$ ex. Rwy. 6	40	16.2 H. Stacho <i>Crac mecr ech</i>	800.00	-	615.00	1415.00
	N $\frac{1}{2}$ ex. cor. 6	35	14.2 Earl Benjamin Est.	850.00	-	675.00	1525.00
	S $\frac{1}{2}$ E $\frac{1}{2}$ ex. cor. 7	34	13.8 Cleate Elliot <i>C. Shaw</i>	1800.00	-	770.00	2570.00

2. PRIVATELY-OWNED LANDS: Continued

(ii) Used for agricultural purposes:
(Excluding A.R.D.A. Lands)

Con.	Lot or Part	7	Area Affected		Owner	Benefit	Special Benefit	Outlet	Total Assessment
			(Acres)	(Hectares)					
3	N½ E½	7	40	16.2	M. Stacho A. Vandeween	\$ 2900.00	-	\$ 1440.00	\$ 4340.00
	S½ E½	8	20	8.1	M. Stacho A. Vandeween	1550.00	-	985.00	2535.00
4	W½	8	10	4.0	H. Case	<u>400.00</u>	-	<u>520.00</u>	<u>920.00</u>
Total on Privately-Owned Agricultural Lands						\$10435.00	\$ 225.00	\$ 6150.00	\$16810.00
Total on Privately-Owned Lands.						\$10735.00	\$ 225.00	\$ 6490.00	\$17450.00
TOTAL ASSESSMENT.						<u>\$12060.00</u>	<u>\$1425.00</u>	<u>\$ 7015.00</u>	<u>\$20500.00</u>

Estimated amount of grant under Section 85 of The Drainage Act \$5603.33

Chatham, Ontario,
79 10 01

H. H. Todgham

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"SCHEDULE B"

SPECIFICATION FOR THE REPAIR, IMPROVEMENT AND EXTENSION
OF THE EAST BRANCH OF THE FACEY DRAIN
IN THE TOWNSHIP OF ZONE

This specification and the report, plan and profile bearing the same date, apply to and govern the installation of approximately 135 m of 250 mm, 345 m of 300 mm, and 222 m of 350 mm diameter tile together with the repair and improvement of approximately 2466 m of open drain and the necessary farm culvert construction along the length of the open portion of the drain. Also included is the upstream extension of the tile portion of the drain across County Road No. 23 and the installation of 2 catch basins.

DESCRIPTION OF WORK

The General Specification for Tile Drains and the General Specification for Open Drains both of which are attached hereto form part of this specification and are to be read with it. Where there is any difference between the requirements of the General Specifications and those of the Special Provisions which follow, the Special Provisions shall govern. The section numbers shown in the Special Provisions which follow refer to the sections having the same numbers contained in the General Specifications.

GENERAL SPECIFICATIONS

SPECIAL PROVISIONS - TILE PORTION

Stakes are set at 25 m intervals commencing at Station 0 on the east limit of County Road No. 23 and proceeding downstream along the course of the work.

SECTION 2
STAKES

Throughout the length of the work, the tile is to be installed on one side or the other of the existing tile drain. The new tile is to be installed parallel to the existing tile but far enough away from it to avoid damaging it. The final alignment shall be satisfactory to the Commissioner in charge. At the downstream end, the Contractor shall gradually swing the alignment of the new tile over to connect to the existing 350 mm diameter tile at Station 722.

SECTION 3
ALIGNMENT

The design grade line of the tile is set to match the invert elevation of the existing 350 mm tile at Station 722. The Contractor will use extreme care to ensure that no reverse grade occurs when connecting to the existing 350 mm tile.

SECTION 4
PROFILE

SECTION 11
CONNECTIONS

After the Tile Contractor has connected the outlet end of the new tile into the existing 350 mm diameter tile near Station 722, he will be required to connect the existing 200 mm diameter municipal tile which is abandoned under this report, into the new main as well as all intercepted private lateral tiles. This work will be performed in accordance with Section 11 of the General Specification for Tile Drains.

SECTION 12
CONSTRUCTION
IN SANDY
SOILS

Where fine sandy soil is encountered, the Commissioner shall supply at the expense of the drain, a suitable type of synthetic filter material to be used to wrap the tile in order to prevent fine soils from entering the drain. The Contractor shall install this filter material as part of his work.

SECTION 16
ROAD CROSS-
ING

Where the new drain crosses County Road No. 23, the Contractor will be required to install 18 m of 300 mm (12") diameter corrugated steel pipe, 16 gauge, between the catch basins at Station 0 and Station 20. The Commissioner will supply, as an expense to the drain, all necessary pipe and granular materials for bedding and backfill. The Contractor will install the pipe and restore the road, complete as specified herein, as part of his work.

The Contractor will carefully cut the pavement where the drain crosses the County Road in order to minimize damage to it. The foundation bed shall be excavated true to line and grade with the trench width 0.6 m wider than the diameter of the pipe and the side walls excavated vertically. The new pipe shall be installed on a 0.10 m bed of Granular "B" material. The Contractor will then backfill the trench for the full width of the pavement plus 1.25 m on each side, using Granular "B" material. The granular material is to be placed in layers not exceeding 0.30 m in thickness and is to be thoroughly compacted with a mechanical vibrating compactor. The top 0.30 m of the trench for the width of the pavement plus 1.25 m on each side is to be filled with Granular "A" material. It is to be placed in layers not greater than 0.15 m in depth and is to be thoroughly compacted with a vibrating compactor. All granular material required for backfill shall meet the gradation and physical requirements of M.T.C. Specification Form 314.

The excavated material from the trench beyond a point 1.25 m from the edge of the pavement may be used for backfilling purposes for these sections of trench. This material is to be placed in layers not

greater than 0.30 m in thickness and is to be compacted either by hand tamping or by the use of a vibrating compactor.

Following the work of backfilling the trench across the pavement and shoulders, the Contractor will place a patch using a cold mix asphalt of a standard acceptable to the County, for the full width of the pavement. This patch is to be at least 0.10 m in thickness and is to be carefully placed and tamped so that it will be as level as possible with the adjoining pavement.

The Contractor will be required to provide suitable warning signs and he shall make every effort to keep the road open to traffic by use of a flagman to direct vehicles around the site of the work. If it is necessary to close the road to through traffic, the Contractor shall provide for an adequately signed detour route.

The Contractor shall notify in writing the Engineer of the County at least 7 days prior to commencement of any work on the County Road Allowance. No labour, equipment or materials for the construction of the road crossings will be supplied by the County.

The Commissioner will arrange for the construction of a catch basin at Station 0 along the east limit of County Road No. 23 and near Station 20 along the west limit of County Road No. 23. The catch basins shall be constructed within the limits of the County Road Allowance and immediately adjacent to the road limits. The catch basins shall be 2'x2' Ministry of Transportation and Communications Style Ditch Inlet Catch Basin Standard DD-716-A or approved equal.

SECTION 19
NEW CATCH
BASINS

From Station 20 to Station 722, the designated working corridor for the tile contractor's equipment shall be restricted to an area which is 10 m wide centred along the proposed final alignment of the tile. In addition, the Commissioner, in consultation with the owner of the S $\frac{1}{2}$ E $\frac{1}{2}$ of Lot 7, Concession 3, shall designate in the field an access corridor for use by the Contractor. This access corridor, having a width of 6 m, shall provide access from the downstream limit of the tile work to the head of the open drain (Station 722 of the tile to the line between Lots 6 and 7).

SECTION 25
WORKING
CORRIDOR

SPECIAL PROVISIONS - OPEN PORTION

SECTION 2
STAKES

Stakes are set at 25 m intervals along the course of the open portion of the East Branch of the Facey Drain. The stakes commence at Station 0 at the outlet of the drain into the Facey Drain in the N $\frac{1}{2}$ of Lot 3, Concession 3 and proceed upstream to Station 2466 at the head of the open portion of the drain at the line between Lots 6 and 7.

SECTION 4
PROFILE

The design grade line of the East Branch is such that it is at or slightly above the invert elevations of the farm culverts at Stations 10 and 1925, the culvert beneath the 5-6 Sideroad and the steel pipe culvert beneath the Canadian Pacific Railway tracks. The Excavation Contractor shall take extreme care in excavating the drain upstream of these culverts so that over-excavation of the drain does not take place which would result in ponding of water upstream of these culverts.

SECTION 5
BOTTOM WIDTH
AND SIDE
SLOPES

Where the existing bottom widths and side slopes of the drain are sufficient to permit the specified deepening of the drain without disturbing the existing banks above the present drain bottom, the Contractor shall take extreme care to avoid any unnecessary disturbance to the existing drain banks.

SECTION 8
DISPOSAL OF
MATERIAL

From Station 0 to Station 2075, the excavated material is to be deposited and spread on the immediately adjacent farm lands on either or both sides of the drain as directed by the Commissioner in consultation with the owners. No excavated material shall be placed on the Railway property.

From Station 2075 to Station 2150, the excavated material is to be deposited and spread on the immediately adjacent farm lands to the south.

From Station 2150 to Station 2466, the excavated material is to be deposited and spread on the immediately adjacent farm lands on either or both sides of the drain as directed by the Commissioner in consultation with the owners.

Where excavated material is deposited in bush, it shall be deposited and levelled in the form of a spoil bank in accordance with the General Specifications for Open Drains, but in no case shall the top of this spoil bank be more than 0.60 m above the natural ground level. Where there is an existing spoil bank along the

side of the drain on which the excavated material is to be disposed of, the excavated material shall be deposited and spread on the side of the spoil bank farthest away from the drain.

Where the East Branch crosses beneath the 5-6 Sideroad at Station 1700, the Contractor will be required to clean the existing 36 inch diameter culvert to its full cross-sectional area using care to avoid damaging it in the process.

SECTION 10
ROAD
CROSSING

The Contractor will perform the following culvert construction in accordance with Sections 11 and 12 of the General Specifications.

SECTION 11
FARM CULVERTS

At Station 10 - The existing 34 foot length of 54 inch diameter corrugated steel pipe is of sufficient depth and capacity and therefore only requires cleaning by the Contractor.

At Station 1925 - The existing 30 foot length of 36 inch diameter corrugated steel pipe is of sufficient depth and capacity and therefore only requires cleaning by the Contractor.

At Station 2280 - The Contractor is required to lower the existing 32 foot length of 36 inch diameter corrugated steel pipe using extreme care to avoid damaging it in the process. The Contractor will carefully remove the pipe, clean it to its full cross-sectional area and replace it in the drain with its invert 4 inches below the design grade line of the drain.

Unless otherwise directed by the Commissioner, the Excavation Contractor will be required to clean to their full cross-sectional areas, the existing concrete culvert and the 30 inch diameter steel pipe culvert beneath the Canadian Pacific Railway tracks at Station 995 of the East Branch. The Contractor shall take extreme care in working through or around these structures to avoid causing damage of any kind to them in the process of cleaning them out.

SECTION 14
RAILWAY

The Commissioner will arrange for the construction of end walls on the existing farm culvert at Station 10. The culvert end walls are to be built from bags of cement and sand mixed in the proportions of one part cement to five parts sand. Any alternative products for end wall construction must be approved by the Engineer prior to installation. The walls are to be placed as shown on the standard

SECTION 19
CULVERT END
WALLS

drawing labelled "Farm Culvert Installation Standard Circular and Pipe-Arch Corrugated Steel Pipe" which is attached to this specification.

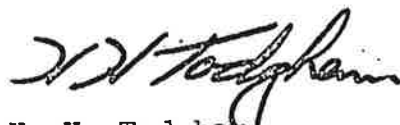
SECTION 20
WORKING
CORRIDOR

From Station 0 to Station 2075, the designated working corridor for the Contractor's equipment shall be on the same side of the drain on which the excavated material is to be disposed of. The width of the corridor measured from the adjacent finished top of drain bank shall be restricted to the specified spreading width of the excavated material on that side of the drain plus 2 m. In any event, the minimum width of the working corridor measured from the adjacent finished top of drain bank shall be 8 m.

From Station 2075 to Station 2150, the designated working corridor for the Contractor's equipment shall be on the same side of the drain on which the excavated material is to be disposed of. The width of the corridor measured from the centre line of Lot 6 shall be restricted to the specified spreading width of the excavated material on that side of the drain plus 2 m. In any event, the minimum width of the working corridor measured from the centreline of Lot 6 shall be 8 m.

From Station 2150 to Station 2466, the designated working corridor for the Contractor's equipment shall be on the same side of the drain on which the excavated material is to be disposed of. The width of the corridor measured from the adjacent finished top of drain bank shall be restricted to the specified spreading width of the excavated material on that side of the drain plus 2 m. In any event, the minimum width of the working corridor measured from the adjacent finished top of drain bank shall be 8 m.

Chatham, Ontario,
79 10 01



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GENERAL SPECIFICATION
FOR TILE DRAINS

- (1) Tenders will be received and contracts awarded only in the form of a lump sum for the completion of the whole work or of specified sections thereof in accordance with the plan, profile and specification. No bid will be considered, nor will any contract be awarded, on the basis of classification or of unit prices. Contractors must estimate for themselves the quantity and value of the work required. They are expected to examine the locality and also the plan, profile and specification; they will be at liberty, before bidding, to examine any data in the possession of the Municipality or of the Engineer.
- (2) All the work included in any contract must be completed on or before the date fixed at the time of letting and must, at the time of completion and final inspection, be in first class condition and comply fully with the specification. Final inspection will be made by the Commissioner or Engineer within twenty days after the Commissioner has received notice in writing from the Contractor that the work is completed, or as soon thereafter as weather conditions permit.
- (3) Contractors will be held liable for any damages or expenses occasioned by their failure to complete the work on time and for any expenses of inspecting, superintending, reletting or restaking due to their neglect or failure to prosecute the work satisfactorily or to do it properly, also for any damages occasioned by leaving fences open or by any negligence in carrying on the work. Any such expenses or damages may be deducted by the Commissioner from the amount of the contract or may be recovered by the Municipality from the Contractor and his sureties.
- (1) Stakes are set one hundred feet apart along the course of the work, numbered consecutively 0, 1, 2, 3, etc. The depths of the drain, as shown on the profile, are measured from the surface of the ground beside the stakes to the invert of the tile.
- (2) Contractors will be held responsible for the preservation of stakes in their original positions during the progress of the work and also for seeing that bench marks are not destroyed, defaced, or covered with excavated material.
- (1) The tile will follow the course shown on the plan and marked on the ground by the numbered stakes.

SECTION 1
GENERAL
CONDITIONS

SECTION 2
STAKES

SECTION 3
ALIGNMENT

- (2) Unless changes in direction are made at catch basins, manholes, or by the use of manufactured bends or fittings, they shall be made by a smooth curve in the trench on a radius of curvature so that the trenching machine can dig and still maintain grade.
- (3) The alignment of the finished work must be satisfactory to the Commissioner in charge.

SECTION 4
PROFILE

- (1) The tile is to be laid so that its invert will be at the grade line shown on the profile, which grade line is governed by the bench marks. The profile shows, for the convenience of Contractors and others, the approximate depths to be measured from the surface of the ground to the invert of the tile, at each of the numbered stakes, as observed at the time of survey, but bench marks govern.
- (2) The "as-constructed" grade shall be such that each part of the completed drain will provide the capacity required for the area which it drains.
- (3) No reverse grade shall be allowed.
- (4) A variation in grade may be tolerated where the actual capacity of the drain exceeds the required capacity. "As-constructed" grade shall not deviate from the grade line more than 15% of the internal diameter for drain sizes 8 inches or less, or 10% of the internal diameter for sizes greater than 8 inches. These deviations are allowable, provided they are gradual over a distance of not less than 30 feet.

SECTION 5
OBSTRUC-
TIONS

- (1) All brush, timber, logs, stumps, stones or other obstructions in the course of the drain are to be removed to a sufficient distance to be clear of the work.

SECTION 6
BRUSH &
TREES

- (1) All brush and small trees having a diameter less than 6 inches, growing within 15 feet on each side of the drain are to be cut off flush with the ground surface and all of their roots within 10 feet of the tile are to be grubbed out.
- (2) All brush, trees and stumps that are removed are to be put into piles by the Contractor, in locations where they can be safely burned, and are to be burned by him. If, in the opinion of the Commissioner, any of the piles are too wet or green to be burned, he will so advise the Contractor who may then arrange, to the Commissioner's satisfaction, an agreement with the owners where the piles are located, for them to burn the material when dry enough.
- (3) Since the trees and brush that are cut off flush with the earth surface may sprout new growth later, it is strongly recommended that the Township make arrangements for spraying this new growth at the appropriate time so as to kill the trees and brush.

(1) Where the Contractor finds it necessary to remove any fences in order to permit the installation of the drain or the removal of brush and the grubbing of roots, he will be required to use reasonable care in handling the fencing material and will re-construct the fences in as good condition as that in which they are found, or as the old material permits.

SECTION 7
FENCES

(2) The Contractor is not to leave any fences open when he is not at work in the immediate vicinity.

(1) Unless otherwise specified, all tile is to be furnished at the site of the work, by the Municipality, and its cost charged as part of the cost of the drain.

SECTION 8
TILE

(2) It is to be first class agricultural tile, either clay or cement. Cracked, chipped or uneven tile will not be acceptable and are to be discarded by the Contractor.

(3) Standard Clay Drain Tile shall meet all American Society for Testing and Materials specifications as set out in Designation C4-62 (Clay Drain Tile).

(4) Concrete Drain Tile shall meet the specifications as set out in American Society for Testing Materials Designation C412-65.

(1) Construction of the trench shall normally start at the outlet and proceed up grade.

SECTION 9
EXCAVATION
OF TRENCH

(2) Minimum width of trench, measured at the top of the tile, shall be equal to the outside diameter of the tile plus approximately 6 inches, to permit proper soil placement around the tile, or the tile shall be embedded in a 120° circular groove.

(3) The bottom of the trench shall be cut accurately to the grade line. It shall be smooth with a groove along the bottom center line to guide tile alignment. If a circular groove is used, it shall conform closely in shape to the outside diameter of the tile.

(4) If the trench is excavated below grade for any reason, it shall be filled above the grade line with gravel or well-pulverized soil, tamped to provide a firm foundation. Then, the bottom of the trench shall be reshaped to the proper grade line.

(5) When rock is encountered at grade level, the trench shall be excavated approximately 3 inches below grade level and filled to the proper grade line as described in paragraph (4).

- (6) Where the depth of the drain exceeds the working depth of the trenching machine, the Contractor shall excavate the top portion of the trench to a suitable depth and width so that the trenching machine can be operated within its depth range. The top-soil is to be separated from the sub-soil and during the backfilling operation it shall be replaced as the top layer.

SECTION 10
LAYING
PIPE

- (1) When the trench bottom is unstable, a stabilizing material shall be placed before laying the tile.
- (2) Laying of tile shall normally begin at the lower end of the drain and progress upgrade. It is preferable that the tile be laid inside the shoe casting of the drainage machine during the trenching operation.
- (3) Tiles shall be laid in the groove with close joints on a firm bed, free of loose soil and to the grade line of the profile.
- (4) All soil or debris in the tiles shall be removed before installation.
- (5) All tiles shall be free from clinging wet or frozen material that would hinder the laying of the tile on grade.
- (6) The upper end of all tile runs shall be closed tightly with an end plug.
- (7) Before work is suspended for the day, all tiles laid in trenches shall be blinded and any open tile ends closed.

SECTION 11
CONNECTIONS

- (1) Intercepted lateral tiles shall connect with the main drain tiles so that their center lines intersect.
- (2) Existing drains shall be inspected by the Commissioner and if found to be in working order, they shall be connected to the new system. Drains containing very little sediment shall be directly connected and drains containing substantial quantities of sediment shall be indirectly connected through filter material.
- (3) Drains carrying sewage or farmstead wastes shall not be connected to the drainage system.
- (4) Plastic tubing connections to rigid drain tile shall be made with manufactured plastic adaptors.
- (5) Manufactured "T", "Y", or elbow fittings shall be used for connections at the junction of two drains.
- (6) All connections will be made by the Contractor as part of his work in installing the drain.

SECTION 12
CONSTRUCTION
IN SANDY
SOILS

- (1) In fine sandy soil all joints shall be covered with glass fiber sheet, or other durable material, to prevent fine soil from entering the drain.
- (2) In fine sandy soil where the trench bottom is unstable, (e.g. quicksand) extreme care shall be taken to keep soil from entering the drain and to provide a firm foundation for the tile. One or more of the following recommended practices shall be used:

Construct the drain when the soil is in the driest condition.

Construct a trench and allow the area to drain.

Backfill the trenches and lay pipe in a new trench.

Use stabilizing material under the pipe, such as coarse gravel or stone or timber planks.

Use a filter material, such as glass fiber sheet, to cover the water inlet area.

Use perforated continuous pipe.

- (3) Drainpipes shall be laid in the trench and the trench backfilled as quickly as possible.
- (4) These special construction requirements are considered to be extra work and the Commissioner will make arrangements with the Contractor to have them carried out.

- (1) As the laying of tile progresses, the tiles shall be blinded by placing crumbly soil, preferably topsoil, around the tiles to a minimum depth of 3 inches above the top of the tiles. Where the tiles may be subject to frost before being backfilled, the minimum depth of blinding shall be 6 inches.

SECTION 13
BLINDING

- (2) Large stones and frozen lumps of soil will not be permitted in the blinding material.
- (3) On steep grades, or where the topsoil contains fine sand, loam or clay soil (if available from the sides of the trench) shall be used as blinding material.
- (4) Where nondegradable filter material is unavailable, vegetative material such as grass, hay, straw or ground corn cobs may be used.

- (1) After the Commissioner has inspected the laying of the tile, earth excavated from the trench shall be used as backfill material and shall be heaped above the trench to avoid depressions following settlement.

SECTION 14
BACKFILLING

- (2) Large stones, roots, broken tile and other material likely to impede or damage field equipment shall be removed from the backfill and placed in a suitable disposal area.
- (3) To avoid the danger of damaging the tile, large stones and frozen lumps of soil shall not be dropped into the trench.
- (4) Surplus soil shall be spread over the adjacent field.
- (5) Except at laneways and road crossings, backfill material shall not be compacted; compaction should be allowed to occur naturally.

SECTION 15
LANE AND
DRIVEWAY
CROSSINGS

- (1) When called for in the Special Provisions, the Commissioner will supply, at the expense of the drain, corrugated steel pipe in place of tile for installation beneath farm lanes and private driveways. The Contractor will place the pipe as part of his work.
- (2) The pipe shall be laid in the trench with its invert at the grade line of the drain. Each end will be connected to the tile in a water-tight manner.
- (3) Unless otherwise specified, the bedding and backfill to the pipe will be native earth from the excavation. However, where driveways have a gravel surface, the Commissioner will supply granular materials for the Contractor to place as the upper layer of backfill to restore the driveway to its original condition.
- (4) The backfill will be carefully placed in the trench so as not to disturb the pipe. It will be carried to the top of the trench in thoroughly compacted 8" layers.

SECTION 16
ROAD
CROSSING

- (1) At road crossings, the Commissioner will supply, at the expense of the drain, corrugated steel pipe in place of tile for installation beneath the travelled part of the road. The Commissioner will also supply, at the expense of the drain, all necessary granular materials for bedding and backfill. The Contractor will install the pipe, complete, as part of his work.
- (2) The trench shall be excavated true to line and grade having a maximum width of 2 feet wider than the outside diameter of the pipe with vertical side walls. It shall be excavated to a depth to provide for 4 inches of granular bedding below the bottom of the pipe.
- (3) The pipe shall be laid with its invert at the grade line of the drain and with the inside circumferential laps pointing downstream. The supplied lengths of pipe shall be joined by means of "Standard Coupler Bands" installed to provide a water-tight connection.

- (4) Granular backfill will be placed in the trench below the travelled portion of the road, with excavated material used for backfill across the ditch areas. The granular material shall be placed in 6 inch layers up to the level of the adjoining roadway. Each layer shall be compacted to 100% proctor density before the succeeding layer is placed.
- (1) Where the new tile follows the course of an existing tile drain, the Contractor will locate the existing tile, before commencing work and will clearly mark it. He will then exercise reasonable care to avoid disturbing this existing tile. SECTION 17
EXISTING
TILE DRAIN
- (1) Where a drain discharges into an open outlet, the Contractor will install a length of steel pipe supplied by the Commissioner at the expense of the drain, in place of tile. The Commissioner will also supply for installation by the Contractor a removable wire mesh grating to be attached to the end of the pipe. Grate openings shall not exceed 1 inch. SECTION 18
TILE
OUTLET
- (2) The outlet pipe shall be installed as soon as the trench is excavated and shall extend to the toe of the slope of the open ditch.
- (3) Backfill for the outlet pipe shall be suitable excavated material placed and compacted in 6 inch layers up to the level of the adjoining ground.
- (4) The joint between the tile and the outlet pipe shall be sealed with concrete in a water-tight manner.
- (1) The Commissioner will arrange for the construction of concrete catch basins, at the expense of the drain, at the locations shown on the plan and profile and set out in the Special Provisions. SECTION 19
NEW CATCH
BASINS
- (2) Concrete used for the catch basins is to be made from clean, well-graded gravel and fresh cement in the proportions of 5 parts of gravel to 1 part of cement. If ready-mix concrete is used, the class of concrete shall be 3,000 p.s.i. Clean water only is to be used and the concrete is to be well mixed before being placed in the forms.
- (3) The catch basin builder will provide and install removable steel or cast iron grating covers having an opening at least 24 inches square.
- (4) The elevation of the top surface of the catch basin cover is to be determined by the Commissioner and is to be such as to permit the entry of surface water into the basin, unless otherwise specified.

- (5) The connections of the drain into the catch basin are to be made in a neat and workmanlike manner and they are to be sufficiently tight as to allow no water to pass through around the outside of the drain.
- (6) Unless otherwise specified, cast-in-place catch basins are to measure 24 inches square inside the walls. They shall have 6 inch thick walls and floors with the floors being at least 2 feet below the bottom of the tile.
- (7) If, in the opinion of the Commissioner, a precast concrete catch basin will be less expensive and will be equally as satisfactory as one that is cast-in-place, the Commissioner may arrange for the substitution of a precast catch basin so long as it generally complies with this specification.

SECTION 20
UTILITIES

- (1) Before commencing work, the Contractor will investigate the location of any and all utility lines, pipes or cables which may interfere with the installation of the tile or the construction of the catch basins.
- (2) He shall take all necessary steps to avoid damaging these and, should any damage result to them from his operations, he will be completely responsible for these damages, and will save harmless the Township and the Engineer from any legal actions which may arise as a result of such damage.

SECTION 21
PROTECTION
OF PUBLIC

- (1) Where the Contractor is working on or adjoining a travelled roadway, he will erect the necessary barricades to protect the travelling public against accident and he shall keep these lighted from dusk to dawn.
- (2) When he is installing a road crossing, he will arrange for the detouring of traffic around the construction site.
- (3) The Contractor will use all reasonable means to avoid damage claims as a result of his carelessness or negligence and, should any claims arise, he will save harmless the Township and the Engineer from any legal actions resulting from them.

SECTION 22
CLEAN-UP

- (1) On completion of his work, the Contractor will clean up the site, removing all debris and waste material and leaving the site in a neat and tidy condition.
- (2) He shall pick up any large pieces of broken tile or any other debris resulting from his work and will dispose of it away from the site. He is not to bury any of this material in the course of backfilling the trench.

(1) Where the word "Commissioner" is used in this specification, it shall mean the person or persons appointed by the Council of the Municipality having jurisdiction, to superintend the work.

SECTION 23
COMMISSIONER

(2) The Commissioner will be permitted to make minor variations in the work so long as these variations will result in either a more satisfactory drain or a more economical one. These variations, however, must not be such as to change the intent of the work to be performed nor are they to reduce the standard of quality.

(1) The part of the Specification headed "Special Provisions" which is attached hereto forms part of this Specification and is to be read with it. Where there is any difference between the requirements of this General Specification and those of the Special Provisions, the Special Provisions shall govern.

SECTION 24
SPECIAL
PROVISIONS

TODGHAM AND CASE LIMITED
CONSULTING ENGINEERS
280 GRAND AVENUE EAST,
CHATHAM, ONTARIO.

GENERAL SPECIFICATION FOR OPEN DRAINS

(REVISED MARCH 1, 1975)

- (1) Tenders will be received and contracts awarded only in the form of a lump sum for the completion of the whole work or of specified sections thereof in accordance with the plan, profile and specification. No bid will be considered, nor will any contract be awarded, on the basis of classification or of unit prices. Contractors must estimate for themselves the quantity and value of the work required. They are expected to examine the locality and also the plan, profile and specification; they will be at liberty, before bidding, to examine any data in the possession of the Municipality or of the Engineer.

SECTION 1 GENERAL CONDITIONS

- (2) All the work included in any contract must be completed on or before the date fixed at the time of letting and must, at the time of completion and final inspection, be in first class condition and comply fully with the specification. Final inspection will be made by the Commissioner or Engineer within twenty days after the Commissioner has received notice in writing from the Contractor that the work is completed, or as soon thereafter as weather conditions permit.
- (3) Contractors will be held liable for any damage or expenses occasioned by their failure to complete the work on time and for any expenses of inspecting, superintending, reletting or retaking due to their neglect or failure to prosecute the work satisfactorily and for any damages occasioned by leaving fences open or by any negligence in carrying on the work. Any such expenses or damages may be deducted by the Commissioner from the amount of the contract or may be recovered by the Municipality from the Contractor and his sureties.

- (1) Stakes are set one hundred feet apart along the course of the work, numbered consecutively, 0, 1, 2, 3, etc. The depths to which the drain is to be dug, as shown on the profile, are measured from the surface of the ground beside the stakes.
- (2) Contractors will be held responsible for the preservation of stakes in their original positions during the progress of the work and also for seeing that bench marks are not destroyed, defaced, or covered with excavated material.

SECTION 2 STAKES

- (1) Except where specified otherwise, the excavation will follow as nearly as possible the course of the existing drain. Wherever sharp or irregular bends occur, all sloping and widening is to be done on that side of the drain that will tend to flatten the bends and improve the flow of water in the drain.
- (2) Where one drain bank adjoins the travelled part of any road or laneway, all sloping and widening is to be done on that side of the drain farthest from the roadway.
- (3) Where one drain bank adjoins a fence line (except where the travelled part of a road or laneway adjoins the other bank) all required sloping and widening is to be done on that side of the drain farthest from the fence line, unless there is sufficient room between the ditch bank and the fence to permit widening on the fence side without disturbing the fence itself.
- (4) Where the drain is to be moved off a road allowance and onto the adjoining lands the top edge of the nearest finished drain bank is to be not closer than 2 feet to the limit of the road allowance. The centre line of the drain is to be kept as straight as possible even though this 2 foot dimension may be exceeded in places.
- (5) Where a new drain is being constructed, its centre line will be as straight as possible and any changes in direction shall be in the form of smooth regular bends. Where a new drain will adjoin an existing fence line, the Contractor will lay out a suitable centre line such that the top edge of the adjacent drain bank, at its widest point, will not be closer than 3 feet to the fence and the Contractor will use this centre line to establish the drain location.
- (6) The alignment of the finished work must be satisfactory to the Commissioner in charge.

SECTION 3 ALIGNMENT

- (1) The excavation of the drain must be made at least to the depth intended by the grade line shown on the profile, which grade line is governed by the bench marks. The profile shows, for the convenience of the Contractors and others, the approximate depths from the surface of the ground at the points where the numbered stakes are set, as well as the amount of deepening required, as observed at the time of survey, but bench marks govern.

SECTION 4 PROFILE

**SECTION 5
BOTTOM WIDTH AND
SIDE SLOPES**

- (1) The bottom widths and the side slopes of the various sections of the finished drain are to be true to line and grade as shown on the profile. The sides of the excavation are to be sloped so that the top width of the finished excavation will exceed the bottom width by twice the slope times the depth, at all places.
- (2) Contractors will not be restricted to the exact dimensions specified but must excavate clear of the specified cross sections and may excavate such additional depth or width as may be required to accommodate the use of suitable excavating equipment or to allow for sediment or caving prior to final inspection, provided that at no place is the surface of the Excavation to be steeper than the slope specified on the profile. The Contractor is not to excavate so much deeper than the grade line as to result in the formation of pockets in the drain bottom that will cause water to stand in pools along the drain.

**SECTION 6
OBSTRUCTIONS**

- (1) All brush, timber, logs, stumps, stones, or other obstructions in the course of the drain are to be removed by the Contractor. Timber, logs and stumps are to be dealt with in the same manner as specified for brush and trees. Large stones and similar materials are to be disposed of away from the site.

**SECTION 7
BRUSH AND TREES**

- (1) Where the existing bottom widths and side slopes of the drain are sufficient to permit the specified deepening of the drain without disturbing the existing banks above the present drain bottom, the Contractor will be required to cut the brush and trees on the sloping banks flush with the surface of the banks but he will not be required to remove their roots and stumps unless they will obviously create obstructions to the flow of water in the drain.
- (2) Where it is necessary to widen the drain and excavate material from the sloping bank, all brush and trees within the course of the drain are to be cut and those roots and stumps in the bottom of the drain and on the bank or banks where the widening takes place are to be removed.
- (3) Throughout the length of the work, the Contractor will cut off flush with the ground surface all brush and trees having a diameter less than 6 inches, and all dead Elm trees, within 10 feet of the top edge of the finished drain banks and within the disposal area covered by the excavated material. Where there is a fence adjoining the drain, he will be required to cut the brush on the opposite side of the fence only if excavated material is to be placed there.
- (4) Should the Contractor find it necessary to remove trees other than those specified above, in order to permit the excavation of the drain or the disposal of material, he will be at liberty to do so only on permission of the Commissioner in charge.
- (5) All trees over 8 inches in diameter that are cut are to be trimmed of branches, and the trunks, along with the branches over 8 inches in diameter, are to be cut up into log lengths and piled for the use of the adjoining owner unless the owner advises the Commissioner he does not want them, in which case they are to be disposed of by the Contractor along with the other brush. Small branches and limbs are to be disposed of by the Contractor along with the other brush. Tree stumps may be burned by the Contractor where permitted; otherwise, they shall be disposed of by him away from the site of the work.
- (6) Following completion of the work, the Contractor is to trim up any broken or damaged limbs on trees which remain standing, disposing of the branches cut off along with other brush and leaving the trees in a neat and tidy condition.
- (7) Brush and trees removed from the drain and banks thereof and from the disposal area are to be put into piles by the Contractor, in locations where they can be safely burned, and are to be burned by him. If, in the opinion of the Commissioner, any of the piles are too wet or green to be burned, he will so advise the Contractor who may then arrange, to the Commissioner's satisfaction, an agreement with the owners where the piles are located, for them to burn the material when dry enough.
- (8) Prior to and during the course of burning operations the Contractor shall comply with the guidelines prepared by the Air Quality Branch of the Ontario Ministry of the Environment and shall ensure that the Environmental Protection Act is not violated.
- (9) In no case will brush or trees be buried in the spoil bank or within the excavated material.

**SECTION 8
DISPOSAL OF
MATERIAL**

- (1) Where a part of the drain is being relocated, the Contractor will strip the topsoil from the new course and stockpile it for re-use, following the completion of the subsoil operations. Subsoil excavated from the new course is to be used first of all to fill the existing course which is being abandoned. Where the Contractor can conveniently do so, he may deposit the material in the old course as he excavates it from the new course but where the distance separating the new course from the old course is too great to permit this, he shall move the material to the old course with trucks. He will pack the material as much as is reasonably possible considering the equipment he is using but he need not carry out any special compaction procedures. Where there is more than enough material to fill the old course, the Contractor is to mound up the excavated material slightly to allow for settlement and he is then to bring the surface of the excavated material to a reasonably smooth and uniform contour. Where there is insufficient material to fill the old course, he is to grade the surface of the material so as to eliminate any holes that would collect water.
- (2) Material not required to fill the part of the existing course that is being abandoned and material excavated from the remainder of the drain is to be deposited on the immediately adjoining farm lands in the locations set out in the Special Specifications. It is to be kept at least 6 feet clear of the top edge of the drain and 3 feet clear of all fences and, beyond these distances, it is to be placed as evenly as is conveniently possible in view of the type of excavating equipment used.

- (3) Where the excavated material is deposited in bush land, it is to be spread and levelled in the form of a spoil bank over at least the full width of the strip that has been cleared to permit the passage of excavating equipment but in no case is the top surface to be left more than 2 feet above the natural ground level even though this may require additional clearing to produce a sufficient disposal area. On completion, the spoil bank is to be left so that it is smooth enough to drive an ordinary farm vehicle along it.
- (4) Where the adjoining land is sufficiently clear to permit cultivation, the Contractor is to spread the excavated material over a sufficiently great width that, after spreading, the excavated material will generally have a thickness of not more than 6 inches. However, the Contractor will not be required to spread the material over a width greater than 60 feet even though this results in a depth of material in excess of 6 inches.
- (5) After the excavated material has been levelled any stockpiled topsoil is to be spread over it and the adjoining land to a depth of not over 4 inches.
- (6) No excavated material is to be placed on lawns or ornamental shrubbery but is to be deposited on either or both sides, on the lands of the same owner.
- (7) In no case is the topsoil or any excavated material to be deposited in ditches, tiles, or depressions intended to conduct water into the drain.
- (8) The Commissioner in charge will be the sole judge as to the proper disposal of material under the contract and this specification.

SECTION 9 FENCES

- (1) Where the Contractor finds it necessary to remove any fences in order to permit the excavation of the drain or the disposal of material, he will handle the fencing carefully. Unless otherwise specified, the Contractor will be required to re-construct the fences following the completion of the work of excavation and levelling in as good a condition as that in which they are found or as the old material permits.
- (2) Except as hereinafter specified the Contractor is not to leave any fences open when he is not at work in the immediate vicinity. Where it is necessary to remove a fence paralleling the drain to excavate the drain or dispose of material, the Contractor is not to take it down more than 1 week before he starts work in that field and he is to replace it within 2 weeks after he finishes work there. The landowners and not the Contractor will be responsible for the control of livestock in the adjoining fields, so long as the Contractor adheres to these time limits.
- (3) Any fences that are constructed or re-constructed along the course of the drain are to be kept at least 3 feet clear of the top edge of the drain bank.

SECTION 10 ROAD CROSSINGS

- (1) Where the drain crosses the travelled part of a road through a bridge, the Contractor will excavate the drain to its specified dimensions through the bridge opening, using care to avoid damaging it. If after the drain has been excavated at any bridge structure it appears to the Commissioner that repairs or replacement may be required, he shall so advise the Road Authority having jurisdiction over the particular bridge.
- (2) Where a new bridge is required or where any underpinning, strengthening or repairs are rendered necessary by the work, it is to be carried out by the Road Authority at its own expense.
- (3) Where the drain crosses the travelled part of a road through a pipe that does not have to be replaced or lowered, the Contractor will clean the pipe to its full cross-sectional area using care to avoid damaging it.
- (4) Where the existing pipe is of sufficient size and is in a good state of repair, but requires to be lowered, the Contractor will carefully remove it, clean it to its full cross-sectional area, and replace it in the drain at the proper elevation.
- (5) Where the existing pipe must be replaced, the Contractor will carefully remove it from the drain, clean it to its full cross-sectional area, and leave it beside the drain for removal by the Road Authority. He will then install the new culvert supplied by the Road Authority.
- (6) Under roadways, new pipes and those that are lowered are to be set with their inverts 4 inches below the grade line when the pipe is 42 inches in diameter or less and 6 inches below when it is over 42 inches in diameter.
- (7) Trenches across the travelled part of the roadways are to be back-filled with compactable granular material supplied by the Road Authority.
- (8) The Contractor will notify the Road Authority at least 3 working days before starting work on any road crossing.

SECTION 11 FARM AND ACCESS CULVERTS

- (1) Where a farm or access bridge or pipe does not have to be replaced or lowered, the Contractor will clean it to its full cross-sectional area using care to avoid damaging it.
- (2) Where the culvert is a pipe that must be lowered, the Contractor will carefully remove it, clean it to its full cross-sectional diameter, and replace it in the drain with its invert 4 inches below the grade line.
- (3) Where a pipe culvert must be replaced, the Contractor will carefully remove it from the drain, clean it to its full cross-sectional area, and leave it beside the drain for disposal by the Drainage Commissioner. Any salvage value from the sale of the pipe shall be credited to the drain. Where a wooden or concrete bridge must be replaced, the Contractor will remove it, disposing of the material away from the site. If a new pipe is to be installed, it will be supplied by the Commissioner at the site, at the expense of the drain. The Contractor will then install it with its invert 4 inches below the grade line.

- (4) The Contractor will backfill around each pipe either with compactable granular material supplied by the Commissioner at the expense of the drain or with material excavated from the drain, as directed by the Commissioner.
- (5) Where a new culvert is to be installed, the owner may request the Commissioner to have it placed in a different location from the existing one and this will be permitted so long as the relocation does not result in an increase in the area draining through the culvert. Adequate notice of the change must be given to the Contractor. In no case may the existing culvert be left in the drain when it has been specified that it is to be removed.
- (6) Should the owner wish to construct end walls, he may do so but both the construction and maintenance of such end walls will be the responsibility of the owner concerned and not of the drain.

**SECTION 12
PIPE CULVERT
INSTALLATION**

- (1) The Commissioner will supply to the Contractor the corrugated pipe in lengths of approximately 20 feet (with couplers, where required), in a prefabricated condition. The cost of such prefabrication will be charged as part of the cost of the drain. Any further fabricating or connecting will be the Contractor's responsibility.
- (2) Pipe culverts will be supplied on trucks and are to be unloaded, installed and back-filled by the Contractor as part of his work.
- (3) Following the placing of the pipe, the Contractor will backfill around it, placing and compacting the backfill material in 9 inch layers, equally on each side of the pipe up to the level of the adjoining ground. At the ends of the pipe, the backfill material is to be sloped 1½ feet horizontally to 1 foot vertically. Where clay material is readily available, the ends of the backfill are to be covered with clay to minimize erosion.

**SECTION 13
TILE OUTLETS**

- (1) Where existing tile outlet pipes of cast iron, asbestos cement, corrugated steel or other rigid material are encountered along the course of the drain, and where they will be removed or rendered useless by the work, the Contractor, as part of his work, shall re-install the outlet pipes in the re-graded drain bank. Any new materials required for this work shall be supplied by the Commissioner as an expense to the drain. The outlet pipes shall be joined to the tile in a water-tight manner and shall be properly set into the sloping drain bank so as to prevent the outlet pipe from collapsing.

**SECTION 14
UTILITIES,
RAILWAYS, ETC.**

- (1) Before commencing work, the Contractor will investigate the location of any and all railways, utility lines, wires, pipes, poles, towers or cables which may interfere with the excavation of the drain. He will take all necessary steps to avoid damaging these and should any damage result to them from his operations, he will be completely responsible for these damages, and will save harmless the Township and the Engineer from any legal actions which may arise as a result of such damage.
- (2) If permits are required to allow the work to be carried out on or adjacent to any utilities, pipelines, railways, etc., the Contractor shall obtain these at his own expense.
- (3) All work on or adjacent to any utility, pipeline, railway, etc., is to be carried out in accordance with the requirements of the utility, pipeline, railway, or other, as the case may be, and its specifications for such work are to be followed as if they were part of this specification.

**SECTION 15
PROTECTION
OF PUBLIC**

- (1) Where the Contractor is working on or adjoining a travelled roadway, he will erect the necessary barricades to protect the travelling public against accident and he shall keep these lighted from dusk to dawn. When he is installing a road crossing, he will arrange for the detouring of traffic around the construction site. The Contractor will use all reasonable means to avoid damage claims as a result of his carelessness or negligence and, should any claims arise, he will save harmless the Township and the Engineer from any legal actions resulting from them.

**SECTION 16
CLEAN-UP**

- (1) On completion of his work, the Contractor will clean up the site, removing all debris and waste materials and leaving the site in a neat and tidy condition.

**SECTION 17
COMMISSIONER**

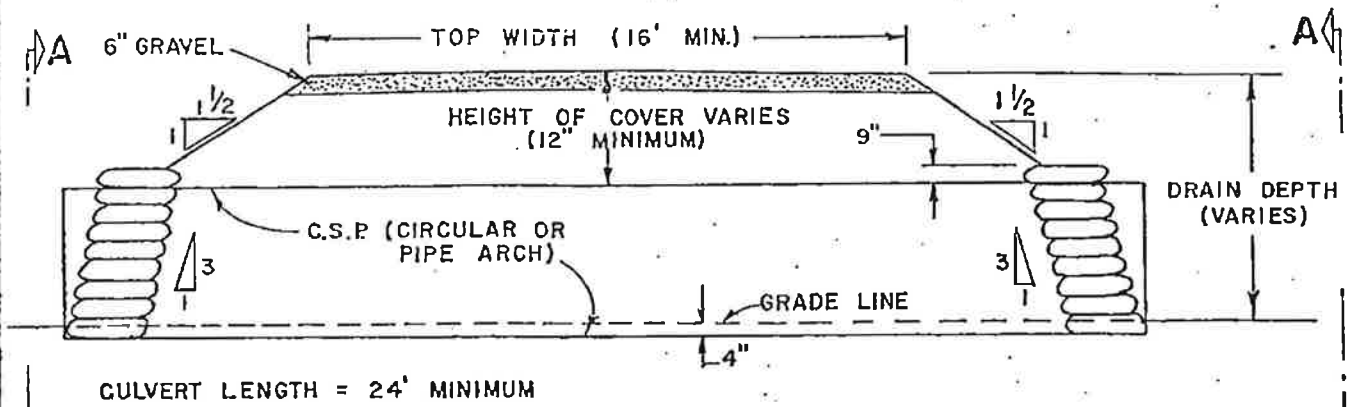
- (1) Where the word "Commissioner" is used in this specification, it shall mean the person or persons appointed by the Council of the Township having jurisdiction, to superintend the work.
- (2) The Commissioner will be permitted to make minor variations in the work so long as these variations will result in either a more satisfactory drain or a more economical one. These variations, however, must not be such as to change the intent of the work performed nor are they to reduce the standard of quality.

**SECTION 18
SPECIAL PROVISIONS**

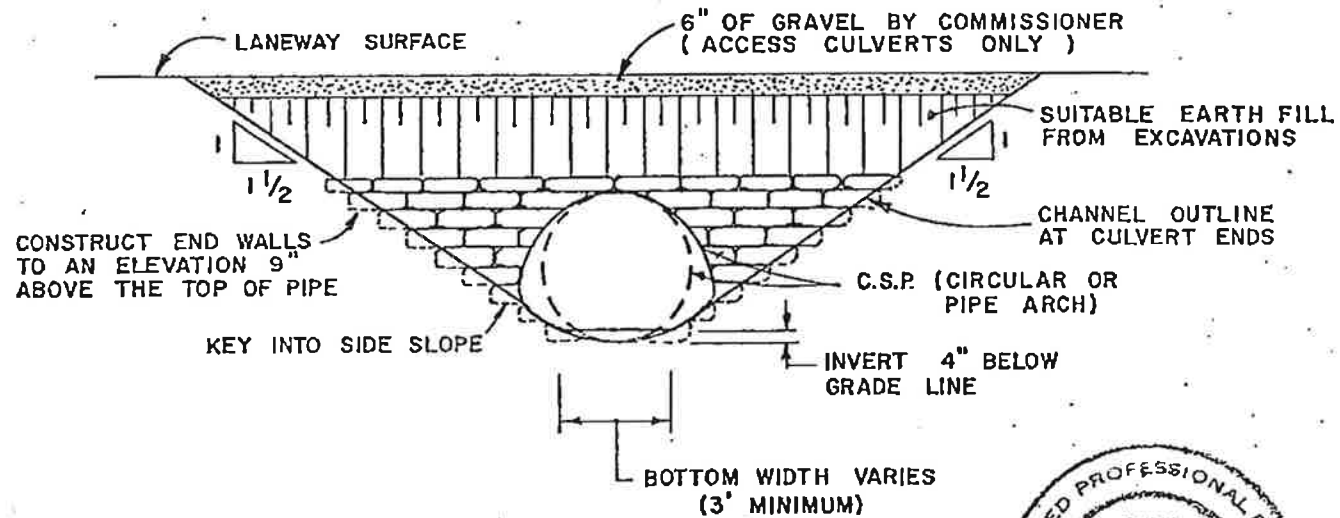
- (1) The Part of the Specifications headed "Special Provisions" which is attached hereto forms part of this Specification and is to be read with it. Where there is any difference between the requirements of this General Specification and those of the Special Provisions, the Special Provisions shall govern.

H. H. TODGHAM

TODGHAM AND CASE LIMITED
CONSULTING ENGINEERS
CHATHAM, ONTARIO



LONGITUDINAL SECTION



ELEVATION A-A



CONSTRUCTION NOTES

1. INSTALLATION AND ASSEMBLY OF C.S.P. MATERIALS SHALL BE IN ACCORDANCE WITH THE MANUFACTURERS SPECIFICATIONS.
2. BACKFILL MATERIAL SHALL BE PLACED IN 9" LAYERS EQUALLY ON EACH SIDE OF THE PIPE. EACH LAYER SHALL BE COMPACTED TO 95% PROCTOR DENSITY.
3. END WALLS TO BE CONSTRUCTED WITH BAGS FILLED WITH 5 PARTS SAND TO 1 PART CEMENT IN AN INTERLOCKING MANNER KEYED INTO THE SIDE SLOPES OF THE DRAIN.

FARM CULVERT

INSTALLATION STANDARD

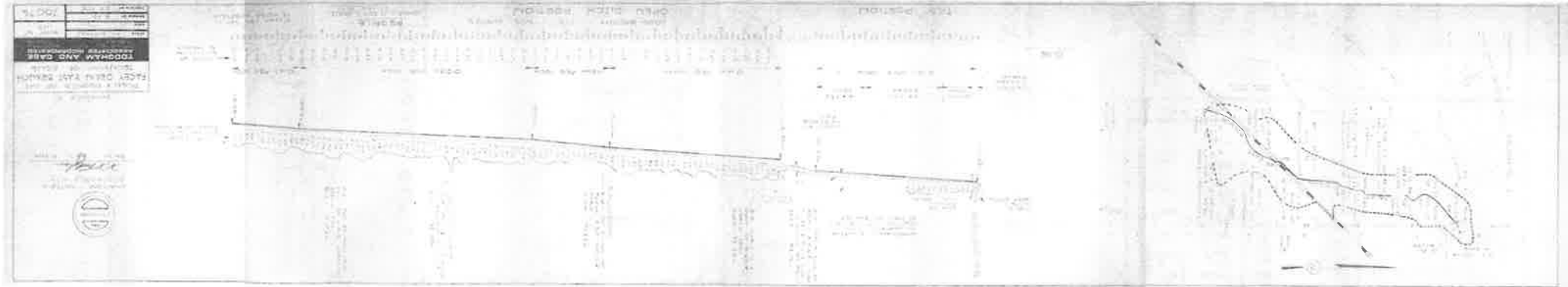
CIRCULAR & PIPE ARCH

CORRUGATED STEEL PIPE

TODGHAM AND CASE ASSOCIATES INCORPORATED

consulting civil engineers
toronto ontario

DATE - 79 10 01	JOB N° - 78076
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CORPORATION OF THE TOWNSHIP OF ZONE

BY-LAW 28-79

Facey Drain, East Branch

A by-law to provide for a drainage works in the Township of Zone in the County of Kent.

Whereas the requisite number of owners have petitioned the Council of the Township of Zone in the County of Kent in accordance with the provisions of the Drainage Act 1975 requesting that the following lands and roads be drained by a drainage works;

And whereas the Council of the Township of Zone in the County of Kent has procured a report made by H.F. Todgham and the report is as follows;

And whereas the estimated total cost of constructing the drainage works is \$20500.00

And Whereas \$20500.00 is the amount to be contributed by the municipality for construction of the Drainage works.

And Whereas \$ is being assessed in the of in the County of

And Whereas the council is of the opinion that the drainage of the area is desirable.

Therefore the council of the Township of Zone pursuant to the Drainage Act. 1975, enacts as follows;

1. The report is hereby adopted and the drainage works as therein indicated and set forth is hereby authorized and shall be completed in accordance therewith.
2. (1) The Corporation of the Township of Zone may borrow on the credit of the Corporation the amount of \$20500.00 being the amount to be contributed by the municipality for construction of the drainage works less the total amount of,
 - (a) grants received under section 85 of the Act; and
 - (b) commuted payments made in respect of the lands and roads assessed.(2) The Corporation may issue debentures for the amount borrowed and such debentures shall be made payable within 5 years from the date of the debenture and shall bear interest at a rate not higher than the rate charged by the Ontario Municipal Improvement Corporation on the date of sale of such debentures.
3. (1) For paying the amount of \$20215.00 being,
 - (a) the amount assessed upon the lands and roads, except the lands and roads belonging to or controlled by the municipality and
 - (b) the amount required to pay interest on the portion of the amount borrowed, represented by the amount in clause a. less the total amount of
 - (c) grants received under section 85 of the Act;
 - (d) moneys paid pursuant to subsection 3 of section 61 of the Act;

and
(e) commuted payments made in respect of the lands and roads assessed.

A special rate shall be levied upon lands and roads as set forth in the Schedule to be collected in the same manner and at the same time as other taxes are collected.

(2) The amount of the special rate levied upon each parcel of land or part thereof shall be divided into 5 equal amounts and one such amount shall be collected in each year for 5 years after the passing of this by-law

4. For paying the amount of \$285.00 being.
 - (a) the amount assessed upon the lands and roads belonging to or controlled by the municipality; and
 - (b) the amount required to pay interest on the portion of the amount borrowed represented by the amount in clause a.A special rate shall be levied upon the whole rateable property in the Township of Zone in each year for 5 years after the passing of this by-law to be collected in the same manner and at the same time as the other taxes are collected.
5. All assessments of \$200.00 or less are payable in the first year in which the assessment is imposed.
6. This by-law comes into force on the passing thereof and may be cited as "Facey Rr. East Br. By-Law".

FIRST READING

SECOND READING

Provisionally adopted this 16 day of October 1979.

Angela Meredith
Reeve
Kymnora Revell
Clerk

THIRD READING

Enacted this 12 day of Nov. 1979.

Angela Meredith
Reeve
Kymnora Revell
Clerk

Schedule of Assessment - Facey Drain, East Branch

Roll	Con.	Lot or Part	Owner	Benefit Outlet	Estimated Grant	Balance of Assessment
Publically-Owned Lands						
Municipal						
		County Road 23	County of Kent	2765.00		
		5-6 Sideroad	Township of Zone	<u>285.00</u>		
Total Publically-Owned Land					<u>3050.00</u>	
Privately-Owned Lands						
Not used for Agricultural Purposes						
1-116	3	Pt. S $\frac{1}{2}$ E $\frac{1}{2}$ 7	L. Myers	25.00		
		Pt. 3,4,&5	C.P.R.	<u>615.00</u>		
Total Privately-owned, Non agricultural					<u>640.00</u>	
Used for Agricultural Purposes						
1-92	3	Pt. L.3&4	P. Sweet	615.00	205.00	410.00
1-115		Pt. L.3&4	Shirley Prop.	380.00	126.66	253.34
1-93		Pt.4 W of CPRH.	Shaw	245.00	81.66	163.34
1-112		E $\frac{1}{2}$ 4	T.Snobelen Est.	150.00	50.00	100.00
1-94		Pt.5 W of CPRM.	Featherstone	1810.00	603.35	1206.65
1-113		Pt.5 E of CPRG.	McDonald	305.00	101.66	203.34
1-114		S $\frac{1}{2}$ E $\frac{1}{2}$ 6	M.Stacho	1415.00	471.66	943.34
1-96		N $\frac{1}{2}$ ex Cor 6	E.Benjamin Est.	1525.00	508.35	1016.65
1-115		S $\frac{1}{2}$ E $\frac{1}{2}$ ex cor 7	C.Elliott	2570.00	856.66	1713.34
1-117		N $\frac{1}{2}$ E $\frac{1}{2}$ 7	M. Stacho	4340.00	1446.66	2893.34
1-117		S $\frac{1}{2}$ E $\frac{1}{2}$ 8	M. Stacho	2535.00	845.00	1690.00
2-39	4	W $\frac{1}{2}$ 8	H. Case	<u>920.00</u>	<u>306.66</u>	<u>613.34</u>
Total on Agricultural land				<u>16810.00</u>	<u>5603.32</u>	<u>11206.68</u>
Total Assessment				20500.00		

TODD TAM AND CASE ASSOCIATES

INCORPORATED

CONSULTING CIVIL ENGINEERS

150 GRAND AVE. EAST
P. O. BOX 1326 N7M 6R9

ORHAM, ONTARIO
519/354-0400

79 10 01

To the Reeve and Council
of the Township of Zone.

Re: East Branch of Facey Drain.

Gentlemen:

In accordance with your instructions, we have made an examination and survey of the open portion and tile portion of the East Branch of the Facey Drain commencing at the outlet of the open portion into the Facey Drain in the N $\frac{1}{2}$ of Lot 3, Concession 3 and proceeding upstream along the entire length of the open and closed portions to the head of the existing tile at the westerly limit of County Road No. 23 in the S $\frac{1}{2}$ of Lot 8. We have extended our examination and survey of the tile portion of the drain across County Road No. 23, in accordance with your instructions, acting upon the drainage petition by the Kent County Engineer, for the upstream extension of the drain.

A review of the records indicates that the existing tile drain extends from its head at the west limit of County Road No. 23 in the S $\frac{1}{2}$ of Lot 8 (Station 20) to its outlet into the open portion of the drain at the line between Lots 6 and 7. The largest part of this tile drain was installed under a report by the late George A. McCubbin dated June 3, 1937. At that time approximately 150 m of 150 mm (6") diameter tile, 180 m of 180 mm (7") diameter tile and 425 m of 200 mm (8") diameter tile were installed from the west limit of County Road No. 23 to the middle of the S $\frac{1}{2}$ of Lot 7, Concession 3 (Station 20 to Station 722). The remainder of the existing tile was installed under a report by this office dated September 23, 1969. At that time the existing tile drain was extended downstream across the remainder of Lot 7 by the installation of 350 mm (14") diameter tile. The remainder of the East Branch of the Facey Drain from the outlet of the tile drain at the line between Lots 6 and 7 downstream to its outlet into the Facey Drain in the N $\frac{1}{2}$ of Lot 3, Concession 3, consists of an open drain. A review of the records indicates that the last work of repair and improvement on the open portion of the drain was done under a report by this office dated September 23, 1969.

H. H. TODDAM, B.A.Sc., O.L.S., P.ENG.

G. WM. DASE, M.A.Sc., P.ENG.

In addition, we recommend that the East Branch of the Facey Drain be extended across County Road No. 23 to its east limit by installing 300 mm (12") diameter corrugated steel pipe across the road allowance and that a catch basin be installed on each side of the road.

Attached to this report and labelled "Schedule C" is our Drawing No. 78076 which consists of a plan showing the location of the proposed work marked in a heavy solid line and the lands affected by the work outlined in a heavy dashed line, together with a profile for the work that we recommend. Also attached and labelled "Schedule B" is a specification showing the dimensions, grades, disposal of material and other particulars of the work to be carried out.

In general terms, the proposed work on the open portion of the drain involves deepening of the drain by varying amounts up to 0.39 m as well as the necessary farm culvert construction along the length of the work. The proposed work on the tile portion of the drain involves the installation of 250 mm (10"), 300 mm (12") and 350 mm (14") diameter tile, the upstream extension of the drain across County Road No. 23 and the installation of two catch basins on County Road No. 23. Upon completion, the tile portion of the drain will have the capacity to remove approximately one-half inch of runoff per acre per 24 hours from the area served by the tile. The invert of the proposed tile drain will be installed at or slightly lower than the invert of the existing tile. In addition, the tile portion of the East Branch and all private tiles entering the open portion of the drain will have at least 0.30 m of freeboard beneath their inverts.

Throughout the length of the work, the excavated material is to be disposed of as set out in the Special Specifications. In accordance with Sections 29 and 30 of The Drainage Act, we determine the amounts to be paid to the owners for damages to lands and crops (if any) occasioned by the construction of the drainage works and by the disposal of material, to be as shown in the following Schedule of Allowances under the heading "Damages".

SCHEDULE OF ALLOWANCES

<u>Con.</u>	<u>Lot</u>	<u>or</u>	<u>Part</u>	<u>Owner</u>	<u>Damages</u>
3	Pt. Lot 4 E of Rwy.				
	5 Pt. Lot		3	Paul Sweet	\$ 365.00
	Pt. Lot 4 E of Rwy.				
	& Pt. Lot		3	Shirley Properties	240.00
	Pt. W of Rwy.		5	Martin Featherstone	380.00
	S $\frac{1}{2}$ E $\frac{1}{2}$ ex. Rwy.		6	M. Stacho	260.00
	N $\frac{1}{2}$ ex. cor.		6	Earl Benjamin Est.	180.00
	S $\frac{1}{2}$ E $\frac{1}{2}$ ex. cor.		7	Cleata Elliot	80.00
	N $\frac{1}{2}$ E $\frac{1}{2}$		7	M. Stacho	140.00
	S $\frac{1}{2}$ E $\frac{1}{2}$		8	M. Stacho	55.00
					<u>\$1700.00</u>

We estimate the cost of the work that we recommend, together with the expenses incidental thereto, to be as follows:

1900 m ³ Excavation and Levelling	\$ 5600.00
End Walls for Culvert	450.00
135 m of 250 mm (10") dia. tile - Supply	425.00
- Install	600.00
345 m of 300 mm (12") dia. tile - Supply	1375.00
- Install	1850.00
222 m of 350 mm (14") dia. tile - Supply	1175.00
- Install	1425.00
18 m of 300 mm (12") dia. CSP road crossing - Supply	300.00
- Install	750.00
2 Catch Basins	1000.00
Allowances under Sections 29 and 30	1700.00
Survey, Plans, Report and Inspection	2725.00
Assistance and Expenses	375.00
Incidentals and Contingencies	<u>750.00</u>
	<u>\$20500.00</u>

We assess the above estimated cost against the lands and roads as shown in the attached Schedule of Assessment labelled "Schedule A".

Under the provisions of The Railway Act, the Canadian Pacific Railway has the right to carry out the work on its property within a reasonable time. If it elects to do so, it must advise the Township before the calling of tenders so that the work will be deleted from the work of the excavating contract. If the Railway elects to carry out the excavation of the East Branch

within its right-of-way and the cleaning of the concrete culvert and the steel pipe culvert on the East Branch at this Railway crossing, the municipality will pay the sum of \$150.00 to the Railway.

We have estimated the value of benefit derived by the construction of end walls on the existing culvert near Station 10 in the N¹/₄ of Lot 3, Concession 3. This amount is shown as a Special Benefit charged against the affected property in addition to the regular drainage assessment against this property.

We have estimated the increase in cost of the drainage works related to the installation of corrugated steel pipe and placement of granular materials across County Road No. 23 and for the repair of the asphalt roadway. Of the total estimated cost of \$20,500.00, we estimate that \$1,200.00 is directly attributable to the additional work involved in crossing the road. This increase in cost is assessed against the County of Kent as owner of County Road No. 23, under Section 26 of The Drainage Act, 1975, in addition to the normal drainage assessments against the road.

After completion, the East Branch of the Facey Drain and the farm culverts along the length of the work are to be maintained by the Township of Zone at the expense of the lands and roads herein assessed and in the same relative proportions subject, of course, to any variations that may be made under the authority of The Drainage Act. For the purpose of maintenance, the amounts assessed for Special Benefit shall be deleted from the assessment schedule.

Since most of the privately-owned lands are used for agricultural purposes and no lateral drains are involved in the work, we recommend that application be made to the Ministry of Agriculture and Food in accordance with Section 88 of The Drainage Act, for a grant payable under Section 85 of this Act, as well as for all other grants for which this work may be eligible.

Respectfully submitted,



H. H. Todgham,
B.A.Sc., O.L.S., P. Eng.

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"SCHEDULE A"
 SCHEDULE OF ASSESSMENT
 FACEY BRAIN EAST BRANCH
 TOWNSHIP OF ZONE

1. PUBLICLY-OWNED LANDS:

(iii) Municipal:

	Owner	Benefit	Special Benefit	Outlet	Total Assessment
County Road No. 23 5-6 Sideroad	County of Kent Township of Zone	\$ 1150.00 175.00	\$1200.00 -	\$ 415.00 110.00	\$ 2765.00 285.00
Total on Publicly-Owned Lands		\$ 1325.00	\$1200.00	\$ 525.00	\$ 3050.00

2. PRIVATELY-OWNED LANDS:

(i) Not used for agricultural purposes:

Con.	Lot or Part	Area Affected (Acres) (Hectares)	Owner	Benefit	Special Benefit	Outlet	Total Assessment
						\$ 25.00	\$ 25.00
3	Pt. S $\frac{1}{2}$ E $\frac{1}{2}$ 7	1	D. 41 L. Myers	\$ 300.00	-	315.00	615.00
	Pt. 3, 4 & 5	14	Canadian Pacific Railway	\$ 300.00	-	\$ 340.00	\$ 640.00
Total on Privately-Owned Non-Agricultural Lands				\$ 300.00			

(ii) Used for agricultural purposes:
 (Excluding A.R.D.A. Lands)

Con.	Lot or Part	Area Affected (Acres) (Hectares)	Owner	Benefit	Special Benefit	Outlet	Total Assessment
3	Pt. Lot 4 E of Rwy & Pt. Lot 3	27	Paul Sweet	\$ 325.00	\$ 225.00	\$ 65.00	\$ 615.00
	Pt. Lot 4 E of Rwy & Pt. Lot 3	31	Shirley Properties	275.00	-	105.00	380.00
	Pt. W of Rwy 4	30	Harvey Shaw	135.00	-	110.00	245.00
	E $\frac{1}{2}$ 4	25	T. Snobelen Est.	100.00	-	50.00	150.00
	Pt. W of Rwy 5	63	Martin Featherstone	1200.00	-	610.00	1810.00
	Pt. E of Rwy 5	30	G. McDonald	100.00	-	205.00	305.00
	S $\frac{1}{2}$ E $\frac{1}{2}$ ex. Rwy. 6	40	M. Stacho	800.00	-	615.00	1415.00
	N $\frac{1}{2}$ ex. cor. 6	35	Earl Benjamin Est.	850.00	-	675.00	1525.00
	S $\frac{1}{2}$ E $\frac{1}{2}$ ex. cor. 7	34	Cleata Elliot	1800.00	-	770.00	2570.00

2. PRIVATELY-OWNED LANDS: Continued

(f) Used for agricultural purposes:
(Excluding A.R.D.A. Lands)

Con.	Lot or Part	Area Affected (Acres) (Hectares)	Owner	Benefit	Special Benefit	Outlet	Total Assessment
3	N ½ E ½	7 40	16.2 M. Stacho	\$ 290.00	-	\$ 144.00	\$ 434.00
	S ½ E ½	8 20	8.1 M. Stacho	1550.00	-	95.00	2535.00
4	W ½	8 10	4.0 H. Case	400.00	-	520.00	920.00
Total on Privately-Owned Agricultural Lands				\$10435.00	\$ 225.00	\$ 6150.00	\$16810.00
Total on Privately-Owned Lands				\$10735.00	\$ 225.00	\$ 6490.00	\$17450.00
TOTAL ASSESSMENT				\$12060.00	\$1425.00	\$ 7015.00	\$20500.00

Estimated amount of grant under Section 85 of The Drainage Act \$5603.33

Chatham, Ontario,
79 10 01

H. H. Todgham
H. H. Todgham,
B.A.Sc., O.L.S., P. Eng.



"SCHEDULE B"

SPECIFICATION FOR THE REPAIR, IMPROVEMENT AND EXTENSION
OF THE EAST BRANCH OF THE FACEY DRAIN
IN THE TOWNSHIP OF ZONE

This specification and the report, plan and profile bearing the same date, apply to and govern the installation of approximately 135 m of 250 mm, 345 m of 300 mm, and 222 m of 350 mm diameter tile together with the repair and improvement of approximately 2466 m of open drain and the necessary farm culvert construction along the length of the open portion of the drain. Also included is the upstream extension of the tile portion of the drain across County Road No. 23 and the installation of 2 catch basins.

DESCRIPTION
OF WORK

The General Specification for Tile Drains and the General Specification for Open Drains both of which are attached hereto form part of this specification and are to be read with it. Where there is any difference between the requirements of the General Specifications and those of the Special Provisions which follow, the Special Provisions shall govern. The section numbers shown in the Special Provisions which follow refer to the sections having the same numbers contained in the General Specifications.

GENERAL
SPECIFICA-
TIONS

SPECIAL PROVISIONS - TILE PORTION

Stakes are set at 25 m intervals commencing at Station 0 on the east limit of County Road No. 23 and proceeding downstream along the course of the work.

SECTION 2
STAKES

Throughout the length of the work, the tile is to be installed on one side or the other of the existing tile drain. The new tile is to be installed parallel to the existing tile but far enough away from it to avoid damaging it. The final alignment shall be satisfactory to the Commissioner in charge. At the downstream end, the Contractor shall gradually swing the alignment of the new tile over to connect to the existing 350 mm diameter tile at Station 722.

SECTION 3
ALIGNMENT

The design grade line of the tile is set to match the invert elevation of the existing 350 mm tile at Station 722. The Contractor will use extreme care to ensure that no reverse grade occurs when connecting to the existing 350 mm tile.

SECTION 4
PROFILE

SECTION 11
CONNECTIONS

After the Tile Contractor has connected the outlet end of the new tile into the existing 350 mm diameter tile near Station 722, he will be required to connect the existing 200 mm diameter municipal tile which is abandoned under this Report, into the new main as well as all intercepted private lateral tiles. This work will be performed in accordance with Section 11 of the General Specification for Tile Drains.

SECTION 12
CONSTRUCTION
IN SANDY
SOILS

Where fine sandy soil is encountered, the Commissioner shall supply at the expense of the drain, a suitable type of synthetic filter material to be used to wrap the tile in order to prevent fine soils from entering the drain. The Contractor shall install this filter material as part of his work.

SECTION 16
ROAD CROSS-
ING

Where the new drain crosses County Road No. 23, the Contractor will be required to install 1.8 m of 300 mm (12") diameter corrugated steel pipe, 16 gauge, between the catch basins at Station 0 and Station 20. The Commissioner will supply, as an expense to the drain, all necessary pipe and granular materials for bedding and backfill. The Contractor will install the pipe and restore the road, complete as specified herein, as part of his work.

The Contractor will carefully cut the pavement where the drain crosses the County Road in order to minimize damage to it. The foundation bed shall be excavated true to line and grade with the trench width 0.6 m wider than the diameter of the pipe and the side walls excavated vertically. The new pipe shall be installed on a 0.10 m bed of Granular "B" material. The Contractor will then backfill the trench for the full width of the pavement plus 1.25 m on each side, using Granular "B" material. The granular material is to be placed in layers not exceeding 0.30 m in thickness and is to be thoroughly compacted with a mechanical vibrating compactor. The top 0.30 m of the trench for the width of the pavement plus 1.25 m on each side is to be filled with Granular "A" material. It is to be placed in layers not greater than 0.15 m in depth and is to be thoroughly compacted with a vibrating compactor. All granular material required for backfill shall meet the gradation and physical requirements of M.T.C. Specification Form 314.

The excavated material from the trench beyond a point 1.25 m from the edge of the pavement may be used for backfilling purposes for these sections of trench. This material is to be placed in layers not

greater than 0.30 m in thickness and is to be compacted either by hand tamping or by the use of a vibrating compactor.

Following the work of backfilling the trench across the pavement and shoulders, the Contractor will place a patch using a cold mix asphalt of a standard acceptable to the County, for the full width of the pavement. This patch is to be at least 0.10 m in thickness and is to be carefully placed and tamped so that it will be as level as possible with the adjoining pavement.

The Contractor will be required to provide suitable warning signs and he shall make every effort to keep the road open to traffic by use of a flagman to direct vehicles around the site of the work. If it is necessary to close the road to through traffic, the Contractor shall provide for an adequately signed detour route.

The Contractor shall notify in writing the Engineer of the County at least 7 days prior to commencement of any work on the County Road Allowance. No labour, equipment or materials for the construction of the road crossings will be supplied by the County.

The Commissioner will arrange for the construction of a catch basin at Station 0 along the east limit of County Road No. 23 and near Station 20 along the west limit of County Road No. 23. The catch basins shall be constructed within the limits of the County Road Allowance and immediately adjacent to the road limits. The catch basins shall be 2'x2' Ministry of Transportation and Communications Style Ditch Inlet Catch Basin Standard DD-716-A or approved equal.

SECTION 19
NEW CATCH
BASINS

From Station 20 to Station 722, the designated working corridor for the tile contractor's equipment shall be restricted to an area which is 10 m wide centred along the proposed final alignment of the tile. In addition, the Commissioner, in consultation with the owner of the S $\frac{1}{2}$ E $\frac{1}{2}$ of Lot 7, Concession 3, shall designate in the field an access corridor for use by the Contractor. This access corridor, having a width of 6 m, shall provide access from the downstream limit of the tile work to the head of the open drain (Station 722 of the tile to the line between Lots 6 and 7).

SECTION 25
WORKING
CORRIDOR

- (2) Unless changes in direction are made at catch basins, manholes, or by the use of manufactured bends or fittings, they shall be made by a smooth curve in the trench on a radius of curvature so that the trenching machine can dig and still maintain grade.
- (3) The alignment of the finished work must be satisfactory to the Commissioner in charge.

SECTION 4
PROFILE

- (1) The tile is to be laid so that its invert will be at the grade line shown on the profile, which grade line is governed by the bench marks. The profile shows, for the convenience of Contractors and others, the approximate depths to be measured from the surface of the ground to the invert of the tile, at each of the numbered stakes, as observed at the time of survey, but bench marks govern.
- (2) The "as-constructed" grade shall be such that each part of the completed drain will provide the capacity required for the area which it drains.
- (3) No reverse grade shall be allowed.
- (4) A variation in grade may be tolerated where the actual capacity of the drain exceeds the required capacity. "As-constructed" grade shall not deviate from the grade line more than 15% of the internal diameter for drain sizes 8 inches or less, or 10% of the internal diameter for sizes greater than 8 inches. These deviations are allowable, provided they are gradual over a distance of not less than 30 feet.

SECTION 5
OBSTRUC-
TIONS

- (1) All brush, timber, logs, stumps, stones or other obstructions in the course of the drain are to be removed to a sufficient distance to be clear of the work.

SECTION 6
BRUSH &
TREES

- (1) All brush and small trees having a diameter less than 6 inches, growing within 15 feet on each side of the drain are to be cut off flush with the ground surface and all of their roots within 10 feet of the tile are to be grubbed out.
- (2) All brush, trees and stumps that are removed are to be put into piles by the Contractor, in locations where they can be safely burned, and are to be burned by him. If, in the opinion of the Commissioner, any of the piles are too wet or green to be burned, he will so advise the Contractor who may then arrange, to the Commissioner's satisfaction, an agreement with the owners where the piles are located, for them to burn the material when dry enough.
- (3) Since the trees and brush that are cut off flush with the earth surface may sprout new growth later, it is strongly recommended that the Township make arrangements for spraying this new growth at the appropriate time so as to kill the trees and brush.

SECTION 7
FENCES

- (1) Where the Contractor finds it necessary to remove any fences in order to permit the installation of the drain or the removal of brush and the grubbing of roots, he will be required to use reasonable care in handling the fencing material and will re-construct the fences in as good condition as that in which they are found, or as the old material permits.
- (2) The Contractor is not to leave any fences open when he is not at work in the immediate vicinity.

SECTION 8
TILE

- (1) Unless otherwise specified, all tile is to be furnished at the site of the work, by the Municipality, and its cost charged as part of the cost of the drain.
- (2) It is to be first class agricultural tile, either clay or cement. Cracked, chipped or uneven tile will not be acceptable and are to be discarded by the Contractor.
- (3) Standard Clay Drain Tile shall meet all American Society for Testing and Materials specifications as set out in Designation C4-62 (Clay Drain Tile).
- (4) Concrete Drain Tile shall meet the specifications as set out in American Society for Testing Materials Designation C412-65.

SECTION 9
EXCAVATION
OF TRENCH

- (1) Construction of the trench shall normally start at the outlet and proceed upgrade.
- (2) Minimum width of trench, measured at the top of the tile, shall be equal to the outside diameter of the tile plus approximately 6 inches, to permit proper soil placement around the tile, or the tile shall be embedded in a 120° circular groove.
- (3) The bottom of the trench shall be cut accurately to the grade line. It shall be smooth with a groove along the bottom center line to guide tile alignment. If a circular groove is used, it shall conform closely in shape to the outside diameter of the tile.
- (4) If the trench is excavated below grade for any reason, it shall be filled above the grade line with gravel or well-pulverized soil, tamped to provide a firm foundation. Then, the bottom of the trench shall be reshaped to the proper grade line.
- (5) When rock is encountered at grade level, the trench shall be excavated approximately 3 inches below grade level and filled to the proper grade line as described in paragraph (4).

- (6) If the depth of the drain exceeds the working depth of the trenching machine, the Contractor shall excavate the top portion of the trench to a suitable depth and width so that the trenching machine can be operated within its depth range. The top-soil is to be separated from the sub-soil and during the backfilling operation it shall be replaced as the top layer.

SECTION 10
LAYING
PIPE

- (1) When the trench bottom is unstable, a stabilizing material shall be placed before laying the tile.
- (2) Laying of tile shall normally begin at the lower end of the drain and progress upgrade. It is preferable that the tile be laid inside the shoe casting of the drainage machine during the trenching operation.
- (3) Tiles shall be laid in the groove with close joints on a firm bed, free of loose soil and to the grade line of the profile.
- (4) All soil or debris in the tiles shall be removed before installation.
- (5) All tiles shall be free from clinging wet or frozen material that would hinder the laying of the tile on grade.
- (6) The upper end of all tile runs shall be closed tightly with an end plug.
- (7) Before work is suspended for the day, all tiles laid in trenches shall be blinded and any open tile ends closed.

SECTION 11
CONNECTIONS

- (1) Intercepted lateral tiles shall connect with the main drain tiles so that their center lines intersect.
- (2) Existing drains shall be inspected by the Commissioner and if found to be in working order, they shall be connected to the new system. Drains containing very little sediment shall be directly connected and drains containing substantial quantities of sediment shall be indirectly connected through filter material.
- (3) Drains carrying sewage or farmstead wastes shall not be connected to the drainage system.
- (4) Plastic tubing connections to rigid drain tile shall be made with manufactured plastic adaptors.
- (5) Manufactured "T", "Y", or elbow fittings shall be used for connections at the junction of two drains.
- (6) All connections will be made by the Contractor as part of his work in installing the drain.

- (2) Large stones, roots, broken tile and other material likely to impede or damage field equipment shall be removed from the backfill and placed in a suitable disposal area.
- (3) To avoid the danger of damaging the tile, large stones and frozen lumps of soil shall not be dropped into the trench.
- (4) Surplus soil shall be spread over the adjacent field.
- (5) Except at laneways and road crossings, backfill material shall not be compacted; compaction should be allowed to occur naturally.

SECTION 15
LANE AND
DRIVEWAY
CROSSINGS

- (1) When called for in the Special Provisions, the Commissioner will supply, at the expense of the drain, corrugated steel pipe in place of tile for installation beneath farm lanes and private driveways. The Contractor will place the pipe as part of his work.
- (2) The pipe shall be laid in the trench with its invert at the grade line of the drain. Each end will be connected to the tile in a water-tight manner.
- (3) Unless otherwise specified, the bedding and backfill to the pipe will be native earth from the excavation. However, where driveways have a gravel surface, the Commissioner will supply granular materials for the Contractor to place as the upper layer of backfill to restore the driveway to its original condition.
- (4) The backfill will be carefully placed in the trench so as not to disturb the pipe. It will be carried to the top of the trench in thoroughly compacted 8" layers.

SECTION 16
ROAD
CROSSING

- (1) At road crossings, the Commissioner will supply, at the expense of the drain, corrugated steel pipe in place of tile for installation beneath the travelled part of the road. The Commissioner will also supply, at the expense of the drain, all necessary granular materials for bedding and backfill. The Contractor will install the pipe, complete, as part of his work.
- (2) The trench shall be excavated true to line and grade having a maximum width of 2 feet wider than the outside diameter of the pipe with vertical side walls. It shall be excavated to a depth to provide for 4 inches of granular bedding below the bottom of the pipe.
- (3) The pipe shall be laid with its invert at the grade line of the drain and with the inside circumferential laps pointing downstream. The supplied lengths of pipe shall be joined by means of "Standard Coupler Bands" installed to provide a water-tight connection.

- (4) Granular backfill will be placed in the trench below the travelled portion of the road, with excavated material used for backfill across the ditch areas. The granular material shall be placed in 6 inch layers up to the level of the adjoining roadway. Each layer shall be compacted to 100% proctor density before the succeeding layer is placed.
- (1) Where the new tile follows the course of an existing tile drain, the Contractor will locate the existing tile, before commencing work and will clearly mark it. He will then exercise reasonable care to avoid disturbing this existing tile.
- (1) Where a drain discharges into an open outlet, the Contractor will install a length of steel pipe supplied by the Commissioner at the expense of the drain, in place of tile. The Commissioner will also supply for installation by the Contractor a removable wire mesh grating to be attached to the end of the pipe. Grate openings shall not exceed 1 inch.
- (2) The outlet pipe shall be installed as soon as the trench is excavated and shall extend to the toe of the slope of the open ditch.
- (3) Backfill for the outlet pipe shall be suitable excavated material placed and compacted in 6 inch layers up to the level of the adjoining ground.
- (4) The joint between the tile and the outlet pipe shall be sealed with concrete in a water-tight manner.
- (1) The Commissioner will arrange for the construction of concrete catch basins, at the expense of the drain, at the locations shown on the plan and profile and set out in the Special Provisions.
- (2) Concrete used for the catch basins is to be made from clean, well-graded gravel and fresh cement in the proportions of 5 parts of gravel to 1 part of cement. If ready-mix concrete is used, the class of concrete shall be 3,000 p.s.i. Clean water only is to be used and the concrete is to be well mixed before being placed in the forms.
- (3) The catch basin builder will provide and install removable steel or cast iron grating covers having an opening at least 24 inches square.
- (4) The elevation of the top surface of the catch basin cover is to be determined by the Commissioner and is to be such as to permit the entry of surface water into the basin, unless otherwise specified.

SECTION 17
EXISTING
TILE DRAINSECTION 18
TILE
OUTLETSECTION 19
NEW CATCH
BASINS

THIS IS EXHIBIT "J" TO THE AFFIDAVIT OF
BLAISE CHEVALIER , SWORN ON THE 2ND DAY OF
APRIL, 2024.

Lynn
Kalp

Digitally signed by
Lynn Kalp
Date: 2024.04.02
12:45:04 -04'00'

A COMMISSIONER, ETC.

**Linda Marle Kalp, a Commissioner, etc.
Province of Ontario, for the
Municipality of Chatham-Kent.
Expires August 31, 2026.**

CP Rail

J. A. Inshaw, P. Eng.
Division Engineer
672-7800

Office of the
Superintendent

In reply
please
refer to:
T. L. Clarke

664 Richmond Street, North
London, Ontario
N6A 3G9

October 22, 1979

File: D-W-47.94

Mrs. S. Brearley
Ckerk
Township of Zone
R. R. #3
BOTHWELL, Ontario
NOP 1C0

Dear Mrs. Brearley:

Subject: East Branch of Facey Drain
Mileage 47.31, Windsor Subdivision


This is to advise you that we have received the Drainage Engineer's Report and Plan dated October 1, 1979.

If you find it necessary to carry out this proposed scheme, you should include the work on our right of way in the contract, advising the contractor that he must notify this office no less than one week in advance of when he intends to do the work in order that protection and/or supervision may be provided.

Please forward a copy of the By-law as soon as it has been passed.

This office should be notified if the work is completed so that payment may be made.

Yours truly,


J. A. Inshaw, P. Eng.
Division Engineer

THIS IS EXHIBIT "K" TO THE AFFIDAVIT OF
BLAISE CHEVALIER , SWORN ON THE 2ND DAY OF
APRIL, 2024.

Digitally signed by Lynn
Kalp
Date: 2024.04.02 11:53:36
-0400

Lynn Kalp

A COMMISSIONER, ETC.

**Linda Marie Kalp, a Commissioner, etc.
Province of Ontario, for the
Municipality of Chatham-Kent.
Expires August 31, 2026.**

RE-ASSESSMENT REPORT

FACEY DRAIN

TOWNSHIP OF ZONE

Todgham and Case Associates Incorporated

Consulting Engineers

Chatham, Ontario

July 12, 1995

**TODGHAM
& CASE
ASSOCIATES
INC.**

Consulting Civil Engineers

131 Heritage Road, P.O. Box 1326
Chatham, Ontario N7M 5R9
Phone (519) 354-0400 Fax (519) 354-5650

July 12, 1995



To the Reeve and Council
of the Township of Zone

Re: Facey Drain - East Branch -
Reassessment Report

Gentlemen and Madam:

Instructions:

In accordance with your instructions referring back our report of April 19, 1995, we have reconsidered the watershed set out in it and submit this amended report. This report differs from our previous report in the following matters:

1. The road widenings along County Road No. 23 have been considered and the road assessment increased accordingly.
2. The watershed assessed in the N $\frac{1}{2}$ E $\frac{1}{2}$ of Lot 7, Concession 3 has been reduced by 15 acres.
3. The watershed assessed in the S $\frac{1}{2}$ E $\frac{1}{2}$ of Lot 8, Concession 3 has been reduced by 10 acres.
4. Separate provisions for assessing maintenance costs are established for the open portion of the drain and the covered portion of the drain.

In accordance with your earlier instructions, we have made a review of the drainage area served by the East Branch of the Facey Drain. This drain has its outlet into the Facey Drain in the N $\frac{1}{2}$ W $\frac{1}{2}$ of Lot 3, Concession 3. The drain extends upstream, northerly and easterly to the head of the drain at County Road No. 23 in the S $\frac{1}{2}$ of Lot 8.

Initially, Council instructed our firm under Section 78 of The Drainage Act, to hold an on-site meeting to determine the drainage requirements of the watershed and update the Assessment Schedule. At the on-site meeting, several landowners indicated that they felt that the railway crossing beneath the Canadian Pacific Railway tracks was not deep enough. According to the 1979 bylaw, the drain crosses the Canadian Pacific Railway property through a concrete box culvert and a 30 inch diameter steel pipe. The steel pipe is at a lower elevation than the concrete box culvert. The landowners were unaware that the 30 inch diameter culvert existed. We examined the railway crossing site and found that the existing 30 inch diameter steel pipe was more than half full of sediment. Clearly, the ditch has filled in

tile drainage into the East Branch of the Facey Drain together with surface water. In 1986, Council instructed our firm to prepare a subsequent connection report under the provisions of The Drainage Act which related to the tiling systems installed on these properties. That report which was dated August 8, 1986, dealt with the fact that the hatched area shown on the plan had tile drains installed on it which outletted into the Sinclair Drain instead of the East Branch of the Facey Drain. At that time, surface drainage from the hatched area was considered to drain along the East Branch of the Facey Drain while the subsurface drainage was considered to outlet into the Sinclair Drain. The maintenance schedule recommended under this report has revised the assessments contained in the 1979 report on the East Branch of the Facey Drain to reflect those changes made under the 1986 report on the Sinclair Drain and also further reduce the areas assessed into the East Branch of the Facey Drain by 15 acres for the N $\frac{1}{2}$ E $\frac{1}{2}$ of Lot 7, Concession 3 and 10 acres for the S $\frac{1}{2}$ E $\frac{1}{2}$ of Lot 8, Concession 3.

Recommendations:

To fairly proportion the cost of future maintenance works against the lands and roads within the watershed of the East Branch of the Facey Drain, we recommend that a new Schedule of Assessment be developed which accurately defines the lands and roads which are affected by this drain. This Schedule of Assessment applies to the entire length of the East Branch of the Facey Drain.

This Schedule of Assessment was prepared by taking the schedule contained in the 1979 report and revising or amending the dollar values to reflect the current property boundaries and to reflect the drainage situation on the N $\frac{1}{2}$ E $\frac{1}{2}$ of Lot 7 and the S $\frac{1}{2}$ E $\frac{1}{2}$ of Lot 8, Concession 3.

We recommend that all engineering costs, interest and expenses related to the preparation, distribution and consideration of this report be included as an expense to the drainage works and be assessed in the same relative proportions as set out in "Schedule A".

Drawing:

Attached to this report and labelled "Schedule B" is our Drawing No. 94042 which consists of a plan showing the lands and roads which are affected by the East Branch of the Facey Drain, outlined in a heavy dashed line.

Assessment Schedule:

The Schedule of Assessment attached to this report shall be used to levy all future maintenance costs for maintaining the drainage works with the exception of the railway crossings, road crossings, and farm culverts, upstream of the locations where the maintenance work is carried out. The revised Schedule of Assessment attached to this report has a total assessment amount of \$14,400. This amount is an arbitrary amount. The actual cost of the maintenance work for the open portion of the drain will vary and shall be pro-rated against all

SCHEDULE A
 MAINTENANCE SCHEDULE
 FACEY DRAIN EAST BRANCH
 TOWNSHIP OF ZONE

3. MUNICIPAL LANDS:

		Owner	Benefit	Special Benefit	Outlet	Total Assessment
County Road No. 23		County of Kent	\$1,325.00	\$0.00	\$540.00	\$1,865.00
5-6 Slideroad		Township of Zone	175.00	0.00	110.00	285.00
Total on Municipal Lands			\$1,500.00	\$0.00	\$650.00	\$2,150.00

4. PRIVATELY-OWNED - NON-AGRICULTURAL LANDS:

Roll No.	Con.	Lot or Part	Area Affected		Owner	Benefit	Special Benefit	Outlet	Total Assessment	
			(Acres)	(Ha.)						
00-000-00	3	Pt Lts 3,4 &	5	14.00	5.67	Canadian Pacific Railway	\$300.00	\$0.00	\$315.00	\$615.00
00-000-00		Pt S½E½	7	0.20	0.08	K. Jansseune	0.00	0.00	25.00	25.00
Total on Privately-Owned - Non-Agricultural Lands						\$300.00	\$0.00	\$340.00	\$640.00	

5. PRIVATELY-OWNED - AGRICULTURAL LANDS:

Roll No.	Con.	Lot or Part	Area Affected		Owner	Benefit	Special Benefit	Outlet	Total Assessment	
			(Acres)	(Ha.)						
00-000-00	3	NEPI	3	2.00	0.81	Briarwood Estates	\$0.00	\$0.00	\$7.00	\$7.00
00-000-00		PI L14 E of Rwy &	3	44.00	17.81	Joe Park	550.00	0.00	123.00	673.00
00-000-00		PI L14 & PI L1	3	12.00	4.86	Joe Park	50.00	0.00	40.00	90.00
00-000-00		PI W of Rwy	4	30.00	12.14	Harvey Shaw	135.00	0.00	110.00	245.00
00-000-00		E½	4	25.00	10.12	M. Fisher	100.00	0.00	50.00	150.00
00-000-00		PI W of Rwy	5	63.00	25.50	T. Gillier	1,200.00	0.00	610.00	1,810.00

5. PRIVATELY-OWNED - AGRICULTURAL LANDS: (Continued)

Roll No.	Con.	Lot or Part	Area Affected		Owner	Benefit	Special Benefit	Outlet	Total Assessment	
			(Acres)	(Ha.)						
00-000-00	3	Pt E of Rwy	5	30.00	12.14	G. McDonald	\$100.00	\$0.00	\$205.00	\$305.00
00-000-00		S 1/2 E 1/2 ex Rwy	6	40.00	16.19	E. Craymeersch	800.00	0.00	615.00	1,415.00
00-000-00		N 1/2 ex Cor	6	35.00	14.16	Earl Benjamin Est.	850.00	0.00	675.00	1,525.00
00-000-00		S 1/2 E 1/2 ex Cor	7	34.00	13.76	C. Shaw	975.00	0.00	770.00	1,745.00
00-000-00		N 1/2 E 1/2	7	27.00	10.93	A. Vanderveen	1,325.00	0.00	740.00	2,065.00
00-000-00		S 1/2 E 1/2	8	10.00	4.05	A. Vanderveen	360.00	0.00	300.00	660.00
00-000-00	4	W 1/2	8	10.00	4.05	G. Case	400.00	0.00	520.00	920.00
Total on Privately-Owned - Agricultural Lands						\$6,845.00	\$0.00	\$4,765.00	\$11,610.00	
TOTAL ASSESSMENT						\$8,645.00	\$0.00	\$5,755.00	\$14,400.00	

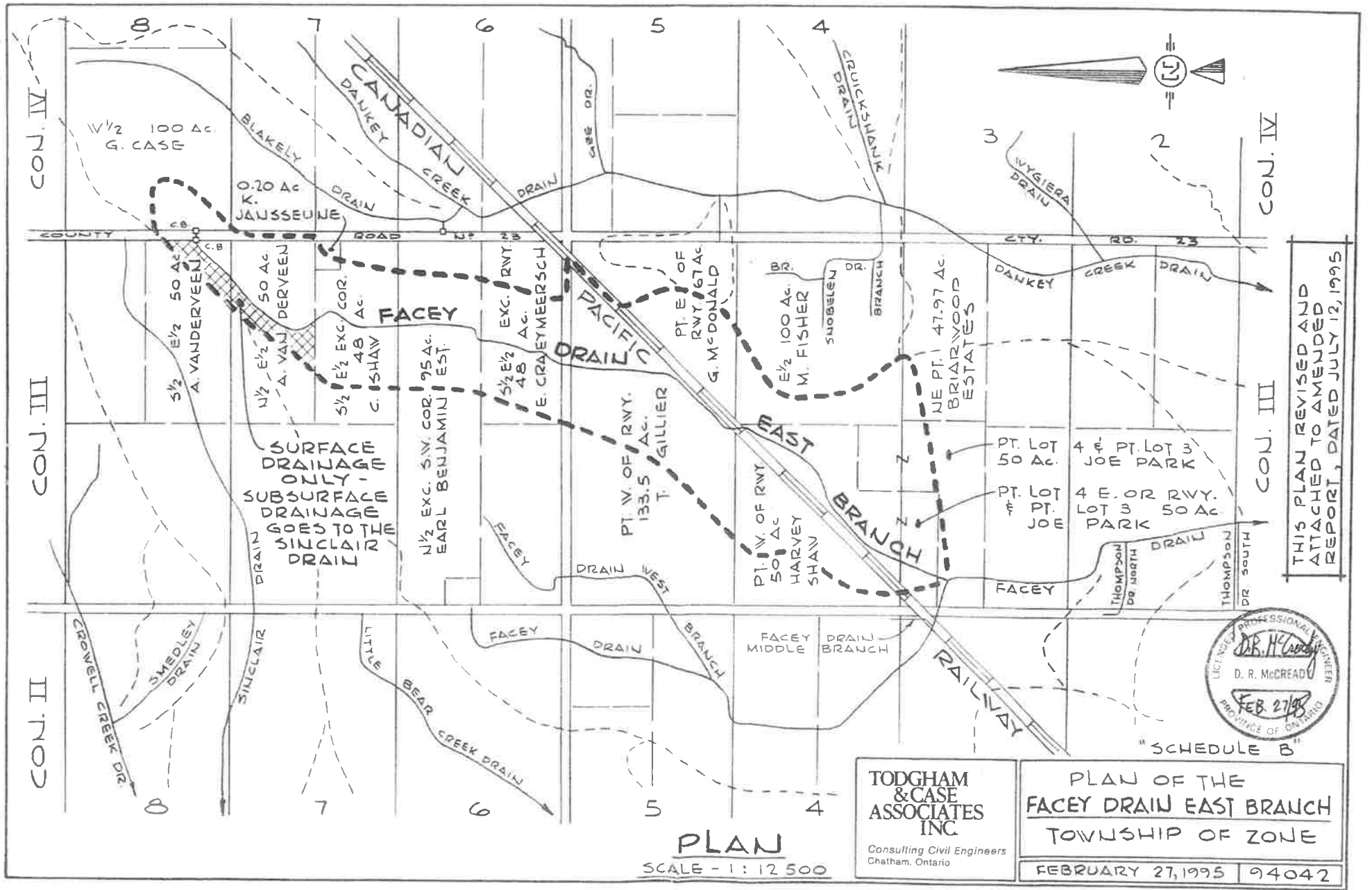
Chatham, Ontario.
July 12, 1995

TODGHAM AND CASE ASSOCIATES
INCORPORATED

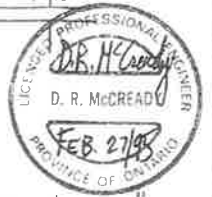
Per: *D.R. McCready*

D.R. McCready
B.A.Sc., P. Eng.





THIS PLAN REVISED AND ATTACHED TO AMENDED REPORT, DATED JULY 12, 1995



TODGHAM & CASE ASSOCIATES INC.
 Consulting Civil Engineers
 Chatham, Ontario

PLAN OF THE FACEY DRAIN EAST BRANCH
 TOWNSHIP OF ZONE

FEBRUARY 27, 1995 94042

PLAN
 SCALE - 1:12 500

"SCHEDULE B"

CORPORATION OF THE
TOWNSHIP OF ZONE
By-law 30-95

A by-law to vary the assessments of the East Branch Facey Drain

WHEREAS conditions have changed such as to justify a variation of assessments of said Drainage Works.

AND WHEREAS the Council of the Township of Zone deems it advisable to vary the assessments.

AND WHEREAS the Council of the Township of Zone in the County of Kent has procured a report made by Todgham and Case Associates Inc. in accordance with Section 76 of the Drainage Act.

NOW THEREFORE the Council of the Corporation of the Township of Zone pursuant to the Drainage Act, enacts as follows;

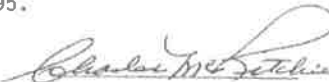
1. The report dated July 12, 1995 and attached hereto is hereby adopted.
2. This by-law comes into force on the final passing thereof and may be cited as the East Branch Facey Drain - Reassessment Report.


Read a first and second time and provisionally adopted this 8th day of August, 1995.


Reeve


Clerk

Third reading enacted this 11th day of September, 1995.


Reeve


Clerk

"SCHEDULE A"

MAINTENANCE SCHEDULE

FACEY DRAIN EAST BRANCH

TOWNSHIP OF ZONE

3. MUNICIPAL LANDS:

	Owner	Benefit	Special Benefit	Outlet	Total Assessment
County Road No. 23 5-6 Sideroad	County of Kent Township of Zone	\$1,325.00 175.00	\$0.00 0.00	\$540.00 110.00	\$1,865.00 285.00
Total on Municipal Lands		\$1,500.00	\$0.00	\$650.00	\$2,150.00

4. PRIVATELY-OWNED - NON-AGRICULTURAL LANDS:

Roll No.	Con.	Lot or Part	Area Affected (Acres) (Ha.)		Owner	Benefit	Special Benefit	Outlet	Total Assessment			
00-000-00	3	Pt Lts 3,4 &	5	14.00	5	14.00	5.67	Canadian Pacific Railway	\$300.00	\$0.00	\$315.00	\$615.00
00-000-00		Pt S½E½	7	0.20	0.08			K. Jansseune	0.00	0.00	25.00	25.00
Total on Privately-Owned - Non-Agricultural Lands						\$300.00	\$0.00	\$340.00	\$640.00			

5. PRIVATELY-OWNED - AGRICULTURAL LANDS:

Roll No.	Con.	Lot or Part	Area Affected (Acres) (Ha.)		Owner	Benefit	Special Benefit	Outlet	Total Assessment	
00-000-00	3	NEPt	3	2.00	0.81	Brianwood Estates	\$0.00	\$0.00	\$7.00	\$7.00
00-000-00		PtL14 EofRwy &	3	44.00	17.81	Joe Park	550.00	0.00	123.00	673.00
00-000-00		PtL14 & Pt Lt	3	12.00	4.86	Joe Park	50.00	0.00	40.00	90.00
00-000-00		Pt W of Rwy	4	30.00	12.14	Harvey Shaw	135.00	0.00	110.00	245.00
00-000-00		E½	4	25.00	10.12	M. Fisher	100.00	0.00	50.00	150.00
00-000-00		Pt W of Rwy	5	63.00	25.50	T. Gillier	1,200.00	0.00	610.00	1,810.00

5. PRIVATELY-OWNED - AGRICULTURAL LANDS: (Continued)

Roll No.	Con.	Lot or Part	Area Affected		Owner	Benefit	Special Benefit	Outlet	Total Assessment	
			(Acres)	(Ha.)						
00-000-00	3	Pt E of Rwy	5	30.00	12.14	G. McDonald	\$100.00	\$0.00	\$205.00	\$305.00
00-000-00		S½E½ ex Rwy	6	40.00	16.19	E. Craymeersch	800.00	0.00	615.00	1,415.00
00-000-00		N½ ex Cor	6	35.00	14.16	Earl Benjamin Est.	850.00	0.00	675.00	1,525.00
00-000-00		S½E½ ex Cor	7	34.00	13.76	C. Shaw	975.00	0.00	770.00	1,745.00
00-000-00		N½E½	7	27.00	10.93	A. Vanderveen	1,325.00	0.00	740.00	2,065.00
00-000-00		S½E½	8	10.00	4.05	A. Vanderveen	360.00	0.00	300.00	660.00
00-000-00	4	W½	8	10.00	4.05	G. Case	400.00	0.00	520.00	920.00
Total on Privately-Owned - Agricultural Lands						\$6,845.00	\$0.00	\$4,765.00	\$11,610.00	
TOTAL ASSESSMENT						\$8,645.00	\$0.00	\$5,755.00	\$14,400.00	

Chatham, Ontario.
July 12, 1995

TODGHAM AND CASE ASSOCIATES
INCORPORATED

Per:

D.R. McCready

D.R. McCready
B.A.Sc., P. Eng.



THIS IS EXHIBIT "L" TO THE AFFIDAVIT OF
BLAISE CHEVALIER , SWORN ON THE 2ND DAY OF
APRIL, 2024.

Digitally signed by
Lynn Kalp
Date: 2024.04.02

13-16-18-1400
A COMMISSIONER, ETC.

**Linda Marie Kalp, a Commissioner, etc.
Province of Ontario, for the
Municipality of Chatham-Kent.
Expires August 31, 2026.**

2009 DRAIN MAINTENANCE DEFICIT

FACEY DRAIN EAST BRANCH

ORIGINAL BY-LAW NO. 30-1995
COMMUNITY OF ZONE

Acct. # to Credit		DRZOM MFCEA307		Actual Cost		\$14,642.50		By-law #		30-1995		
				Interest		\$207.82		L.I.C.		MFCEA30709		
TWP.	ROLL NO	LEGAL DESC	AC	FARM TAX CLASS	OWNER 1	OWNER 2	ORIGINAL ASSESSMENT	ACTUAL BEFORE GRANT	LESS 1/3 AGR. GRANT	PLUS ADMIN. FEE	INTEREST	TOTAL ASSESS UNDER THIS BY-LAW
ZONE		CON 3 E PT LOT 7	14.00	res			\$ 25.00	\$25.42		\$ 12.00	\$0.42	\$37.84
ZONE		CON 3 PT LOT 3 RP 24R2484	0.20	res			\$ 7.00	\$7.12		\$ 12.00	\$0.12	\$19.24
ZONE		CON 3 PT LOT 3 PT LOT 4 RP	2.00	farm	HUSTON FARMS INC		673.00	\$684.33	\$228.11	\$ 12.00	\$11.42	\$479.64
ZONE		CON 3 PT LOT 3 PT LOT 4 RP	44.00	farm	HUSTON FARMS INC		90.00	\$91.52	\$30.51	\$ 12.00	\$1.53	\$74.54
ZONE		CON 3 W PT LOTS 3 AND 4	30.00	farm	MILLER ALEX FRANK	MILLER DARLENE	245.00	\$249.13	\$83.04	\$ 12.00	\$4.16	\$182.25
ZONE		CON 3 E PT LOT 4 EX ROAD	25.00	farm			150.00	\$152.53	\$50.84	\$ 12.00	\$2.54	\$116.23
ZONE		CON 3 N PT LOT 5	63.00	farm			1,810.00	\$1,840.48	\$613.49	\$ 12.00	\$30.71	\$1,269.70
ZONE		CON 3 PT LOT 5	30.00	farm			305.00	\$310.14	\$103.38	\$ 12.00	\$5.17	\$223.93
ZONE		CON 3 E PT LOT 6 EXC RP	40.00	farm			1,415.00	\$1,438.83	\$479.61	\$ 12.00	\$24.01	\$995.23
ZONE		LOT 6 EXC RD	35.00	farm			1,525.00	\$1,550.68	\$516.89	\$ 12.00	\$25.87	\$1,071.66
ZONE		CON 3 E PT LOT 7	34.00	farm			1,745.00	\$1,774.39	\$591.46	\$ 12.00	\$29.60	\$1,224.53
ZONE		CON 3 PT LOT 7 PT LOT 8	37.00	farm			2,725.00	\$2,770.89	\$923.63	\$ 12.00	\$46.23	\$1,905.49
ZONE		CON 4 W PT LOT 8 EXC RP	10.00	farm			920.00	\$935.49	\$311.83	\$ 12.00	\$15.61	\$651.27
ZONE					CPR RAILWAY		615.00	\$625.36		\$ 12.00	\$10.43	\$647.79
					CK ROADS NORTH		2,150.00	\$2,186.19				\$2,186.19
							\$14,400.00	\$14,642.50	\$3,932.80	\$168.00	\$207.82	\$11,085.52
									Amount on 2009 Tax Roll			\$8,251.54
									C K Roads North			\$2,186.19

Prepared By: L. Tyhurst
2024-02-14

Brushing, bottom cleanout, levelling, washout repair Miller request

ZO - Facey Drain East Branch

2009 DRAIN MAINTENANCE DEFICIT

FACEY DRAIN EAST BRANCH

ORIGINAL BY-LAW NO. 30-1995
COMMUNITY OF ZONE

Acct. # to Credit		DRZOM MFCEA307				Interest		\$207.82		L.I.C.		MFCEA30709
TWP.	ROLL NO	LEGAL DESC	AC	FARM TAX CLASS	OWNER 1	OWNER 2	ORIGINAL ASSESSMENT	ACTUAL BEFORE GRANT	LESS 1/3 AGR. GRANT	PLUS ADMIN. FEE	INTEREST	TOTAL ASSESS UNDER THIS BY-LAW
												\$647.79
									CPR Railway			
Total 2009 Drain Maintenance Deficit											\$11,085.52	

Prepared By: L. Tyhurst
2024-02-14

Brushing, bottom cleanout, levelling, washout repair Miller request

ZO - Facey Drain East Branch

2009 DRAIN MAINTENANCE DEFICIT

FACEY DRAIN

ORIGINAL BY-LAW NO. 09-1980
COMMUNITY OF ZONE

COMMUNITY	ROLL NO	PROPERTY DESC	AC	FARM TAX CLASS	OWNER 1	OWNER 2	ORIGINAL ASSESSMENT	ACTUAL BEFORE GRANT	LESS 1/3 AGR. GRANT	INTEREST	PLUS ADMIN. FEE	TOTAL ASSESS UNDER THIS BY-LAW
	Acct. # to Credit	DRZOM MFACA299			brush, clean entire drain. repair culvert roll no. 1-090, levelli		Actual Cost Interest	\$27,457.50			By-law # L.I.C.	09-1980 MFACA29909
								\$386.48				
ZONE		CON 2 E 1/2 LOT 1	45.00	farm			15.00	\$26.40	\$ 8.80	\$0.40	12.00	\$30.00
ZONE		CON 2 PT LOT 2 PT	87.00	farm			175.00	\$308.02	\$ 102.67	\$4.70	12.00	\$222.05
ZONE		CON 3 SE 1/4 LOT 7	2.00	RES			4.00	\$7.04		\$0.11	12.00	\$19.15
ZONE		CON 2 ALL LOT 3	50.00	farm			900.00	\$1,584.09	\$ 528.03	\$24.19	12.00	\$1,092.25
ZONE		CON 2 PT LOT 4	50.00	farm			1,280.00	\$2,252.92	\$ 750.97	\$34.40	12.00	\$1,548.35
ZONE		CON 2 N PT LOT 4	50.00	farm			940.00	\$1,654.49	\$ 551.50	\$26.26	12.00	\$1,140.25
ZONE		CON 2 S PT LOT 5	40.00	farm			1,010.00	\$1,777.70	\$ 592.57	\$27.14	12.00	\$1,224.27
ZONE		CON 2 E PT LOT 5	25.00	farm			870.00	\$1,531.28	\$ 510.43	\$23.38	12.00	\$1,056.23
ZONE		CON 2 E PT LOT 5	5.00	farm			125.00	\$220.01	\$ 73.34	\$3.36	12.00	\$162.03
ZONE		CON 2 E PT LOT 6	35.00	farm			1,170.00	\$2,059.31	\$ 686.44	\$31.45	12.00	\$1,416.32
ZONE		CON 3 PT LOT 1 RP 24R7858	32.00	farm			55.00	\$96.81	\$ 32.27	\$1.48	12.00	\$78.02
ZONE		CON 3 PT LOT 1 RP 24R7858	33.00	farm			55.00	\$96.81	\$ 32.27	\$1.48	12.00	\$78.02
ZONE		CON 3 W PT LOT 2	100.00	farm			755.00	\$1,328.87	\$ 442.96	\$20.29	12.00	\$918.20
ZONE		CON 3 E PT LOT 2 EXC RD WDNG	15.00	farm			5.00	\$8.80	\$ 2.93	\$0.13	12.00	\$18.00

Prepared By: L. Tyhurst
2024-03-18

brushing, cleanout, culvert repair (2007) levelling (2008) entire drain

ZO - Facey

Acct. # to Credit		DRZOM MFACA299			brush, clean entire drain, repair culvert roll no. 1-090, levelli Interest				\$386.48		L.I.C.	MFACA29909
COMMUNITY	ROLL NO	PROPERTY DESC	AC	FARM TAX CLASS	OWNER 1	OWNER 2	ORIGINAL ASSESSMENT	ACTUAL BEFORE GRANT	LESS 1/3 AGR. GRANT	INTEREST	PLUS ADMIN. FEE	TOTAL ASSESS UNDER THIS BY-LAW
ZONE		CON 3 N 1/2 E 1/2 LOT 2 EXC	20.00	farm			55.00	\$96.81	\$ 32.27	\$1.48	12.00	\$78.02
ZONE		CON 3 W PT LOT 3	50.00	farm			\$ 855.00	\$1,504.88	\$ 501.63	\$22.98	12.00	\$1,038.23
ZONE		CON 3 E PT LOT 3 EXC RP	20.00	farm			\$ 70.00	\$123.21	\$ 41.07	\$1.88	12.00	\$96.02
ZONE		CON 3 PT LOT 3 PT LOT 4 RP	50.00	farm	HUSTON FARMS INC		\$ 440.00	\$774.44	\$ 258.15	\$11.83	12.00	\$540.12
ZONE		CON 3 PT LOT 3 RP 24R2484	58.00	farm			\$ 290.00	\$510.43	\$ 170.14	\$7.79	12.00	\$360.08
ZONE		CON 3 W PT LOTS 3 AND 4	50.00	farm	MILLER ALEX FRANK	MILLER DARLENE	\$ 560.00	\$985.65	\$ 328.55	\$15.07	12.00	\$684.17
ZONE		CON 3 E PT LOT 4 EX ROAD	40.00	farm			\$ 110.00	\$193.61	\$ 64.54	\$2.96	12.00	\$144.03
ZONE		CON 3 N PT LOT 5	133.50	farm			\$ 1,460.00	\$2,569.74	\$ 856.58	\$39.24	12.00	\$1,764.40
ZONE		CON 3 PT LOT 5	30.00	farm			\$ 85.00	\$149.61	\$ 49.87	\$2.28	12.00	\$114.02
ZONE		CON 3 W PT LOT 6	50.00	farm			\$ 770.00	\$1,355.27	\$ 451.76	\$20.69	12.00	\$936.20
ZONE		CON 3 N PT LOT 6	5.00	farm			\$ 185.00	\$325.62	\$ 108.54	\$4.97	12.00	\$234.05
ZONE		CON 3 N PT LOT 6 EXC RD	88.00	farm			\$ 835.00	\$1,469.68	\$ 489.89	\$22.44	12.00	\$1,014.23
ZONE		CON 3 E PT LOT 6 EXC RP	42.00	farm			\$ 140.00	\$246.41	\$ 82.14	\$3.76	12.00	\$180.03

FACEY DRAIN

Acct. # to Credit		DRZOM MFACA299			brush, clean entire drain, repair culvert roll no. 1-090, levelli Interest				\$386.48		L.I.C.	MFACA29909	
COMMUNITY	ROLL NO	PROPERTY DESC	AC	FARM TAX CLASS	OWNER 1	OWNER 2	ORIGINAL ASSESSMENT	ACTUAL BEFORE GRANT	LESS 1/3 AGR. GRANT	INTEREST	PLUS ADMIN. FEE	TOTAL ASSESS UNDER THIS BY-LAW	
ZONE		CON 3 E PT LOT 7	45.00	farm			\$ 156.00	\$274.58	\$ 91.53	\$4.19	12.00	\$199.24	
ZONE		CON 3 W PT LOT 7	20.00	farm			\$ 240.00	\$422.42	\$ 140.81	\$6.45	12.00	\$300.06	
ZONE		CON 3 PT LOT 7 PT LOT 8	64.00	farm			\$ 220.00	\$387.22	\$ 129.07	\$5.91	12.00	\$276.06	
ZONE		CON 4 W PT LOT 8 EXC RP	10.00	farm			\$ 30.00	\$52.80	\$ 17.60	\$0.81	12.00	\$48.01	
			6.50		Canadian Pacific Railway		\$ 520.00	\$915.25		\$13.98	12.00	\$941.23	
					C K Roads North		\$ 1,220.00	\$2,147.32				\$2,147.32	
							\$15,600.00	\$27,457.50	\$ 8,129.30	\$386.48	\$384.00	\$20,098.68	
												Amount on 2009 Tax Roll	\$17,010.13
					brushing, bottom cleanout							C K Roads North	\$2,147.32
					endwall repair	\$ 26,457.50						CPR Railway	\$941.23
					levelling	\$ 1,000.00							
						\$ 27,457.50						Total 2009 Drain Maintenance Deficit	\$20,098.68

2011 DRAIN MAINTENANCE DEFICIT

FACEY DRAIN EAST BRANCH

ORIGINAL BY-LAW NO. 30-1995
COMMUNITY OF ZONE

Acct. # to Credit		DRZOM MFCEA307		Actual Cost		\$662.50		By-law #		30-1995			
				Interest				L.I.C.		MFCEA30711			
TWP.	ROLL NO	LEGAL DESC	AC	FARM TAX CLASS	OWNER 1	OWNER 2	ORIGINAL ASSESSMENT	ACTUAL BEFORE GRANT	LESS 1/3 AGR. GRANT	PLUS ADMIN. FEE	INTEREST	TOTAL ASSESS UNDER THIS BY-LAW	
ZONE		CON 3 E PT LOT 7	14.00	res			\$ 25.00	\$2.28		\$ 12.00	\$0.00	\$14.28	
ZONE		CON 3 E PT LOT 7	34.00	farm			1,745.00	\$158.80	\$52.93	\$ 12.00	\$0.00	\$117.87	
ZONE		CON 3 PT LOT 7 PT LOT 8	37.00	farm			2,725.00	\$247.98	\$82.66	\$ 12.00	\$0.00	\$177.32	
ZONE		CON 4 W PT LOT 8 EXC RP	10.00	farm			920.00	\$83.72	\$27.91	\$ 12.00	\$0.00	\$67.81	
					CK ROADS NORTH		1,865.00	\$169.72				\$169.72	
							\$7,280.00	\$662.50	\$163.50	\$48.00	\$0.00	\$547.00	
												Amount on 2011 Tax Roll	\$377.28
												C K Roads North	\$169.72
												CPR Railway	
												Total 2011 Drain Maintenance Deficit	\$547.00

Prepared By: L. Tyhurst
2024-02-14

repair washout
Charles Shaw request

ZO - Facey Drain East Branch

2013 DRAIN MAINTENANCE DEFICIT

FACEY DRAIN EAST BRANCH

ORIGINAL BY-LAW NO. 30-1995
COMMUNITY OF ZONE

Acct. # to Credit		DRZOM MFCEA307		Actual Cost Interest		\$1,044.10		By-law #		30-1995		
								L.I.C.		MFCEA30713		
TWP.	ROLL NO	LEGAL DESC	AC	FARM TAX CLASS	OWNER 1	OWNER 2	ORIGINAL ASSESSMENT	ACTUAL BEFORE GRANT	LESS 1/3 AGR. GRANT	PLUS ADMIN. FEE	INTEREST	TOTAL ASSES UNDER THIS BY-LAW
ZONE		CON 3 E PT LOT 7	1.00	res			\$ 25.00	\$3.59		\$ 18.00	\$0.00	\$21.59
ZONE		CON 3 E PT LOT 7	34.00	farm			1,745.00	\$250.27	\$83.42	\$ 18.00	\$0.00	\$184.85
ZONE		CON 3 PT LOT 7 PT LOT 8	37.00	farm			2,725.00	\$390.82	\$130.27	\$ 18.00	\$0.00	\$278.55
ZONE		CON 4 W PT LOT 8 EXC RP	10.00	farm			920.00	\$131.95	\$43.98	\$ 18.00	\$0.00	\$105.97
					CK ROADS NORTH		1,865.00	\$267.48				\$267.48
							\$7,280.00	\$1,044.11	\$257.68	\$72.00	\$0.00	\$858.43
												Amount on 2013 Tax Roll
												C K Roads North
												CPR Railway
												Total 2013 Drain Maintenance Deficit
												\$858.43

Prepared By: L. Tyhurst
2024-02-14

repair washouts Lot 7 Con 3
Charles Shaw request

ZO - Facey East Branch

2013
DRAIN MAINTENANCE DEFICIT

FACEY DRAIN

ORIGINAL BY-LAW NO. 09-1980
COMMUNITY OF ZONE

Acct. # to Credit		DRZOM MFACA299		Roll 1-089 beaver dam		\$1,039.33		Roll 1-090 endwall repair roll		\$2,360.83		By-law # 09-1980		L.I.C. MFACA29913	
COMMUNITY	ROLL NO	PROPERTY DESC	AC	FARM TAX CLASS	OWNER 1	OWNER 2	ORIGINAL ASSESSMENT	BEAVER DAM	ENDWALL REPAIR	LESS 1/3 AGR. GRANT	INTEREST	PLUS ADMIN. FEE	TOTAL ASSESS UNDER THIS BY-LAW		
ZONE		CON 2 E 1/2 LOT 1	45.00	farm			15.00	\$1.00		\$ 0.33		18.00	\$18.67		
ZONE		CON 2 PT LOT 2 PT	87.00	farm			175.00	\$11.66	\$26.70	\$ 12.79		18.00	\$43.57		
ZONE		CON 3 SE 1/4 LOT 7	2.00	res			4.00	\$0.27	\$0.61			18.00	\$18.88		
ZONE		CON 2 ALL LOT 3	50.00	farm			900.00	\$59.96	\$137.30	\$ 65.75		18.00	\$149.51		
ZONE		CON 2 PT LOT 4	50.00	farm			1,280.00	\$85.28	\$195.27	\$ 93.52		18.00	\$205.03		
ZONE		CON 2 N PT LOT 4	50.00	farm			940.00	\$62.63	\$143.40	\$ 68.68		18.00	\$155.35		
ZONE		CON 2 S PT LOT 5	40.00	farm			1,010.00	\$67.29	\$154.08	\$ 73.79		18.00	\$165.58		
ZONE		CON 2 E PT LOT 5	25.00	farm			870.00	\$57.96	\$132.73	\$ 63.56		18.00	\$145.13		
ZONE		CON 2 E PT LOT 5	5.00	res			125.00	\$8.33	\$19.07			18.00	\$45.40		
ZONE		CON 2 E PT LOT 6	35.00	farm			1,170.00	\$77.95	\$178.49	\$ 85.48		18.00	\$188.96		
ZONE		CON 3 PT LOT 1 RP 24R7858	32.00	farm			55.00	\$3.66		\$ 1.22		18.00	\$20.44		
ZONE		CON 3 PT LOT 1 RP 24R7858	33.00	farm			55.00	\$3.66		\$ 1.22		18.00	\$20.44		
ZONE		CON 3 W PT LOT 2	100.00	farm			755.00	\$50.30	\$115.18	\$ 55.16		18.00	\$128.32		
ZONE		CON 3 E PT LOT 2 EXC RD WDNG	15.00	farm			5.00	\$0.33	\$0.76	\$ 0.36		18.00	\$18.73		
ZONE		CON 3 N 1/2 E 1/2 LOT 2 EXC	20.00	farm			55.00	\$3.66	\$8.39	\$ 4.02		18.00	\$26.03		

Prepared By: L. Tyhurst
2024-03-18

Beaver dam removal Lot 1 Con 3
enwall repair Lot 2 Con 3

ZO - Facey

2013
DRAIN MAINTENANCE DEFICIT

FACEY DRAIN

ORIGINAL BY-LAW NO. 09-1980
COMMUNITY OF ZONE

Acct. # to Credit		DRZOM MFACA299			Roll 1-090 endwall repair roll							\$2,360.83		L.I.C. MFACA29913	
COMMUNITY	ROLL NO	PROPERTY DESC	AC	FARM TAX CLASS	OWNER 1	OWNER 2	ORIGINAL ASSESSMENT	BEAVER DAM	ENDWALL REPAIR	LESS 1/3 AGR. GRANT	INTEREST	PLUS ADMIN. FEE	TOTAL ASSESS UNDER THIS BY-LAW		
ZONE		CON 3 W PT LOT 3	50.00	farm			\$ 855.00	\$56.96	\$130.44	\$ 62.47		18.00	\$142.93		
ZONE		CON 3 E PT LOT 3 EXC RP	20.00	farm			\$ 70.00	\$4.66	\$10.68	\$ 5.11		18.00	\$28.23		
ZONE		CON 3 PT LOT 3 PT LOT 4 RP	50.00	farm	HUSTON FARMS INC		\$ 440.00	\$29.31	\$67.13	\$ 32.15		18.00	\$82.29		
ZONE		CON 3 PT LOT 3 RP 24R2484	58.00	res			\$ 290.00	\$19.32	\$44.24			18.00	\$81.56		
ZONE		CON 3 W PT LOTS 3 AND 4	50.00	farm	MILLER ALEX FRANK	MILLER DARLENE ELLEN	\$ 560.00	\$37.31	\$85.43	\$ 40.91		18.00	\$99.83		
ZONE		CON 3 E PT LOT 4 EX ROAD	40.00	farm			\$ 110.00	\$7.33	\$16.78	\$ 8.04		18.00	\$34.07		
ZONE		CON 3 N PT LOT 5	133.50	farm			\$ 1,460.00	\$97.27	\$222.73	\$ 106.67		18.00	\$231.33		
ZONE		CON 3 PT LOT 5	30.00	farm			\$ 85.00	\$5.66	\$12.97	\$ 6.21		18.00	\$30.42		
ZONE		CON 3 W PT LOT 6	50.00	farm			\$ 770.00	\$51.30	\$117.47	\$ 56.26		18.00	\$130.51		
ZONE		CON 3 N PT LOT 6	5.00	res			\$ 185.00	\$12.33	\$28.22			18.00	\$58.55		
ZONE		CON 3 N PT LOT 6 EXC RD	88.00	farm			\$ 835.00	\$55.63	\$127.39	\$ 61.01		18.00	\$140.01		
ZONE		CON 3 E PT LOT 6 EXC RP	42.00	farm			\$ 140.00	\$9.33	\$21.36	\$ 10.23		18.00	\$38.46		
ZONE		CON 3 E PT LOT 7	45.00	farm			\$ 156.00	\$10.39	\$23.80	\$ 11.40		18.00	\$40.79		
ZONE		CON 3 W PT LOT 7	20.00	farm			\$ 240.00	\$15.99	\$36.61	\$ 17.53		18.00	\$53.07		

Prepared By: L. Tychurst
2024-03-18

Beaver dam removal Lot 1 Con 3
enwall repair Lot 2 Con 3

ZO - Facey

2013
DRAIN MAINTENANCE DEFICIT

FACEY DRAIN

ORIGINAL BY-LAW NO. 09-1980
COMMUNITY OF ZONE

Acct. # to Credit		DRZOM MFACA299			Roll 1-090 endwall repair roll						\$2,360.83		L.I.C. MFACA29913	
COMMUNITY	ROLL NO	PROPERTY DESC	AC	FARM TAX CLASS	OWNER 1	OWNER 2	ORIGINAL ASSESSMENT	BEAVER DAM	ENDWALL REPAIR	LESS 1/3 AGR. GRANT	INTEREST	PLUS ADMIN. FEE	TOTAL ASSESS UNDER THIS BY-LAW	
ZONE		CON 3 PT LOT 7 PT LOT 8	64.00	farm			\$ 220.00	\$14.66	\$33.56	\$ 16.07		18.00	\$50.15	
ZONE		CON 4 W PT LOT 8 EXC RP	10.00	farm			\$ 30.00	\$2.00	\$4.58	\$ 2.19		18.00	\$22.39	
			6.50		Cambrian Pacific Railway C K Roads North		\$ 520.00	\$34.64	\$79.33			18.00	\$131.97	
							\$ 1,220.00	\$81.30	\$186.13				\$267.43	
							\$15,600.00	\$1,039.33	\$2,360.83	\$ 962.12	\$0.00	\$576.00	\$3,014.04	
													Amount on 2013 Tax Roll	\$2,614.64
							AG BEAVER DAM	\$ 13,256.00					C K Roads North	\$267.43
							AG ENDWALL REPAIR	\$ 13,241.00					CPR Railway	\$131.97
							Total 2013 Drain Maintenance Deficit						\$3,014.04	

Prepared By: L. Tyhurst
2024-03-18

Beaver dam removal Lot 1 Con 3
enwall repair Lot 2 Con 3

ZO - Facey

2020 DRAIN MAINTENANCE DEFICIT

FACEY DRAIN - ZONE

ORIGINAL BY-LAW NO 26-1979

Acct. # to Credit						ZOMFACA317		Actual Cost	\$56,846.14	By-law #	594-1969
										L.I.C	ZOMFACA31720
TWP	ROLL NO	LOT	CON	AC	AG	NAME	ORIGINAL ASSESSMENT	ACTUAL BEFORE GRANT	LESS 1/3 AG GRANT	PLUS ADMIN FEE	TOTAL ASSESS UNDER THIS BY-LAW
ZO					NA	CANADIAN PACIFIC RAILWAY	\$132.00	\$554.80		\$20.36	\$575.16
ZO				45.00	A		\$40.00	\$168.12	\$56.04	\$20.36	\$132.44
ZO				87.00	A		\$147.00	\$617.85	\$205.95	\$20.36	\$432.26
ZO				50.00	A		\$540.00	\$2,269.64	\$756.55	\$20.36	\$1,533.45
ZO				50.00	A		\$824.00	\$3,463.31	\$1,154.44	\$20.36	\$2,329.23
ZO				50.00	A		\$681.00	\$2,862.27	\$954.09	\$20.36	\$1,928.54
ZO				40.00	A		\$732.00	\$3,076.63	\$1,025.54	\$20.36	\$2,071.45
ZO				25.00	A		\$530.00	\$2,227.61	\$742.54	\$20.36	\$1,505.43
ZO				5.00	NA		\$61.00	\$256.39		\$20.36	\$276.75
ZO				35.00	A		\$693.00	\$2,912.71	\$970.90	\$20.36	\$1,962.17
ZO				sev 30	A		\$89.65	\$376.80	\$125.60	\$20.36	\$271.56
ZO				sev 55	A		\$164.35	\$690.77	\$230.26	\$20.36	\$480.87
ZO				100.00	A		\$426.00	\$1,790.50	\$596.83	\$20.36	\$1,214.03
ZO				20.00	A		\$47.00	\$197.54	\$65.85	\$20.36	\$152.05
ZO				15.00	A		\$30.00	\$126.09	\$42.03	\$20.36	\$104.42
ZO				50.00	A		\$236.00	\$991.92	\$330.64	\$20.36	\$681.64
ZO				20.00	A		\$54.00	\$226.96	\$75.65	\$20.36	\$171.67
ZO				sev 50	A	HUSTON FARMS INC	\$190.74	\$801.69	\$267.23	\$20.36	\$554.82
ZO				sev 50	A	HUSTON FARMS INC	\$190.74	\$801.69	\$267.23	\$20.36	\$554.82
ZO				sev 8	NA		\$30.52	\$128.28		\$20.36	\$148.64
ZO				40.00	A		\$80.00	\$336.24	\$112.08	\$20.36	\$244.52
ZO				50.00	A	MILLER ALEX FRANK	\$345.00	\$1,450.05	\$483.35	\$20.36	\$987.06
ZO				30.00	A		\$60.00	\$252.18	\$84.06	\$20.36	\$188.48
ZO				133.50	A		\$1,777.00	\$7,468.81	\$2,489.60	\$20.36	\$4,999.57

2020 DRAIN MAINTENANCE DEFICIT

FACEY DRAIN - ZONE

ORIGINAL BY-LAW NO 26-1979

Acct. # to Credit		ZOMFACA317									L.I.C	ZOMFACA31720
TWP	ROLL NO	LOT	CON	AC	AG	NAME	ORIGINAL ASSESSMENT	ACTUAL BEFORE GRANT	LESS 1/3 AG GRANT	PLUS ADMIN FEE	TOTAL ASSESS UNDER THIS BY-LAW	
ZO				50.00	A		\$1,666.00	\$7,002.27	\$2,334.09	\$20.36	\$4,688.54	
ZO				42.00	A		\$111.00	\$466.54	\$155.51	\$20.36	\$331.39	
ZO				5.00	A		\$105.00	\$441.32	\$147.11	\$20.36	\$314.57	
ZO				85.00	A		\$1,071.00	\$4,501.46	\$1,500.49	\$20.36	\$3,021.33	
ZO				20.00	A		\$376.00	\$1,580.34	\$526.78	\$20.36	\$1,073.92	
ZO				sev 41	A		\$197.19	\$828.80	\$276.27	\$20.36	\$572.89	
ZO				sev 1	NA		\$4.81	\$20.22		\$20.36	\$40.58	
ZO				62.00	A		\$158.00	\$664.08	\$221.36	\$20.36	\$463.08	
ZO				10.00	A		\$20.00	\$84.06	\$28.02	\$20.36	\$76.40	
CA				20.00	A		\$123.00	\$516.97	\$172.32	\$20.36	\$365.01	
ZO					NA	Zone Rd 2	\$844.00	\$3,547.37			\$3,547.37	
ZO					NA	Jane Rd	\$12.00	\$50.44			\$50.44	
ZO					NA	Fairfield Line	\$684.00	\$2,874.88			\$2,874.88	
					NA	Base Line	\$52.00	\$218.54			\$218.54	
							\$13,525.00	\$56,846.14	\$16,398.41	\$692.24	\$41,139.97	
							ag \$ 11,704.67	Amount on 2020 Tax Roll			\$34,448.74	
							non ag \$ 1,820.33	CK Roads			\$6,691.23	
							\$ 13,525.00	Total Drain Maintenance Deficit			\$41,139.97	

2022 DRAIN MAINTENANCE DEFICIT

FACEY DRAIN - ZONE

ORIGINAL BY-LAW NO 26-1979

						Actual Cost	\$3,326.03			By-law #	26-1979
								Drain Acct	ZOMFACA317		
TWP	ROLL NO	LOT	CON	AC	AG	NAME	ORIGINAL ASSESSMENT	ACTUAL BEFORE GRANT	LESS 1/3 AG GRANT	PLUS ADMIN FEE	TOTAL ASSESS UNDER THIS BY-LAW
ZO				45.00	A		\$15.00	\$3.45	\$1.15	\$20.97	\$23.27
ZO				87.00	A		\$175.00	\$40.22	\$13.41	\$20.97	\$47.78
ZO				16.00	NA	CANADIAN PACIFIC RAILWAY	\$520.00	\$119.53		\$20.97	\$140.50
ZO				1.00	NA		\$4.00	\$0.92		\$20.97	\$21.89
ZO				50.00	A		\$560.00	\$128.72	\$42.91	\$20.97	\$106.78
ZO				50.00	A		\$1,015.00	\$233.30	\$77.77	\$20.97	\$176.50
ZO				50.00	A		\$940.00	\$216.07	\$72.02	\$20.97	\$165.02
ZO				40.00	A		\$1,010.00	\$232.16	\$77.39	\$20.97	\$175.74
ZO				25.00	A		\$870.00	\$199.98	\$66.66	\$20.97	\$154.29
ZO				5.00	NA		\$125.00	\$28.73		\$20.97	\$49.70
ZO				35.00	A		\$1,170.00	\$268.93	\$89.64	\$20.97	\$200.26
ZO				30.00	A		\$50.77	\$11.67	\$3.89	\$20.97	\$28.75
ZO				35.00	A		\$59.23	\$13.61	\$4.54	\$20.97	\$30.04
ZO				100.00	A		\$580.00	\$133.32	\$44.44	\$20.97	\$109.85
ZO				15.00	A		\$5.00	\$1.15	\$0.38	\$20.97	\$21.74
ZO				20.00	A		\$55.00	\$12.64	\$4.21	\$20.97	\$29.40
ZO				50.00	A		\$505.00	\$116.08	\$38.69	\$20.97	\$98.36
ZO				20.00	A		\$70.00	\$16.09	\$5.36	\$20.97	\$31.70
ZO				50.00	A	HUSTON FARMS INC	\$337.97	\$77.68	\$25.89	\$20.97	\$72.76
ZO				50.00	A	HUSTON FARMS INC	\$337.96	\$77.68	\$25.89	\$20.97	\$72.76
ZO				8.00	NA		\$54.07	\$12.43		\$20.97	\$33.40
ZO				50.00	A	MILLER ALEX FRANK	\$560.00	\$128.72	\$42.91	\$20.97	\$106.78
ZO				40.00	A		\$110.00	\$25.28	\$8.43	\$20.97	\$37.82
ZO				133.50	A		\$1,460.00	\$335.59	\$111.86	\$20.97	\$244.70

2022 DRAIN MAINTENANCE DEFICIT

FACEY DRAIN - ZONE

ORIGINAL BY-LAW NO 26-1979

											Drain Acct	ZOMFACA317	
TWP	ROLL NO	LOT	CON	AC	AG	NAME	ORIGINAL ASSESSMENT	ACTUAL BEFORE GRANT	LESS 1/3 AG GRANT	PLUS ADMIN FEE	TOTAL ASSESS UNDER THIS BY-LAW		
ZO				30.00	A		\$85.00	\$19.54	\$6.51	\$20.97	\$34.00		
ZO				50.00	A		\$770.00	\$176.99	\$59.00	\$20.97	\$138.96		
ZO				5.00	A		\$185.00	\$42.52	\$14.17	\$20.97	\$49.32		
ZO				88.00	A		\$835.00	\$191.93	\$63.98	\$20.97	\$148.92		
ZO				42.00	A		\$140.00	\$32.18	\$10.73	\$20.97	\$42.42		
ZO				20.00	A		\$240.00	\$55.17	\$18.39	\$20.97	\$57.75		
ZO				62.00	A		\$220.00	\$50.57	\$16.86	\$20.97	\$54.68		
ZO				41.00	A		\$156.00	\$35.86	\$11.95	\$20.97	\$44.88		
ZO				10.00	A		\$30.00	\$6.90	\$2.30	\$20.97	\$25.57		
ZO					NA	Zone Rd 2	\$785.00	\$180.44			\$180.44		
ZO					NA	Jane Rd	\$20.00	\$4.60			\$4.60		
ZO					NA	Fairfield Line	\$415.00	\$95.38			\$95.38		
							\$14,470.00	\$3,326.03	\$961.33	\$692.01	\$3,056.71		
							ag \$ 12,546.93	Amount on 2022 Tax Roll				\$2,776.29	
							non ag \$ 1,923.07	CK Roads				\$280.42	
							\$ 14,470.00	Total Drain Maintenance Deficit				\$3,056.71	

2023 DRAIN MAINTENANCE DEFICIT

FACEY DRAIN - ZONE

ORIGINAL BY-LAW NO 26-1979

						Actual Cost	\$15,967.60			By-law #	26-1979
								Drain Acct	ZOMFACA317		
TWP	ROLL NO	LOT	CON	AC	AG	NAME	ORIGINAL ASSESSMENT	ACTUAL BEFORE GRANT	LESS 1/3 AG GRANT	PLUS ADMIN FEE	TOTAL ASSESS UNDER THIS BY-LAW
ZO		1	2	45.00	A		\$15.00	\$16.55	\$5.52	\$20.97	\$32.00
ZO		2&3	2	87.00	A		\$175.00	\$193.11	\$64.37	\$20.97	\$149.71
ZO		05-Mar	2&3	16.00	NA	CANADIAN PACIFIC RAILWAY	\$520.00	\$573.82		\$20.97	\$594.79
ZO		7	3	1.00	NA		\$4.00	\$4.41		\$20.97	\$25.38
ZO		3	2	50.00	A		\$560.00	\$617.96	\$205.99	\$20.97	\$432.94
ZO		4	2	50.00	A		\$1,015.00	\$1,120.05	\$373.35	\$20.97	\$767.67
ZO		4	2	50.00	A		\$940.00	\$1,037.29	\$345.76	\$20.97	\$712.50
ZO		5	2	40.00	A		\$1,010.00	\$1,114.53	\$371.51	\$20.97	\$763.99
ZO		5	2	25.00	A		\$870.00	\$960.04	\$320.01	\$20.97	\$661.00
ZO		5	2	5.00	NA		\$125.00	\$137.94		\$20.97	\$158.91
ZO		6	2	35.00	A		\$1,170.00	\$1,291.09	\$430.36	\$20.97	\$881.70
ZO		1	3	30.00	A		\$50.77	\$56.02	\$18.67	\$20.97	\$58.32
ZO		1	3	35.00	A		\$59.23	\$65.36	\$21.79	\$20.97	\$64.54
ZO		2	3	100.00	A		\$580.00	\$640.03	\$213.34	\$20.97	\$447.66
ZO		2	3	15.00	A		\$5.00	\$5.52	\$1.84	\$20.97	\$24.65
ZO		2	3	20.00	A		\$55.00	\$60.69	\$20.23	\$20.97	\$61.43
ZO		3	3	50.00	A		\$505.00	\$557.27	\$185.76	\$20.97	\$392.48
ZO		3	3	20.00	A		\$70.00	\$77.24	\$25.75	\$20.97	\$72.46
ZO		4	3	50.00	A	HUSTON FARMS INC	\$337.97	\$372.95	\$124.32	\$20.97	\$269.60
ZO		3&4	3	50.00	A	HUSTON FARMS INC	\$337.96	\$372.94	\$124.31	\$20.97	\$269.60
ZO		3	3	8.00	NA		\$54.07	\$59.67		\$20.97	\$80.64
ZO		4	3	50.00	A	MILLER ALEX FRANK	\$560.00	\$617.96	\$205.99	\$20.97	\$432.94
ZO		4	3	40.00	A		\$110.00	\$121.38	\$40.46	\$20.97	\$101.89
ZO		5	3	133.50	A		\$1,460.00	\$1,611.11	\$537.04	\$20.97	\$1,095.04

2023 DRAIN MAINTENANCE DEFICIT

FACEY DRAIN - ZONE

ORIGINAL BY-LAW NO 26-1979

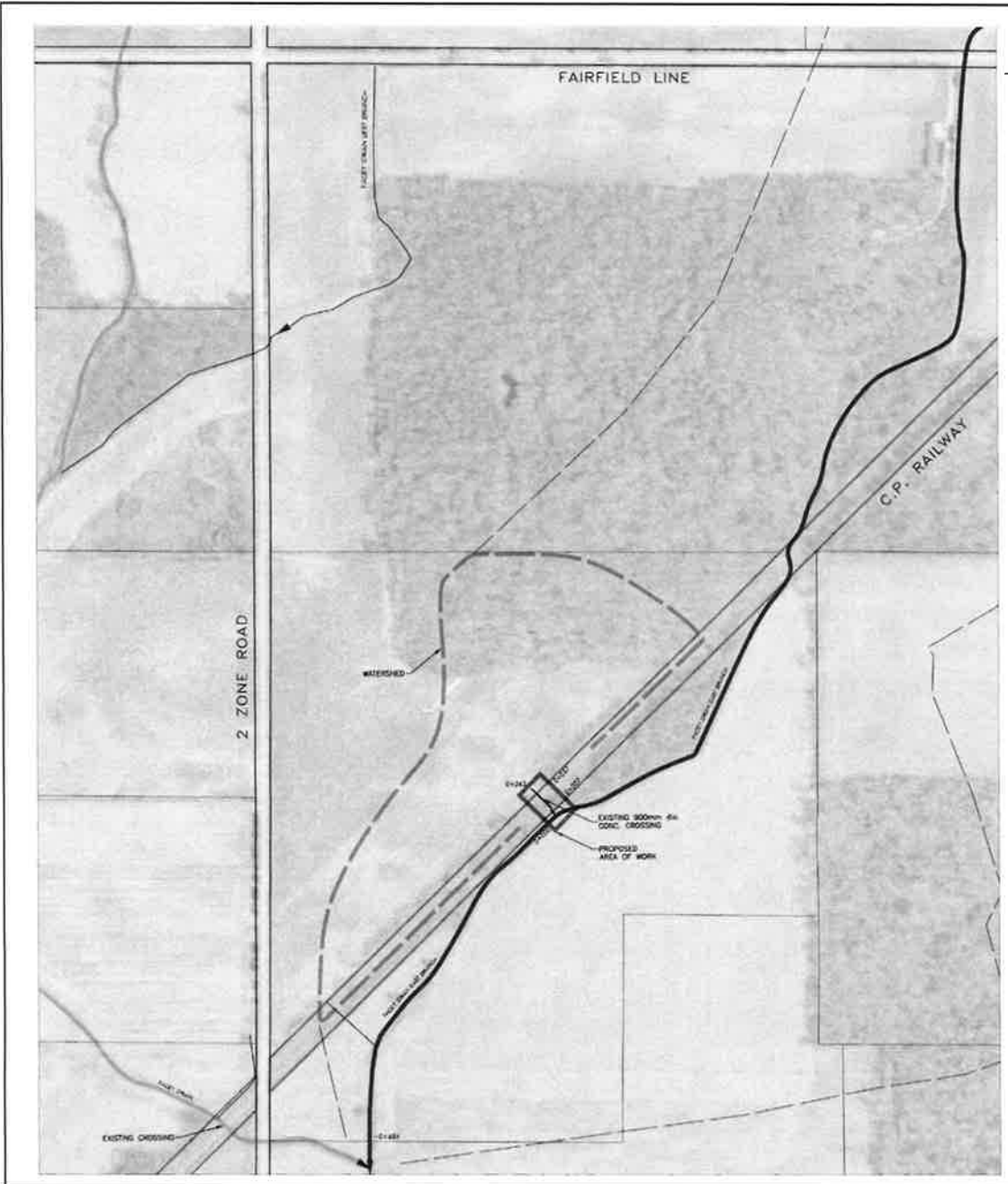
											Drain Acct	ZOMFACA317
TWP	ROLL NO	LOT	CON	AC	AG	NAME	ORIGINAL ASSESSMENT	ACTUAL BEFORE GRANT	LESS 1/3 AG GRANT	PLUS ADMIN FEE	TOTAL ASSESS UNDER THIS BY-LAW	
ZO		5	3	30.00	A		\$85.00	\$93.80	\$31.27	\$20.97	\$83.50	
ZO		6	3	5.00	A		\$185.00	\$204.15	\$68.05	\$20.97	\$157.07	
ZO		6	3	88.00	A		\$835.00	\$921.42	\$307.14	\$20.97	\$635.25	
ZO		6	3	92.00	A		\$910.00	\$1,004.18	\$334.73	\$20.97	\$690.42	
ZO		7	3	20.00	A		\$240.00	\$264.84	\$88.28	\$20.97	\$197.53	
ZO		7&8	3	62.00	A		\$220.00	\$242.77	\$80.92	\$20.97	\$182.82	
ZO		7	3	41.00	A		\$156.00	\$172.15	\$57.38	\$20.97	\$135.74	
ZO		8	4	10.00	A		\$30.00	\$33.10	\$11.03	\$20.97	\$43.04	
ZO					NA	Zone Rd 2	\$785.00	\$866.25			\$866.25	
ZO					NA	Jane Rd	\$20.00	\$22.07			\$22.07	
ZO					NA	Fairfield Line	\$415.00	\$457.94			\$457.94	
							\$14,470.00	\$15,967.60	\$4,615.17	\$671.04	\$12,023.47	
							ag \$ 12,546.93	Amount on 2023 Tax Roll			\$10,677.21	
							non ag \$ 1,923.07	CK Roads			\$1,346.26	
							\$ 14,470.00	Total Drain Maintenance Deficit			\$12,023.47	

THIS IS EXHIBIT "M" TO THE AFFIDAVIT OF
BLAISE CHEVALIER , SWORN ON THE 2ND DAY OF
APRIL, 2024.

Digitally signed by
Lynn Kalp
Date: 2024.04.02
11:45:38 -0400

A COMMISSIONER, ETC.

**Linda Marie Kalp, a Commissioner, etc.
Province of Ontario, for the
Municipality of Chatham-Kent.
Expires August 31, 2026.**



PLAN SCALE 1 : 2 500

PLAN	LEGEND
	PROPOSED AREA OF WORK
	EXISTING 300mm dia COAC CROSSING
	WATERSHED
	2 ZONE ROAD
	FAIRFIELD LINE
	C.P. RAILWAY

SHAW BRANCH OF THE FACEY EAST DRAIN

Municipality of Chatham-Kent

Drawn By: BLAISE CHEVALIER	Scale: 1:2500	Date: 2006
Checked By: BLAISE CHEVALIER	Project No: 22000	Sheet No: 1 of 1

SPRIET ASSOCIATES
LIMITED
CONSULTING ENGINEERS

THIS IS EXHIBIT "N" TO THE AFFIDAVIT OF
BLAISE CHEVALIER , SWORN ON THE 2ND DAY OF
APRIL, 2024.

Digitally signed by Lynn
Kalp
Date: 2024.04.02 13:41:25
UTC

A COMMISSIONER, ETC.

**Linda Marie Kalp, a Commissioner, etc.
Province of Ontario, for the
Municipality of Chatham-Kent.
Expires August 31, 2026.**

PRINTED ON 21 MAR, 2024 AT 10:48:07
FOR LINDA001

SCALE



PROPERTY INDEX MAP

KENT (No. 24)

LEGEND

- FRESHOLD PROPERTY
- LEASEHOLD PROPERTY
- LIMITED INTEREST PROPERTY
- CONDOMINIUM PROPERTY
- RETIRED PIN (MAP UPDATE PENDING)
- PROPERTY NUMBER
- BLOCK NUMBER
- GEOGRAPHIC FABRIC
- EASEMENT

THIS IS NOT A PLAN OF SURVEY

NOTES

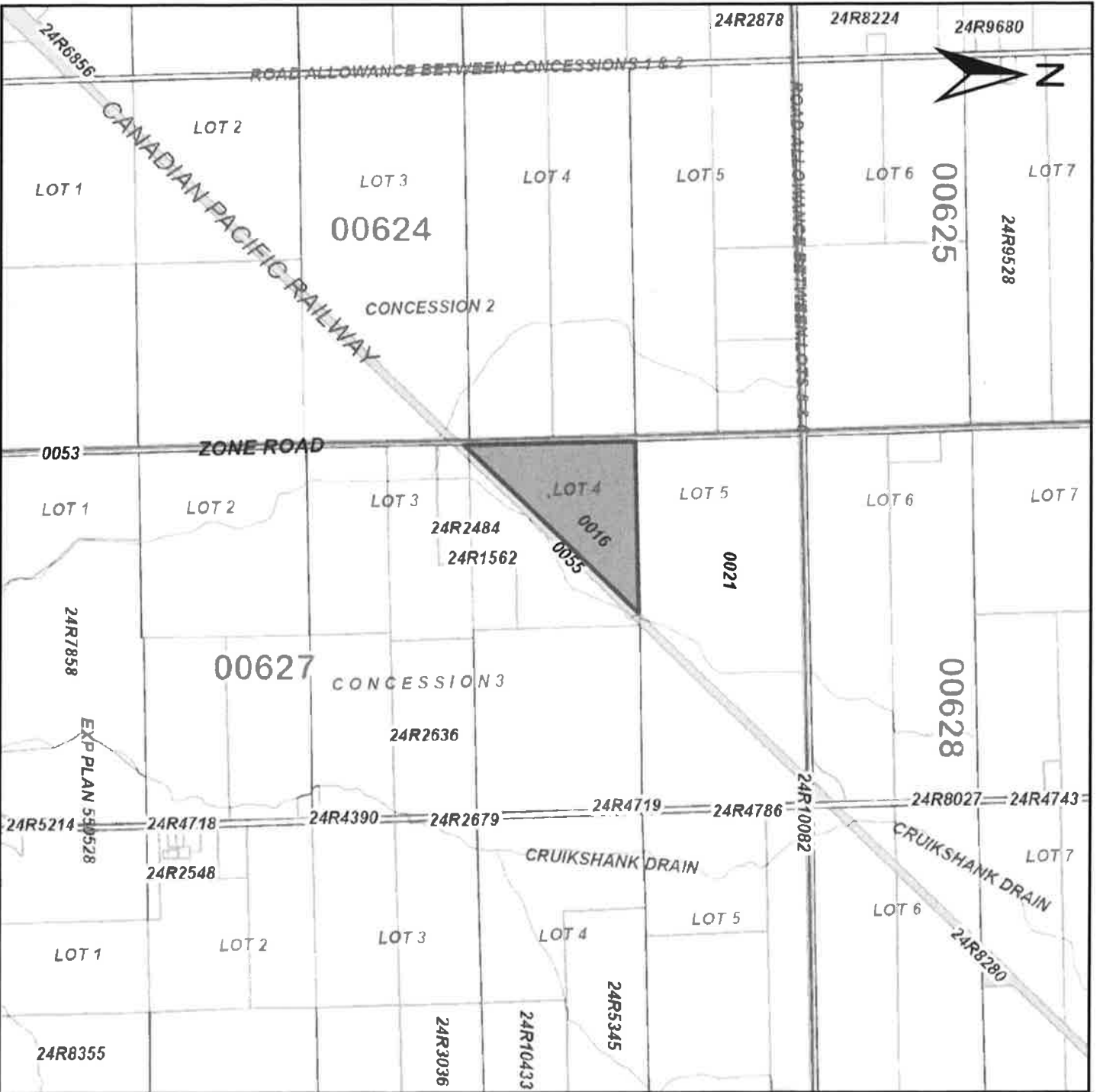
REVIEW THE TITLE RECORDS FOR COMPLETE PROPERTY INFORMATION AS THIS MAP MAY NOT REFLECT RECENT REGISTRATIONS

THIS MAP WAS COMPILED FROM PLANS AND DOCUMENTS RECORDED IN THE LAND REGISTRATION SYSTEM AND HAS BEEN PREPARED FOR PROPERTY INDEXING PURPOSES ONLY

FOR DIMENSIONS OF PROPERTIES BOUNDARIES SEE RECORDED PLANS AND DOCUMENTS

ONLY MAJOR EASEMENTS ARE SHOWN

REFERENCE PLANS UNDERLYING MORE RECENT REFERENCE PLANS ARE NOT ILLUSTRATED



THIS IS EXHIBIT "O" TO THE AFFIDAVIT OF
BLAISE CHEVALIER , SWORN ON THE 2ND DAY OF
APRIL, 2024.

Digitally signed by
Lynn Kalp

Date: 2024.04.02
14:12:39 -0400'

A COMMISSIONER, ETC.

**Linda Marie Kalp, a Commissioner, etc.
Province of Ontario, for the
Municipality of Chatham-Kent.
Expires August 31, 2026.**

This form is to be used to petition municipal council for a new drainage works under the *Drainage Act*. It is not to be used to request the improvement or modification of an existing drainage works under the *Drainage Act*.

To: The Council of the Corporation of the Chatham - Kent of _____

The area of land described below requires drainage (provide a description of the properties or the portions of properties that require drainage improvements)

out let through Canadian
 Pacific Property
 no work required on West Pt.
 lots 3 and 4 Con 3.

In accordance with section 9(2) of the *Drainage Act*, the description of the area requiring drainage will be confirmed or modified by an engineer at the on-site meeting.

As owners of land within the above described area requiring drainage, we hereby petition council under subsection 4(1) of the *Drainage Act* for a drainage works. In accordance with sections 10(4), 43 and 59(1) of the *Drainage Act*, if names are withdrawn from the petition to the point that it is no longer a valid petition, we acknowledge responsibility for costs.

Purpose of the Petition (To be completed by one of the petitioners. Please type/print)

Contact Person (Last Name) <u>Miller</u>	(First Name) <u>Alex</u>	Telephone Number <u>519 672-4409</u> <u>401-6336</u> ext.
---	-----------------------------	---

Address	
Road/Street Number <u>29405</u>	Road/Street Name <u>Florence Rd.</u>

Location of Project			
Lot <u>West Pt 3 and 4</u>	Concession <u>3</u>	Municipality <u>C-K</u>	Former Municipality (if applicable) <u>Zone</u>

What work do you require? (Check all appropriate boxes)

- Construction of new open channel
- Construction of new tile drain
- Deepening or widening of existing watercourse (not currently a municipal drain)
- Enclosure of existing watercourse (not currently a municipal drain)
- Other (provide description ▼)

Provide legal and Functional outlet

Name of watercourse (if known) _____

outlet to East Branch Facey

Estimated length of project _____

width of Canadian Pacific Property

General description of soils in the area _____

Sand

What is the purpose of the proposed work? (Check appropriate box)

- Tile drainage only
- Surface water drainage only
- Both

Petition filed this 14th day of FEBRUARY, 2020

Name of Clerk (Last, first name)

DICK, TIMOTHY

Signature



THIS IS EXHIBIT "P" TO THE AFFIDAVIT OF
BLAISE CHEVALIER , SWORN ON THE 2ND DAY OF
APRIL, 2024.

Digitally signed by Lynn
Kalp
Date: 2024.04.02 14:13:50
Lynn Kalp
A COMMISSIONER, ETC.

**Linda Marie Kalp, a Commissioner, etc.
Province of Ontario, for the
Municipality of Chatham-Kent.
Expires August 31, 2026.**

**The Corporation of the Municipality of
Chatham-Kent**

**Chatham-Kent Council Meeting
Council Chambers, Chatham-Kent Civic Centre**

March 2, 2020

6:00 P.M.

1. Call to Order

The Mayor called the meeting to Order:

Present: Mayor Darrin Canniff, Councillors Authier, Bondy, Ceccacci, Crew, Faas, Finn, Hall, Harrigan, Kirkwood-Whyte, Latimer, McGrail, B. McGregor, C. McGregor, Pinsonneault and Thompson

Absent: Councillors Sulman and Wright

**2. Disclosures of Pecuniary Interest
(Direct or Indirect) And the General Nature Thereof**

3. Supplementary Closed Session Agenda Items

**4. Recess to Closed Session – 4:00 p.m.
Councillor Carmen McGregor, Closed Session Chair**

That Council moved into a Closed Session Meeting of Council pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reasons:

- Advice that is subject to solicitor-client privilege, including communications necessary for that purpose with regard to **Erie Shore Drive**. Section 239(2)(f), Municipal Act, 2001.
- Litigation affecting the municipality and advice that is subject to solicitor-client privilege, including communications necessary for that purpose with regard to **litigation involving a member of Council**. Section 239(2)(e) & (f), Municipal Act, 2001.
- Proposed acquisition of land by the municipality or local board and advice that is subject to solicitor-client privilege, including communications necessary for that purpose with regard to **Surplus St. Clair Catholic School Board properties**. Section 239(2)(c) & (f), Municipal Act, 2001.

5. Adjournment of Closed Session

Resumption of Open Council Meeting – 6:00 p.m.

6. Playing of the National Anthem

7. Approval of Supplementary Agenda

The Municipal Clerk noted that the following items will be added to the agenda:

- Item 17(e) - Erie Shore Drive Road Closure
- Item 18(f) - Community Update on Coronavirus Disease 2019 (COVID-19), Presentation by Dr. David Colby, Medical Officer of Health
- Item 19(c) - Verbal Update – Rose Beach Line

The Municipal Clerk noted that the following items have been postponed:

- Item 15(a) Tender for Contract T17-206, Fifth Street Bridget over Thames River Structure Rehabilitation, Chatham
- Item 17(c) Ontario Heritage Act re Ridge House Museum, 53 Erie Street, Ridgetown

It was also noted that Item 17(e) – Road Closure – Erie Shore Drive, will be moved up the agenda to follow the recognition.

8. Disclosures of Pecuniary Interest (Direct or Indirect) for Open Session Agenda Items and the General Nature There Of

Declaration of Interest, Municipal Conflict of Interest Act, R.S.O. 1990, .M.50

Re: Amendment to By-law 102-2018 for Base Line Road, Chenal Road, Snye Road, Seys Line and Island View Road Waterline Project (Community of Chatham Township)
Item No: #16c

I, Councillor C. McGregor hereby declare a potential (deemed/direct/indirect) pecuniary interest on the above noted Council/Committee/Board Agenda, Item, Title for the following reasons: Lives in the area.

Declaration of Interest, Municipal Conflict of Interest Act, R.S.O. 1990, .M.50

Re: 2019 Record of Payment to Council-Owned Vendors
Item No: #13(a)

I, Councillor Aaron Hall hereby declare a potential (deemed/direct/indirect) pecuniary interest on the above noted Council/Committee/Board Agenda, Item, Title for the following reasons: Spouse owns Glassroots Media.

Declaration of Interest, Municipal Conflict of Interest Act, R.S.O. 1990, .M.50

Re: 2019 Record of Payment to Council-Owned Vendors
Item No: #13(a)

I, Councillor Michael Bondy hereby declare a potential (deemed/direct/indirect) pecuniary interest on the above noted Council/Committee/Board Agenda, Item, Title for the following reasons: Owns business that may be used and paid by the Municipality of Chatham-Kent.

9. Recognition

- (a) Recognition of Matthew Sterling for being awarded the Eliot Moses Memorial Special at the 2019 International Plowing Match

Councillors Latimer, McGrail and Faas presented a certificate of recognition to Matthew Sterling who was awarded the Eliot Moses Memorial Special at the 2019 International Plowing match. This award, donated by the Moses Family, is in memory of Eliot Moses, who was an OPA President in 1933 and was a director for 33 years.

10. Planning

- (a) Applications for Zoning By-law Amendment PL202000007
1078262 Ontario Ltd.
Friendship Way
Community of Wheatley (West Kent)

The Mayor asked if any person from the public had an interest in the application. There were members from the public noted as being present with an interest in the matter. The applicant was present at the meeting.

The Senior Planner presented the application.

Joyce Eaton, on behalf of the owners of Lots 2 and 3 Erie Street North and Linda Brown, Wheatley

Ms. Eaton noted that her clients were concerned about traffic and parking in the development given that most of the units will be townhouses in a very condensed, small area.

The new units being added are not consistent with the existing units. The new units seem to be much smaller in size with less frontage, rear yard setbacks and green space. There were further concerns about the lack of recreational space for families with children.

Gail Zeray, 1-123 Erie Street North, Wheatley

Ms. Zeray echoed the concerns raised by Ms. Eaton.

Councillor Authier moved, Councillor Harrigan seconded:

“That

- Zoning By-law Amendment Application D-14 WH/03/20/O to rezone Blocks 4, 5, 6 and 8, Plan 24M-940, in the Community of Wheatley, to a site-specific Residential Low Density First (RL1-1502) zone and site-specific Residential Medium Density First (RM1-1449, RM1-1500 and RM1-1501) zones, to facilitate the development of a Single Detached Dwelling and Row House Dwellings, be approved, and the implementing by-law be adopted.”**

The Mayor put the Motion

Councillor	Vote	Councillor	Vote
Authier	Yes	Latimer	Yes
Bondy	Yes	McGrail	Yes
Ceccacci	Yes	B. McGregor	Yes
Crew	Yes	C. McGregor	Yes
Faas	Yes	Pinsonneault	Yes
Finn	Yes	Sulman	Absent
Hall	Yes	Thompson	Yes
Harrigan	Yes	Wright	Absent
Kirkwood-Whyte	Yes	Mayor Canniff	Yes

Yes Votes: 16
No Votes: 0

Motion Carried

- (b) Chatham-Kent Community Improvement Plan: A Plan to Support the Chatham-Kent Growth Strategy and 2018 – 2022 Council Term Priorities

The Mayor asked if any person from the public had an interest in the application. There were no members from the public noted as being present with an interest in the matter. The applicant was present at the meeting.

Councillor Crew moved, Councillor Hall seconded:

“That

1. **The Chatham-Kent Community Improvement Plan be adopted and the implementing by-law be approved, as amended.**
2. **Implementation of the Downtown and Main Street Areas Community Improvement Plan, Commercial Community Improvement Plan, and Employment Community Improvement Plan be suspended effective March 31, 2020, except that:**
 - a) **Existing approvals and agreements under the Downtown and Main Street Areas Community Improvement Plan, Commercial Community Improvement Plan, and Employment Community Improvement Plan remain in effect in accordance with the provisions of the respective plan; and,**
3. **That administration be authorized to close out surpluses and deficits related to the Community Improvement Plan base budget to the Community Improvement Plan Reserve on an annual basis.”**

Councillor Bondy moved an amendment, Councillor B. McGregor seconded:

“That Section 12 of the by-law be amended to change the Commercial minimum \$250,000 eligible cost to five years only at 60%.”

The Mayor put the Amendment

Councillor	Vote	Councillor	Vote
Authier	Yes	Latimer	Yes
Bondy	Yes	McGrail	Yes
Ceccacci	Yes	B. McGregor	Yes
Crew	No	C. McGregor	Yes
Faas	No	Pinsonneault	Yes
Finn	Yes	Sulman	Absent
Hall	No	Thompson	Yes
Harrigan	No	Wright	Absent
Kirkwood-Whyte	Yes	Mayor Canniff	Yes

Yes Votes: 12

No Votes: 4

Amendment Carried

The Mayor put the Motion, as amended

Councillor	Vote	Councillor	Vote
Authier	Yes	Latimer	Yes
Bondy	Yes	McGrail	Yes
Ceccacci	Yes	B. McGregor	Yes
Crew	Yes	C. McGregor	Yes
Faas	Yes	Pinsonneault	Yes
Finn	Yes	Sulman	Absent
Hall	Yes	Thompson	Yes
Harrigan	Yes	Wright	Absent
Kirkwood-Whyte	Yes	Mayor Canniff	Yes

Yes Votes: 16

No Votes: 0

Motion Carried

Regular

11. Presentation

- (a) Presentation by Brenda Slater, Account Manager Zone 1. Municipal Property Assessment Corporation re Overview of Ontario's Property Assessment and Taxation System

Brenda Slater, Account Manager, Municipal Assessment Corporation provided Council with an overview of Ontario's property assessment and taxation system.

Municipality of Chatham-Kent Assessment Base 2019 taxation year

Property Class	Number of Properties	Total Assessed Value (M's)	Percentage of Total Portfolio
Residential	41,729	6,739,826,616	47.30
Farm/Managed Forest	8,391	5,284,875,053	37.08
Commercial	2,966	993,861,572	6.99
Industrial	827	357,301,260	2.50
Special/Exempt	1,250	685,800,802	4.81
Multi-residential	152	187,518,780	1.32
Total	55,315	14,249,184,083	100.00

Councillor B. McGregor moved, Councillor Latimer seconded:

“That the presentation be received for information.”

The Mayor put the Motion

Motion Carried

12. Deputations – items on current agenda (requests must be received by 3:00 p.m.)

Council received the following deputations with regard to Item 17e – Erie Shore Drive Road Closure:

- Michelle MacLean (read by Councillor Latimer)
- Terra Cadeau
- Sean Panjer
- Murray Spencer
- Sarah VanDerPaelt
- Trevor Dixon
- Andrew Spencer
- Dave Davis
- Gary Janadia
- Stephanie Robinson
- Jeffrey O'Brien
- Richard Barnier

13. Consent Agenda

- (a) Information reports

- (i) 2019 Record of Payment to Council-Owned Vendors
 - (ii) Proposed Arena Complex
 - (iii) Municipal Heritage Committee – 2019 Annual Report
- (b) Routine Approval
- (i) Budget Methodology
- (c) Committee Reports
- (i) Drainage Board Recommendations from its meeting held on February 18, 2020
 - (ii) Chatham-Kent Board of Health Minutes from its meeting held on January 15, 2020
 - (iii) Chatham-Kent Museum Advisory Committee minutes from its meeting held on September 26, 2019
 - (iv) Ridge House Museum Advisory Committee minutes from its meeting held on September 24, 2019
 - (v) Chatham-Kent Age Friendly Community Advisory Committee minutes from its meeting held on November 7, 2019
 - (vi) Chatham-Kent Accessibility Advisory Committee minutes from its meeting held on January 21, 2020
 - (vii) Ridge Landfill Liaison Committee minutes from its meeting held on December 10, 2019
 - (viii) Blenheim Landfill Liaison Committee minutes from its meeting held on December 10, 2019

Councillor Authier moved, Councillor McGrail seconded:

“That the items listed on the Consent Agenda be approved as presented and that action be taken as required, excluding those items placed aside.”

The Mayor put the Motion

Motion Carried

14. Notices of Motion

(a) Presentation of new Notices of Motion

Councillor Bondy presented a notice of motion regarding Victoria Avenue Reconstruction. The matter will be added to the March 23, 2020 Council agenda for discussion and voting.

Councillor Hall presented a notice of motion regarding Youth Leaders Forum & Information event. The matter will be added to the April 6, 2020 Council agenda for discussion and voting.

Councillor Harrigan presented a notice of motion regarding the Wheatley Recreation Fund. The matter will be added to the March 23, 2020 Council agenda for discussion and voting.

Councillor Thompson presented a notice of motion regarding a pedestrian activated crosswalk at the corner of Anger and Chatham Streets in Blenheim. The matter will be

added to the March 23, 2020 Council agenda for discussion and voting.

Councillor Pinsonneault presented a notice of motion regarding the Infrastructure Committee membership. The matter will be added to the March 23, 2020 Council agenda for discussion and voting.

15. Tender Awards

- (a) Contract T17-206 Fifth Street Bridge over the Thames River – Structure Rehabilitation – Community of Chatham

This report was postponed by administration.

- (b) Contract T20-110 Road Crack Cleaning and Sealing

Councillor B. McGregor moved, Councillor McGrail seconded:

“That

- 1. The 2020 Road Crack Cleaning and Sealing Maintenance Program be approved.**
- 2. The tender in the amount of \$421,348.19 including HST for the Road Crack Cleaning and Sealing be awarded to 2228977 Ontario Inc. o/a RanN Maintenance.**
- 3. The Mayor and Clerk be authorized to sign the necessary agreements.”**

The Mayor put the Motion

Councillor	Vote	Councillor	Vote
Authier	Yes	Latimer	Yes
Bondy	Yes	McGrail	Yes
Ceccacci	Yes	B. McGregor	Yes
Crew	Yes	C. McGregor	Yes
Faas	Yes	Pinsonneault	Yes
Finn	Yes	Sulman	Absent
Hall	Not Present	Thompson	Yes
Harrigan	Yes	Wright	Absent
Kirkwood-Whyte	Yes	Mayor Canniff	Yes

Yes Votes: 15

No Votes: 0

Motion Carried

- (c) Request for Proposal Award: RFP R19-175, Ridgetown Stormwater Master Plan, Community of Ridgetown

Councillor Pinsonneault moved, Councillor Latimer seconded:

“That

- 1. The proposal in the amount of \$466,577.00, including HST for the Ridgetown Stormwater Master Plan, Community of Ridgetown be awarded to Ecosystem Recovery Inc.**
- 2. The Mayor and Clerk be authorized to sign the necessary agreements.”**

The Mayor put the Motion

Councillor	Vote	Councillor	Vote
Authier	Yes	Latimer	Yes
Bondy	Yes	McGrail	Yes
Ceccacci	Yes	B. McGregor	Yes
Crew	Yes	C. McGregor	Yes
Faas	Yes	Pinsonneault	Yes
Finn	Yes	Sulman	Absent
Hall	Not Present	Thompson	Yes
Harrigan	Yes	Wright	Absent
Kirkwood-Whyte	Yes	Mayor Canniff	Yes

Yes Votes: 15

No Votes: 0

Motion Carried

16. Public Utilities Commission

(a) 2019 Summary Reports for Drinking Water and Wastewater Systems

Councillor C. McGregor moved, Councillor Authier seconded:

“That

- 1. The attached Summary Reports for Drinking Water and Wastewater Systems be reviewed and any concerns be addressed with the General Manager of the Chatham-Kent Public Utilities Commission (CK PUC);**
- 2. The attached Summary Reports for Drinking Water and Wastewater Systems be approved.”**

The Mayor put the Motion

Councillor	Vote	Councillor	Vote
Authier	Yes	Latimer	Yes
Bondy	Yes	McGrail	Yes
Ceccacci	Yes	B. McGregor	Yes
Crew	Yes	C. McGregor	Yes
Faas	Yes	Pinsonneault	Yes
Finn	Yes	Sulman	Absent
Hall	Not Present	Thompson	Yes
Harrigan	Yes	Wright	Absent
Kirkwood-Whyte	Yes	Mayor Canniff	Yes

Yes Votes: 15

No Votes: 0

Motion Carried

(b) Preliminary Assessing By-law for Bluewater Line and Base Line Road Waterline Project (Community of Chatham Township)

Councillor McGrail McGregor moved, Councillor Faas seconded:

“That

- 1. The Bluewater Line and Base Line Road Waterline Project and the necessary By-law under Part XII of the Municipal Act, 2001 be approved.**
- 2. Administration be authorized to borrow monies towards the project by the issuance and sale of debentures. Pending the sale of the debentures, the Mayor and Treasurer be authorized to make such temporary borrowing as may be required in order to meet the payments due to vendors.”**

The Mayor put the Motion

Councillor	Vote	Councillor	Vote
Authier	Yes	Latimer	Yes
Bondy	Yes	McGrail	Yes
Ceccacci	Yes	B. McGregor	Yes
Crew	Yes	C. McGregor	Yes
Faas	Yes	Pinsonneault	Yes
Finn	Yes	Sulman	Absent
Hall	Not Present	Thompson	Yes
Harrigan	Yes	Wright	Absent
Kirkwood-Whyte	Yes	Mayor Canniff	Yes

Yes Votes: 15
No Votes: 0

Motion Carried

- (c) Amendment to By-law 102-2018 for Base Line Road, Chenal Road, Snye Road, Seys Line and Island View Road Waterline Project (Community of Chatham Township)

Councillor Faas moved, Councillor McGrail seconded:

“That

- 1. By-law Number 102-2018 which is a by-law to authorize the construction of a water works and the imposition of a water charge for the payment of the capital cost of the construction of such water works known as the Base Line Road, Chenal Road, Snye Road, Seys Line and Island View Road Waterline be amended.”**

The Mayor put the Motion

Councillor	Vote	Councillor	Vote
Authier	Yes	Latimer	Yes
Bondy	Yes	McGrail	Yes
Ceccacci	Yes	B. McGregor	Yes
Crew	Yes	C. McGregor	Conflict
Faas	Yes	Pinsonneault	Yes
Finn	Yes	Sulman	Absent
Hall	Not Present	Thompson	Yes
Harrigan	Yes	Wright	Absent
Kirkwood-Whyte	Yes	Mayor Canniff	Yes

Yes Votes: 14
No Votes: 0

Motion Carried

Councillor Authier moved, Councillor Crew seconded:

“That the meeting be extended to 10:30 pm.”

The Mayor put the Motion

Motion Carried

17. Community Development

(a) Master Fire Plan

Councillor Pinsonneault moved, Councillor Crew seconded:

“That

- 1. The Corporation of the Municipality of Chatham-Kent releases a Request for Proposal (RFP) for the services of a professional Fire Services Consultant to provide research, make recommendations and co-ordinate development of a Master Fire Plan for the Municipality.**
- 2. The Mayor and Clerk be authorized to sign the necessary agreements.”**

The Mayor put the Motion

Councillor	Vote	Councillor	Vote
Authier	Yes	Latimer	Yes
Bondy	Yes	McGrail	Yes
Ceccacci	Yes	B. McGregor	Yes
Crew	Yes	C. McGregor	Yes
Faas	Yes	Pinsonneault	Yes
Finn	Yes	Sulman	Absent
Hall	Not Present	Thompson	Yes
Harrigan	Yes	Wright	Absent
Kirkwood-Whyte	Yes	Mayor Canniff	Yes

Yes Votes: 15

No Votes: 0

Motion Carried

(b) ISOLAB Inc. – Offer to Purchase

Councillor B. McGregor moved, Councillor Latimer seconded:

“That

- 1. The Offer to Purchase received from ISOLAB Inc. to purchase approximately 1.87 acres (Attachment A) in the property known as Part of lot 17 Concession A Raleigh Designated as Part 2 on Plan 24R10331 in the Bloomfield Business Park for the price of \$93,500 + HST (\$50,000 per acre) be accepted.”**

The Mayor put the Motion

Councillor	Vote	Councillor	Vote
Authier	Yes	Latimer	Yes
Bondy	Yes	McGrail	Yes
Ceccacci	Yes	B. McGregor	Yes
Crew	Yes	C. McGregor	Yes

Councillor	Vote	Councillor	Vote
Faas	Yes	Pinsonneault	Yes
Finn	Yes	Sulman	Absent
Hall	Not Present	Thompson	Yes
Harrigan	Yes	Wright	Absent
Kirkwood-Whyte	Yes	Mayor Canniff	Yes

Yes Votes: 15
No Votes: 0

Motion Carried

- (c) Ontario Heritage Act – Amendment to Designation By-law 83-35 Ridge House Museum, 53 Erie Street South, Community of Ridgetown

This report was postponed by administration.

- (d) Citizen Appointment to Municipal Heritage Committee

Councillor McGrail moved, Councillor B. McGregor seconded:

“That

- Lisa Gilbert be removed from the Chatham-Kent Municipal Heritage Committee.**
- Lindsay Swackhammer be appointed to the Chatham-Kent Municipal Heritage Committee for the remainder of the term.”**

The Mayor put the Motion

Councillor	Vote	Councillor	Vote
Authier	Yes	Latimer	Yes
Bondy	Yes	McGrail	Yes
Ceccacci	Yes	B. McGregor	Yes
Crew	Yes	C. McGregor	Yes
Faas	Yes	Pinsonneault	Yes
Finn	Yes	Sulman	Absent
Hall	Not Present	Thompson	Yes
Harrigan	Yes	Wright	Absent
Kirkwood-Whyte	Yes	Mayor Canniff	Yes

Yes Votes: 15
No Votes: 0

Motion Carried

17(e) Road Closure – Erie Shore Drive

Councillor Harrigan moved, Councillor Thompson seconded:

“That

- By-law be passed to provide for the temporary closing of part of Erie Shore Drive, Geographic Township of Harwich, effective March 9, 2020 until further recommendations from Infrastructure and Engineering Services. The Bylaw attached as to the Report as Appendix “A” be adopted and approved to adopt the parameters outlined in the clause above.**

2. Council delegate to the General Manager of Infrastructure and Engineering Services the authority to complete all work and to make all necessary purchases to respond to unstable conditions on the Erie Shore Road and dike (phase 1). Council waive all requirements of Chatham-Kent Purchasing By-law 3-2016 in relation to such purchases.
3. Administration bring a report to Council within 8 weeks, on or before April 27, 2020 regarding options for either:
 - a. Preparing alternative access via a newly constructed road, or
 - b. Buy-out of property owners affected by the road closure, or
 - c. Introducing further permanent closure of Erie Shore Drive
 - d. Other creative options
4. Administration advise the Province, including all necessary ministers and the premier, of this emergency and the hardship being endured by the impacted residents and property owners. Further, that Administration take any and all steps necessary to have the province partner with the people of Chatham-Kent for the resolution of this matter, including significant financial contribution since the Chatham-Kent municipality cannot afford to fix this problem. Administration to consider all options and bring a report to Council regarding steps taken and proposed next steps.
5. Administration continue to work with the Erie Shore Drive Property Owners Association to promote transparency and dialogue, and identify a plan for how homeowners to protect their personal property.
6. That further work be done to best determine the exact geographical length of the closure required.”

Councillor Pinsonneault requested that Recommendation #6 be voted on separately.

Councillor Thompson moved, Councillor Ceccacci seconded:

“That Council move into Closed Session to receive advice that is subject to solicitor-client privilege with regard to Erie Shore Drive under Section 239(2)(f) of the Municipal Act, 2001.”

The Mayor put the Motion

Motion Carried

Council recessed to closed session at 8:20 p.m.

Council resumed open session at 8:26 p.m.

The Mayor put Recommendations 1, 2, 3, 4 and 5

Councillor	Vote	Councillor	Vote
Authier	Not Present	Latimer	Yes
Bondy	Yes	McGrail	Yes
Ceccacci	Yes	B. McGregor	Yes
Crew	Yes	C. McGregor	Yes
Faas	Not Present	Pinsonneault	Yes
Finn	Yes	Sulman	Absent
Hall	Yes	Thompson	Yes
Harrigan	Yes	Wright	Absent
Kirkwood-Whyte	Yes	Mayor Canniff	Yes

Yes Votes: 14
No Votes: 0

Motion Carried

The Mayor put Recommendation 6

Councillor	Vote	Councillor	Vote
Authier	Not Present	Latimer	Yes
Bondy	No	McGrail	No
Ceccacci	Yes	B. McGregor	No
Crew	No	C. McGregor	No
Faas	No	Pinsonneault	No
Finn	No	Sulman	Absent
Hall	No	Thompson	Yes
Harrigan	No	Wright	Absent
Kirkwood-Whyte	No	Mayor Canniff	No

Yes Votes: 3
No Votes: 12

Motion Defeated

18. Community Human Services

(a) Lease Renewal: 20 Merritt Ave. Chatham, Active Lifestyle Centre

Councillor Kirkwood-Whyte moved, Councillor Finn seconded:

“That

- 1. The lease amendment for 20 Merritt Ave, Chatham to the Active Lifestyle Centre be approved.**
- 2. The Mayor and Clerk be authorized to execute the lease amendment, subject to final approval of the terms of the lease amendment by the Chief Legal Officer.”**

The Mayor put the Motion

Councillor	Vote	Councillor	Vote
Authier	Yes	Latimer	Yes
Bondy	Yes	McGrail	Yes
Ceccacci	Yes	B. McGregor	Yes
Crew	Yes	C. McGregor	Yes
Faas	Yes	Pinsonneault	Yes
Finn	Yes	Sulman	Absent
Hall	Not Present	Thompson	Yes
Harrigan	Yes	Wright	Absent
Kirkwood-Whyte	Yes	Mayor Canniff	Yes

Yes Votes: 15
No Votes: 0

Motion Carried

- (b) Municipal Capital Facilities By-law for Affordable Housing Project at 48 Fifth St. S., First Floor, Chatham

Councillor Crew moved, Councillor Authier seconded:

“That

- 1. A By-law to authorize entering into an agreement for the provision of Municipal Capital Facilities for Affordable Housing by N2 Energy Solutions Inc. in the Municipality of Chatham-Kent at 48 Fifth Street South (First Floor), Chatham be approved.”**

The Mayor put the Motion

Councillor	Vote	Councillor	Vote
Authier	Yes	Latimer	Yes
Bondy	Yes	McGrail	Yes
Ceccacci	Not Present	B. McGregor	Yes
Crew	Yes	C. McGregor	Yes
Faas	Yes	Pinsonneault	Yes
Finn	Yes	Sulman	Absent
Hall	Not Present	Thompson	Yes
Harrigan	Yes	Wright	Absent
Kirkwood-Whyte	Yes	Mayor Canniff	Yes

Yes Votes: 14

No Votes: 0

Motion Carried

- (c) Municipal Capital Facilities By-law for Affordable Housing Project at 45 Margaret Street South, Blenheim

Councillor Latimer moved, Councillor Ceccacci seconded:

“That

- 1. A By-law to authorize entering into an agreement for the provision of Municipal Capital Facilities for Affordable Housing by Villaview Community Corporation in the Municipality of Chatham-Kent at 45 Margaret Street South, Blenheim, be approved.”**

The Mayor put the Motion

Councillor	Vote	Councillor	Vote
Authier	Yes	Latimer	Yes
Bondy	Yes	McGrail	Yes
Ceccacci	Yes	B. McGregor	Yes
Crew	Yes	C. McGregor	Yes
Faas	Yes	Pinsonneault	Yes
Finn	Yes	Sulman	Absent
Hall	Not Present	Thompson	Yes
Harrigan	Yes	Wright	Absent
Kirkwood-Whyte	Yes	Mayor Canniff	Yes

Yes Votes: 15

No Votes: 0

Motion Carried

- (d) Consulting Services for Review and Update of AssetPlanner database for the Municipality by Housing Services Corporation

Councillor C. McGregor moved, Councillor Authier seconded:

“That

- Funding for consulting services for review and updating of AssetPlanner data at a total one-time cost of \$14,339 to be funded from the Social Housing Operating Reserve.”**

The Mayor put the Motion

Councillor	Vote	Councillor	Vote
Authier	Yes	Latimer	Yes
Bondy	Yes	McGrail	Yes
Ceccacci	Yes	B. McGregor	Yes
Crew	Yes	C. McGregor	Yes
Faas	Yes	Pinsonneault	Yes
Finn	Yes	Sulman	Absent
Hall	Not Present	Thompson	Yes
Harrigan	Yes	Wright	Absent
Kirkwood-Whyte	Yes	Mayor Canniff	Yes

Yes Votes: 15

No Votes: 0

Motion Carried

- (e) Request for Transfer from Kiwanis Theatre Improvement Fund Reserve and Capitol Theatre Improvement Fund Reserve

Councillor B. McGregor moved, Councillor Kirkwood-Whyte seconded:

“That

- An amount of \$177,000 be transferred from the Kiwanis Theatre Improvement Fund Reserve to the Cultural Centre operating budget for improvements to Kiwanis Theatre.**
- An amount of \$96,500 be transferred from the Capitol Theatre Improvement Fund Reserve to the Capitol Theatre operating budget to upgrade technical equipment in the Capitol Theatre.”**

The Mayor put the Motion

Councillor	Vote	Councillor	Vote
Authier	Yes	Latimer	Yes
Bondy	Yes	McGrail	Yes
Ceccacci	Yes	B. McGregor	Yes
Crew	Yes	C. McGregor	Yes
Faas	Yes	Pinsonneault	Yes
Finn	Yes	Sulman	Absent
Hall	Not Present	Thompson	Yes
Harrigan	Yes	Wright	Absent
Kirkwood-Whyte	Yes	Mayor Canniff	Yes

Yes Votes: 15

No Votes: 0

Motion Carried

- (f) Community Update on Coronavirus Disease 2019 (COVID-19) - Presentation by Dr. Colby, Medical Officer of Health

Dr. Colby provided Council with an overview of the origins of COVID-19.

Precautions include:

- Avoid travel to areas where the virus is spreading
- Handwashing/hand sanitizer
- Masks and quarantine for those exposed or symptomatic to limit the spread
- Face shields and gloves for caregivers

What if a Pandemic is declared?

- Mass gatherings could be restricted
- School closures possible
- Cancellation of elective surgery to rationalize health resources
- Selective quarantines
- We have a local Pandemic Plan

Councillor B. McGregor moved, Councillor C. McGregor seconded:

“That the presentation be received for information.”

The Mayor put the Motion

Motion Carried

19. Infrastructure and Engineering Services

Mayor Canniff requested that item 19(c) Verbal Updated, Rose Beach Line be moved forward on the agenda.

- (c) Verbal Update – Rose Beach Line

The Director of Public Works noted that there is a rapidly changing situation on Rose Beach Line, just west of the Wildwood Trailer Park. There are three homes impacted by the three failures that have taken place along this section of road. It is anticipated that the road closure will leave one home without access from the municipal roadway.

Next Steps:

- Anticipate road closure within 2 weeks
- Continue to communicate closely with property owners
- Update Council
- Completion of Zuzek Study
- Completion of Rose Beach Line Environmental Assessment
 - Short and Long Term options
 - Utility relocation (watermain and sanitary forcemain)

Councilor Pinsonneault moved, Councillor Latimer seconded:

“That the presentation be received for information”.

The Mayor put the Motion

Motion Carried

- (a) Construction and Assessment By-law – Ellen Street Curb and Gutter Local Improvement. Community of Blenheim

Councillor Latimer moved, Councillor Ceccacci seconded:

“That

- 1. The Construction and Assessment By-law under the Municipal Act, 2001, Ontario Regulation 586/06 to undertake a curb and gutter Local Improvement on Ellen Street, from Mountford Street to Little Street, in the Community of Blenheim be approved**
- 2. The Mayor and Clerk be authorized to sign the necessary agreements.”**

The Mayor put the Motion

Councillor	Vote	Councillor	Vote
Authier	Yes	Latimer	Yes
Bondy	Yes	McGrail	Yes
Ceccacci	Yes	B. McGregor	Yes
Crew	Yes	C. McGregor	Yes
Faas	Yes	Pinsonneault	Yes
Finn	Yes	Sulman	Absent
Hall	Yes	Thompson	Yes
Harrigan	Yes	Wright	Absent
Kirkwood-Whyte	Yes	Mayor Canniff	Yes

Yes Votes: 16
No Votes: 0

Motion Carried

- (b) Motion by Councillor B. McGregor re Pedestrian Activated Crosswalk

Councillor B. McGregor moved, Councillor Crew seconded:

“Whereas Grand Ave. West from Keil Drive to Bear Line experiences a significant amount of vehicular traffic as well as pedestrian traffic generated primarily by the adjacent school, businesses and residential dwellings, and;

Whereas the only controlled crossing for pedestrians wishing to cross Grand Ave. West is at the intersection of Keil Drive and Grand Ave. W., and;

Whereas the Village on the Thames is located on the opposite side of Grand River Line to the current multi-use trail and CKTransit route;

Be it resolved that administration proceed with the installation of a pedestrian activated cross walk fronting the Village on the Thames property at an estimated cost of \$60,000 to be funded from strategic reserves.”

The Mayor put the Motion

Councillor	Vote	Councillor	Vote
Authier	Yes	Latimer	Yes
Bondy	Yes	McGrail	No
Ceccacci	Yes	B. McGregor	Yes
Crew	Yes	C. McGregor	Yes
Faas	Yes	Pinsonneault	Yes
Finn	Yes	Sulman	Absent
Hall	Yes	Thompson	Yes

Councillor	Vote	Councillor	Vote
Harrigan	Yes	Wright	Absent
Kirkwood-Whyte	Yes	Mayor Canniff	Yes

Yes Votes: 15
No Votes: 1

Motion Carried

20. Chief Administrative Office

(a) CK Plan 2035 Advisory Committee Appointment

Councillor Harrigan moved, Councillor Authier seconded:

“That

1. Earle Johnson be appointed to the CK Plan 2035 Advisory Committee of Council.”

The Mayor put the Motion

Councillor	Vote	Councillor	Vote
Authier	Yes	Latimer	Yes
Bondy	Yes	McGrail	Yes
Ceccacci	Yes	B. McGregor	Yes
Crew	Yes	C. McGregor	Yes
Faas	Yes	Pinsonneault	Yes
Finn	Yes	Sulman	Absent
Hall	Yes	Thompson	Yes
Harrigan	Yes	Wright	Absent
Kirkwood-Whyte	Yes	Mayor Canniff	Yes

Yes Votes: 16
No Votes: 0

Motion Carried

21. Closed Session Reports

Council Closed Session Report

Monday, February 10, 2020

4:00 p.m. – 5:30 p.m. and 8:47 p.m. – 9:15 p.m.

Members Present: Chair C. McGregor, Mayor Canniff, Councillors Authier, Bondy, Ceccacci, Crew, Faas, Finn, Hall, Harrigan, Kirkwood-Whyte, McGrail, B. McGregor, Pinsonneault, Sulman, Thompson, and Wright

Absent: Councillor Latimer

Council directed administration on:

- Personal matter about an identifiable individual, including municipal or local board employee with regard to Citizen Appointment to Municipal Heritage Committee. Section 239(2)(b), Municipal Act, 2001.
- Personal matter about an identifiable individual, including municipal or local board employee with regard to CK Plan 2035 Advisory Committee Appointment. Section 239(2)(b), Municipal Act, 2002.

- Litigation affecting the municipality and advice that is subject to solicitor-client privilege, including communications necessary for that purpose with regard to litigation involving a member of Council. Section 239(2)(e) & (f), Municipal Act, 2001.

Council received information on:

- Labour relations regarding Fire and Emergency Services. Section 239(2)(d), Municipal Act, 2001.

Council Closed Session Report

Monday, March 2, 2020

4:00 p.m. – 5:05 p.m.

Members Present: Chair C. McGregor, Mayor Canniff, Councillors Authier, Bondy, Ceccacci, Crew, Faas, Finn, Hall, Harrigan, Kirkwood-Whyte, Latimer, McGrail, B. McGregor, Pinsonneault and Thompson

Absent: Councillors Sulman and Wright

Council directed administration on:

- Litigation affecting the municipality and advice that is subject to solicitor-client privilege, including communications necessary for that purpose with regard to litigation involving a member of Council. Section 239(2)(e) & (f), Municipal Act, 2001.

Council received information on:

- Advice that is subject to solicitor-client privilege, including communications necessary for that purpose with regard to Erie Shore Drive. Section 239(2)(f), Municipal Act, 2001.

The following item was postponed

- Proposed acquisition of land by the municipality or local board and advice that is subject to solicitor-client privilege, including communications necessary for that purpose with regard to Surplus St. Clair Catholic School Board properties. Section 239(2)(c) & (f), Municipal Act, 2001.

Councillor C. McGregor moved, Councillor Authier seconded:

“That the February 10 and March 2, 2020 Closed Session Reports be received.”

The Mayor put the Motion

Councillor	Vote	Councillor	Vote
Authier	Yes	Latimer	Yes
Bondy	Yes	McGrail	Yes
Ceccacci	Yes	B. McGregor	Yes
Crew	Yes	C. McGregor	Yes
Faas	Yes	Pinsonneault	Yes
Finn	Yes	Sulman	Absent
Hall	Yes	Thompson	Yes
Harrigan	Yes	Wright	Absent
Kirkwood-Whyte	Yes	Mayor Canniff	Yes

Yes Votes: 16

No Votes: 0

Motion Carried

22. Approval of Communication Items

(a) Approval of the March 2, 2020 Council Information Package

“That the March 2, 2019 Council Information Package be approved.”

The Mayor put the Motion

Motion Carried

23. Non Agenda Business

There were no non agenda business items.

24. Reading of By-law

(a) First Reading

Councillor Hall moved, Councillor McGrail seconded:

“That the by-laws be taken as read for the first time.”

The Mayor put the Motion

Motion Carried

(b) Second Reading

- i. By-law to provide for drainage work in the Municipality of Chatham-Kent for the Talbot Trail Lot 151 Drain, Community of Raleigh – First and Second Reading Only
- ii. By-law to provide for drainage work in the Municipality of Chatham-Kent for the Josh Vyn No. 1 Drain, Community of Howard – First and Second Reading Only
- iii. By-law to provide for drainage work in the Municipality of Chatham-Kent for the Josh Vyn No. 2 Drain, Community of Howard – First and Second Reading Only
- iv. By-law to provide for drainage work in the Municipality of Chatham-Kent for the Camythorne Drain, Community of Raleigh – First and Second Reading Only
- v. By-law to provide for drainage work in the Municipality of Chatham-Kent for the Campbell Leatherdale Drain, Community of Howard – First and Second Reading Only
- vi. By-law to provide for drainage work in the Municipality of Chatham-Kent for the Duart Drain 2020, Community of Orford – First and Second Reading Only

Councillor Hall moved, Councillor McGrail seconded:

“That the by-laws be taken as read for a second time”.

The Mayor put the Motion

Motion Carried

(c) Council to go into Committee, if Required, to Discuss By-law

(d) Resumption of Council

(e) Third and Final Reading

- vii. By-law to amend Zoning By-law 216-2009 of the Municipality of Chatham-Kent (1078262 Ontario Ltd.) (CityView #PL202000007)
- viii. By-law to Adopt the Chatham-Kent Community Improvement Plan – A Plan to Support the Chatham-Kent Growth Strategy and 2018-2022 Council Term Priorities
- ix. By-law to authorize the construction of a water works and the imposition of a water rate for the payment of the capital cost of the construction of such water works; Bluewater Line Road and Base Line Road Waterline Project (Community of Chatham Township)
- x. By-law to authorize the construction of a water works and the imposition of a water rate for the payment of the capital costs of the construction of such water works (Base Line Road to Island View Road Waterline Project) (Community of Wallaceburg)
- xi. By-law to authorize the entering into agreement for the provision of Municipal Capital Facilities for Affordable Housing by N2 Energy Solutions Incorporated in the Municipality of Chatham-Kent
- xii. By-law to authorize the entering into agreement for the provision of Municipal Capital Facilities for Affordable Housing by Villaview Community Corporation in the Municipality of Chatham-Kent
- xiii. By-law to authorize the construction of curb and gutter on Ellen Street, from Mountford Street to Little Street, in the Community of Blenheim as a local improvement under the provisions of the Municipal Act O. Reg. 586/06
- xiv. By-law to provide for the closing of a part of the public highway known as Erie Shore Drive, Geographic Township of Harwich; Municipality of Chatham-Kent; being part of Property Identification Number (PIN) 00938-1125 and all of PIN 00938-1088 and part of PIN 00939-1089
- xv. By-law to confirm proceedings of the Council of The Corporation of the Municipality of Chatham-Kent at its meeting held on the 2nd day of March, 2020

Councillor Harrigan moved, Councillor Faas seconded:

“That the by-laws be taken as read for a third and finally passed.”

The Mayor put the Motion

Motion Carried

25. Resolution Council in Closed Session & Adjournment

Councillor C. McGregor moved, Councillor Crew seconded:

“That Chatham-Kent Council adjourn to its next Meeting to be held on Monday, March 23, 2020 and that Chatham-Kent Council authorize itself to meet in closed session on that day to discuss any matters permitted by The Municipal Act.”

The Mayor put the Motion

Motion Carried

The meeting adjourned at 10:30 p.m.

Original signed by: _____

Mayor Darrin Canniff

Original signed by: _____

Clerk – Judy Smith

Municipality Of Chatham-Kent

Community Development

Planning Services

To: Mayor and Members of Council

From: Ryan Jacques, MCIP, RPP
Manager, Planning Services

Date: February 6, 2020

Subject: Application for Zoning By-law Amendment
PL202000007 – 1078262 Ontario Ltd.
Friendship Way, Community of Wheatley (West Kent)

Recommendation

It is recommended that:

1. Zoning By-law Amendment Application D-14 WH/03/20/O to rezone Blocks 4, 5, 6 and 8, Plan 24M-940, in the Community of Wheatley, to a site-specific Residential Low Density First (RL1-1502) zone and site-specific Residential Medium Density First (RM1-1449, RM1-1500 and RM1-1501) zones, to facilitate the development of a Single Detached Dwelling and Row House Dwellings, be approved, and the implementing by-law be adopted.

Background

The subject properties are located on Friendship Way, an intersecting street of Erie Street North, in the Community of Wheatley. The lands subject to this application are comprised of four (4) vacant Blocks on Plan of Subdivision 24M-940. They are approximately 1.2 ha (2.96 ac.) in area. The lands are designated Residential Area in the Chatham-Kent Official Plan and are zoned Residential Medium Density First – 939 & 940 (RM1-939 & RM1-940). The current zoning permits row house dwellings (townhomes) subject to site-specific regulations. A key map showing the location of the subject property is attached as Appendix A. Photos showing the subject property and surrounding area are attached as Appendix B.

The applicant proposes to build out the subdivision and construct three (3) row house dwellings and one (1) single detached dwelling. A zoning by-law amendment is required to amend various yard regulations to accommodate the desired row house style, and permit a single detached dwelling on an existing small and irregular shaped parcel. If approved, it is intended that the row house dwellings be further subdivided along the

common party walls once constructed so that each rowhouse dwelling unit can be sold separately. This process requires further planning applications. A development plan demonstrating the proposed build-out of the property is attached as Appendix C.

This application will facilitate the development of a long-stalled project initiated and partially completed by previous developers. A brief history of this development is below:

- November 2003 – Council approved planning applications from Wheatley Shores Life Lease Residences to permit a private multi-unit townhome development.
- November 2004 – A building permit is issued for the three-unit townhome that exists on Friendship Way.
- Winter 2006 – Development project transferred to First Leaside Group through a Limited Partnership.
- September 2006 – Council approved planning applications to subdivide the private development into freehold lots and new public road.
- December 2009 – Final approval of the subdivision is granted by the Municipality.
- In the years that followed, First Leaside went into receivership and its Wheatley Friendship Way project was sold off.
- July 2015 – Lands acquired by 1078262 Ontario Ltd. (Liovas Homes).
- January 2020 – Planning application received.

If approved, next steps in the development process include completion of full municipal services in the subdivision by the developer, and acceptance by Chatham-Kent. These works are being undertaken by the applicant in accordance with the Development Standards Manual and include the installation of piped water, sanitary sewers and storm sewers and facilities, road, curb/gutter, street lights, etc.

It is important to note that building permits are not available to these lands until full municipal services are installed.

Comments

Provincial Policy Statement

The proposed zoning by-law amendment is consistent with the PPS. Specifically, it is consistent with Sections 1.1.3, Settlement Areas, and 1.4, Housing. These policies encourage growth and development to focus in settlement areas such as Wheatley. Further, they require that land use patterns in settlement areas use land and resources efficiently through intensification and redevelopment. This proposal would result in the completion of a small infill subdivision that was approved a number of years ago.

Official Plan

The proposed zoning by-law amendment has been reviewed under the Chatham-Kent Official Plan and generally meets these policies. It has been specifically reviewed under Sections 2.3.4, Housing; Section 6.3.3 – Planning Tools (Zoning By-law); and Section B.2.3, Residential Area Policies.

The Official Plan policies contemplate changes in the residential land supply over time. Housing Policy 2.3.4.1.1, states that Chatham-Kent shall, "*Plan for a diverse range of housing choices to ensure that the housing stock can accommodate an aging population, a variety of household types and sizes, a greater diversity of culture and a range of physical and mental disabilities, and that the housing stock can respond to fluctuations in these needs.*"

Zoning By-law

The lands are presently zoned Residential Medium Density First-939 (RM1-939) and Residential Medium Density First-940 (RM1-940). These zones permit row houses uses as-of right, however due to a change in the style of the dwellings, they do not comply with the site-specific regulations from the previous approval.

The proposed zoning by-law amendment will amend the site-specific regulations for the development. Reductions in lot frontage, front yard depth, interior side yard width, exterior side yard width, rear yard depth and lot coverage are required to facilitate the development as shown on the conceptual plan. Provisions for a single detached dwelling on a small and irregular shaped parcel within the subdivision is also included in the proposed by-law.

The existing and proposed zoning regulations are summarized in Appendix D – Zoning Summary.

Conclusion

The proposed zoning by-law amendment has been reviewed in the context of the Provincial Policy Statement, the Chatham-Kent Official Plan and Zoning By-law and will be in full conformity, if approved. Therefore, the application is being recommended for approval.

Areas of Strategic Focus and Critical Success Factors

The recommendation in this report supports the following areas of strategic focus:

Economic Prosperity:

Chatham-Kent is an innovative and thriving community with a diversified economy

A Healthy and Safe Community:

Chatham-Kent is a healthy and safe community with sustainable population growth

People and Culture:

Chatham-Kent is recognized as a culturally vibrant, dynamic, and creative community

Environmental Sustainability:

Chatham-Kent is a community that is environmentally sustainable and promotes stewardship of our natural resources

The recommendation in this report supports the following critical success factors:

Financial Sustainability:

The Corporation of the Municipality of Chatham-Kent is financially sustainable

Open, Transparent and Effective Governance:

The Corporation of the Municipality of Chatham-Kent is open, transparent and effectively governed with efficient and bold, visionary leadership

Has the potential to support all areas of strategic focus & critical success factors

Neutral issues (does not support negatively or positively)

Consultation

Internal

Technical Advisory Committee

The Technical Advisory Committee supports the application.

Financial Implications

There are no financial implications resulting from the recommendation.

Prepared by:



Greg Houston, CPT
Planner II, Planning Services

Reviewed by:



Ryan Jacques, MCIP, RPP
Manager, Planning Services

Reviewed by:



Bruce McAllister, MCIP, RPP
Director, Planning Services

John Norton
General Manager
Community Development

1078262 Ontario Ltd.
PL202000007

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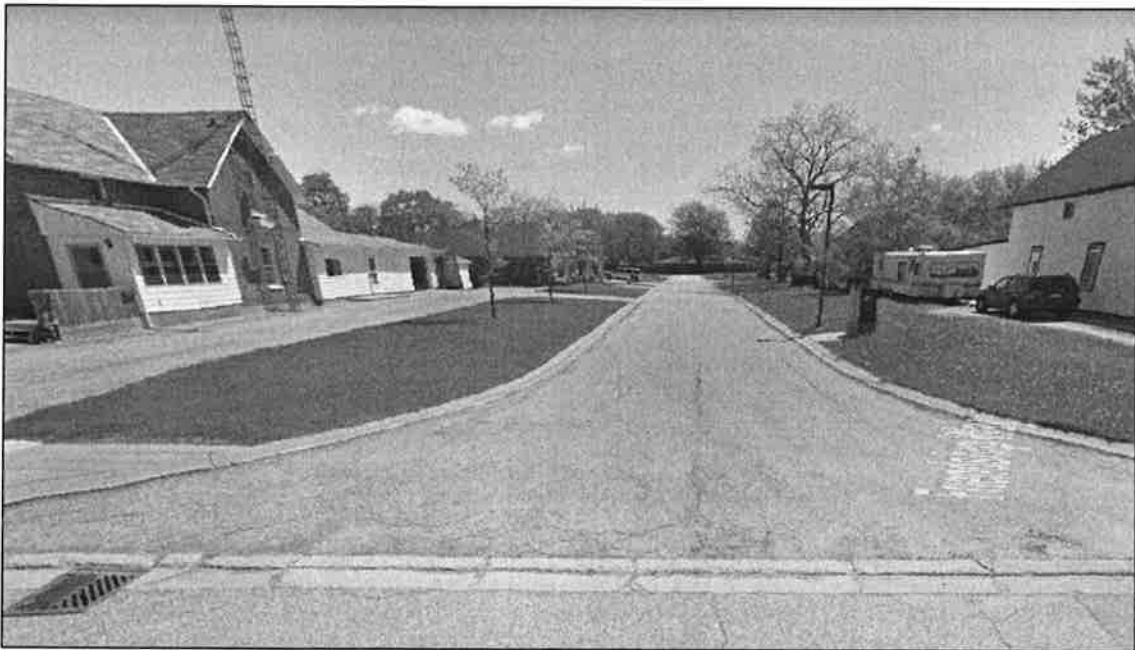
Attachments: Appendix A – Key Map
Appendix B – Site Photos
Appendix C – Development Plan
Appendix D – Zoning Summary
By-law to amend By-law 216-2009

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Appendix A – Key Map



Appendix B – Site Photos

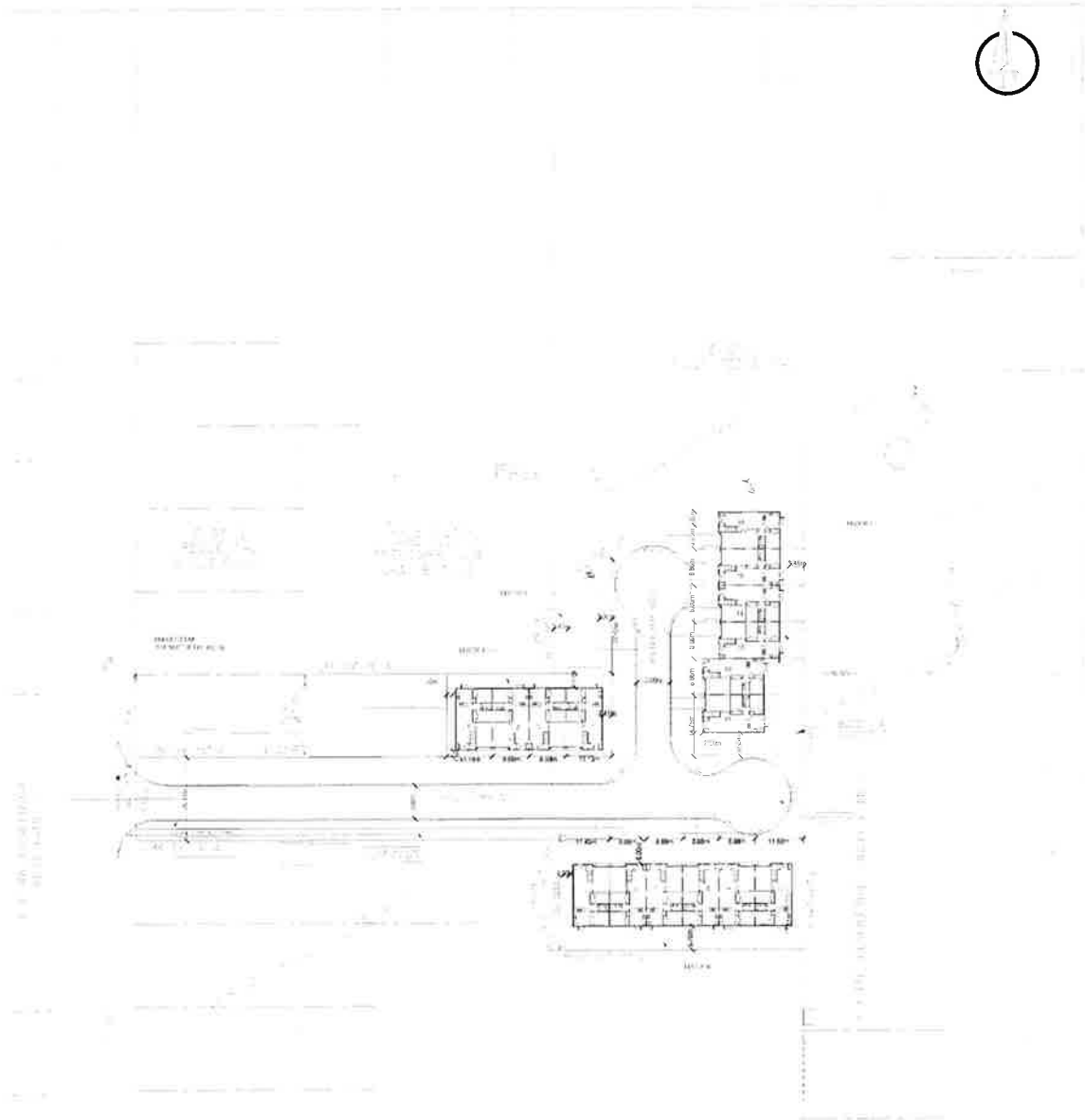


Looking west toward Friendship Way from Erie Street North.



Looking west at the existing development and vacant lands.

Appendix C – Development Plan



Appendix D – Zoning Summary

Block 4		
Regulation	Existing (RM1-940)	Proposed (RM1-1499)
Front Yard Depth Minimum	No Requirement	1.5 m
Exterior Side Yard Width Minimum	7.62 m	2.11m
Rear Yard Depth Minimum	6 m	3.41 m
Lot Coverage Maximum	Row House - 65 % Row House Dwelling – 65%	Row House – 67% Row House Dwelling – 73%
Maximum Building Height	2-Storey	1-Storey
Block 5		
Regulation	Existing (RM1-940)	Proposed (RL1-1502)
Permitted Use	Row House Dwelling and Row House Dwelling Unit	Single Detached Dwelling
Front Yard Depth Minimum	N/A	3 m
Interior Side Yard Width Minimum	N/A	0.89 m
Rear Yard Depth Minimum	N/A	3.47 m
Lot Coverage Maximum	N/A	50 %
Block 7 (North)		
Regulation	Existing (RM1-939)	Proposed (RM1-1500)
Lot Frontage Minimum - Row House Dwelling Unit	7.5 m	5.65 m

Front Yard Depth Minimum	6 m	5 m
Interior Side Yard Width Minimum	1.5 m	3 m
Rear Yard Depth Minimum	6 m	3.41 m
Maximum Building Height	2-Storey	1-Storey
Block 7 (South)		
Regulation	Existing (RM1-939)	Proposed (RM1-1501)
Front Yard Depth Minimum	6 m	2 m
Exterior Side Yard Width Minimum	7.62 m	5.62 m
Rear Yard Depth Minimum	6 m	3.41 m
Maximum Building Height	2-Storey	1-Storey
Block 8		
Regulation	Existing (RM1-939)	Proposed (RM1-939)
Rear Yard Depth Minimum	6 m	5.76 m
Maximum Building Height	2-Storey	1-Storey

By-law Number _____

Of The Corporation
of the Municipality of Chatham-Kent

A By-law to Amend Zoning By-law 216-2009 of the Municipality of Chatham-Kent

(1078262 Ontario Ltd.)

CityView # PL202000007

Whereas an application has been received for an amendment to the zoning by-law for a certain parcel of land in the Community of Wheatley in order to rezone the lands to amend site-specific regulations;

And Whereas the proposed use would conform to the Official Plan;

And Whereas Council, after due investigation and consideration, concurs in the proposed amendment;

Now therefore be it and it is hereby enacted as By-law Number _____ of the Corporation of the Municipality of Chatham-Kent:

1. That Schedule "A" of the By-law 216-2009, as amended, of the Municipality of Chatham-Kent, be amended by changing the zoning classification from Residential Medium Density First – 939 (RM1-939) and Residential Medium Density First – 940 (RM1-940) to Residential Medium Density First - 1499 (RM1-1499), Residential Medium Density First - 1500 (RM1-1500), Residential Medium Density First - 1501 (RM1-1501) & Residential Low Density First - 1502 (RL1-1502) on the lands so depicted on Schedule "A" hereto annexed and also forming part of this by-law.
2. That Schedule "B", Zone Exceptions, of the said By-law 216-2009, as amended, be amended by changing the Special Zone Provisions of Exception No. 939, wherein deleted text is shown as strikethrough text and text to be added is shown as underlined text, as identified on the following table:

Exception No.	Special Zone Symbol	Special Zone Provisions
939	RM1-939	a) Permitted uses limited to: i) rowhouse dwelling ii) rowhouse dwelling unit iii) uses, buildings and structures accessory to the foregoing permitted uses b) Minimum lot area - 200 sq. m per rowhouse dwelling unit c) Minimum lot frontage: i) rowhouse dwelling - 25 m ii) rowhouse dwelling unit - 7.5 m d) Minimum front yard:

Exception No.	Special Zone Symbol	Special Zone Provisions
		i) rowhouse dwelling - 6 m ii) rowhouse dwelling unit - 6 m e) Minimum interior side yard: i) rowhouse dwelling - 1.5 m ii) rowhouse dwelling unit - 1.5 m min. interior side yard width, except where unit shares a common wall, then no requirement f) Minimum rear yard: i) rowhouse dwelling - 6 m <u>5.76m</u> ii) rowhouse dwelling unit - 6 m <u>5.76m</u> g) Maximum lot coverage: i) rowhouse dwelling - 50% ii) rowhouse dwelling unit - 55% h) Minimum landscaped open space: i) rowhouse dwelling - 20% ii) rowhouse dwelling unit - 20% i) Maximum height: i) rowhouse dwelling - 2-storeys ii) rowhouse dwelling unit - 2-storeys j) Off-street parking: i) notwithstanding the parking requirements of this By-law, one parking space per dwelling unit shall be required

3. That Schedule "B" Zone Exceptions of the said By-law 216-2009, be amended by adding to the list of Exception No., the following:

Exception No. 1499
 Exception No. 1500
 Exception No. 1501
 Exception No. 1502

4. That Schedule "B" Zone Exceptions of the said By-law 216-2009, be amended by adding to the list of Special Zone Symbols, the following:

RM1-1499
 RM1-1500
 RM1-1501
 RL1-1502

5. That Schedule "B", Zone Exceptions, of the said By-law 216-2009, be amended by adding the following Special Zone Provisions:

Exception No.	Special Zone Symbol	Special Zone Provisions
1499	RM1-1499	<p>a) Permitted uses limited to:</p> <ul style="list-style-type: none"> i) rowhouse dwelling ii) rowhouse dwelling unit iii) uses, buildings and structures accessory to the foregoing permitted uses <p>b) Minimum lot area - 180 sq. m per rowhouse dwelling unit</p> <p>c) Minimum lot frontage:</p> <ul style="list-style-type: none"> i) rowhouse dwelling - 25 m ii) rowhouse dwelling unit - 7.5 m <p>d) Minimum front yard:</p> <ul style="list-style-type: none"> i) rowhouse dwelling – 1.5 m ii) rowhouse dwelling unit – 1.5 m <p>e) Minimum interior side yard:</p> <ul style="list-style-type: none"> i) rowhouse dwelling - 1.5 m ii) rowhouse dwelling unit - 1.5 m min. interior side yard width, except where unit shares a common wall, then no requirement <p>f) Minimum exterior side yard:</p> <ul style="list-style-type: none"> i) rowhouse dwelling – 2.11 m ii) rowhouse dwelling unit – 2.11 m <p>g) Minimum rear yard:</p> <ul style="list-style-type: none"> i) rowhouse dwelling - 3.41m ii) rowhouse dwelling unit – 3.41m <p>h) Maximum lot coverage:</p> <ul style="list-style-type: none"> i) rowhouse dwelling - 67% ii) rowhouse dwelling unit - 73% <p>i) Minimum landscaped open space:</p> <ul style="list-style-type: none"> i) rowhouse dwelling - 20% ii) rowhouse dwelling unit - 20% <p>j) Maximum height:</p> <ul style="list-style-type: none"> i) rowhouse dwelling - 1-storey ii) rowhouse dwelling unit - 1-storey <p>k) Off-street parking:</p> <ul style="list-style-type: none"> i) notwithstanding the parking requirements of this By-law, one parking space per dwelling unit shall be required <p>For the purposes of zoning, the southerly lot line is deemed the front lot line.</p>
1500	RM1-1500	<p>a) Permitted uses limited to:</p> <ul style="list-style-type: none"> i) rowhouse dwelling ii) rowhouse dwelling unit iii) uses, buildings and structures accessory to the foregoing permitted uses <p>b) Minimum lot area - 200 sq. m per rowhouse dwelling unit</p> <p>c) Minimum lot frontage:</p> <ul style="list-style-type: none"> i) rowhouse dwelling - 25 m ii) rowhouse dwelling unit - 5.65 m <p>d) Minimum front yard:</p> <ul style="list-style-type: none"> i) rowhouse dwelling - 5 m ii) rowhouse dwelling unit - 5 m <p>e) Minimum interior side yard:</p> <ul style="list-style-type: none"> i) rowhouse dwelling - 3 m ii) rowhouse dwelling unit - 3 m min. interior side yard width, except where unit shares a common wall, then no requirement <p>f) Minimum rear yard:</p>

Exception No.	Special Zone Symbol	Special Zone Provisions
		<ul style="list-style-type: none"> i) rowhouse dwelling - 3.41m ii) rowhouse dwelling unit – 3.41m g) Maximum lot coverage: <ul style="list-style-type: none"> i) rowhouse dwelling - 50% ii) rowhouse dwelling unit - 55% h) Minimum landscaped open space: <ul style="list-style-type: none"> i) rowhouse dwelling - 20% ii) rowhouse dwelling unit - 20% i) Maximum height: <ul style="list-style-type: none"> i) rowhouse dwelling - 1-storey ii) rowhouse dwelling unit - 1-storey j) Off-street parking: <ul style="list-style-type: none"> i) notwithstanding the parking requirements of this By-law, one parking space per dwelling unit shall be required <p>For the purposes of zoning, the westerly lot line is deemed the front lot line.</p>
1501	RM1-1501	<ul style="list-style-type: none"> a) Permitted uses limited to: <ul style="list-style-type: none"> i) rowhouse dwelling ii) rowhouse dwelling unit iii) uses, buildings and structures accessory to the foregoing permitted uses b) Minimum lot area - 200 sq. m per rowhouse dwelling unit c) Minimum lot frontage: <ul style="list-style-type: none"> i) rowhouse dwelling - 25 m ii) rowhouse dwelling unit - 7.5 m d) Minimum front yard: <ul style="list-style-type: none"> i) rowhouse dwelling - 2 m ii) rowhouse dwelling unit - 2 m e) Minimum interior side yard: <ul style="list-style-type: none"> i) rowhouse dwelling – 3.41 m ii) rowhouse dwelling unit – 3.41 m min. interior side yard width, except where unit shares a common wall, then no requirement f) Minimum exterior side yard: <ul style="list-style-type: none"> i) rowhouse dwelling – 5.62 m ii) rowhouse dwelling unit – 5.62 m g) Minimum rear yard: <ul style="list-style-type: none"> i) rowhouse dwelling – 3.41m ii) rowhouse dwelling unit – 3.41m h) Maximum lot coverage: <ul style="list-style-type: none"> i) rowhouse dwelling - 50% ii) rowhouse dwelling unit - 55% i) Minimum landscaped open space: <ul style="list-style-type: none"> i) rowhouse dwelling - 20% ii) rowhouse dwelling unit - 20% j) Maximum height: <ul style="list-style-type: none"> i) rowhouse dwelling - 1-storey ii) rowhouse dwelling unit - 1-storey k) Off-street parking: <ul style="list-style-type: none"> i) notwithstanding the parking requirements of this By-law, one parking space per dwelling unit shall be required <p>For the purposes of zoning, the westerly lot line is deemed the front lot line.</p>

Exception No.	Special Zone Symbol	Special Zone Provisions
1502	RL1-1502	<p>Notwithstanding any other provision of the by-law to the contrary, the following shall also apply:</p> <ul style="list-style-type: none"> i) Front Yard Depth Minimum - 3 m ii) Interior Side Yard Width Minimum – 0.89 m iii) Rear Yard Depth Minimum – 3.47 m iv) Low Coverage Maximum – 50%

This By-law shall come into force and effect upon the final passing thereof, subject to the provisions of the Planning Act, R.S.O. 1990 Chapter. P.13, as amended.

Read a First, Second and Third Time the 2nd day of March, 2020.

Mayor – Darrin Canniff

Clerk - Judy Smith

This is Schedule "A" to By-law Number _____ of the Corporation of the Municipality of Chatham-Kent passed on the 2nd day of March, 2020.



▲
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Municipality Of Chatham-Kent

Community Development

Planning Services

To: Mayor and Members of Council

From: Bruce McAllister, MCIP, RPP
Director, Planning Services

Date: February 19, 2020

Subject: Chatham-Kent Community Improvement Plan:
A Plan to Support the Chatham-Kent Growth Strategy and
2018-2022 Council Term Priorities

Recommendations

It is recommended that:

1. The Chatham-Kent Community Improvement Plan be adopted and the implementing by-law be approved.
2. Implementation of the Downtown and Main Street Areas Community Improvement Plan, Commercial Community Improvement Plan, and Employment Community Improvement Plan be suspended effective March 31, 2020, except that:
 - a) Existing approvals and agreements under the Downtown and Main Street Areas Community Improvement Plan, Commercial Community Improvement Plan, and Employment Community Improvement Plan remain in effect in accordance with the provisions of the respective plan; and,
3. That administration be authorized to close out surpluses and deficits related to the Community Improvement Plan base budget to the Community Improvement Plan Reserve on an annual basis.

Background

For several years, the Municipality has offered a wide range of business development services and programs. Among them are the financial incentives offered through the Downtown and Main Street Areas Community Improvement Plan (DCIP) Commercial Community Improvement Plan (CCIP) and the Employment Community Improvement Plan (ECIP), which have been successfully implemented across the Municipality. These programs have triggered private sector investment resulting in business retention, expansion as well as new business attraction, which have generated new investment, retained existing jobs and created new opportunities.

The DCIP was implemented in 2004, and offers financial incentives for the improvement of private commercial property, including residential conversions, in the downtown and main street areas of: Blenheim, Bothwell, Chatham, Dresden, Eriean, Highgate, Merlin, Morpeth, Ridgetown, Thamesville, Tilbury, Wallaceburg, and Wheatley.

The CCIP was implemented in 2012, and offers financial incentives for the improvement of private commercial property in certain commercial corridors in Blenheim, Chatham, Dresden, Ridgetown, Tilbury and Wallaceburg.

The ECIP was implemented in 2016. It applies more broadly to areas designated and zoned for employment uses and offers incentives that support new investment in existing and new industrial buildings.

From time to time, it is advisable to assess the effectiveness of these plans, respond to emerging trends, and adjust the CIP and implementation strategies accordingly.

As per the *Planning Act*, in late 2018, Council passed By-law 167-2018 designating the entire Municipality of Chatham-Kent as a Community Improvement Project Area respecting economic development and community revitalization in order to initiate a CIP review to better align with the Area of Strategic Focus in CK Plan 2035.

At the February 10, 2020 Council Meeting, Council adopted the following recommendations related to the Chatham-Kent Growth Strategy:

1. The definition and metrics adopted in the Chatham-Kent Growth Strategy be:
 - a. Population,
 - b. Jobs, and
 - c. Tax Assessment
2. That the following targets be set as goals for Chatham-Kent:
 - a. Population to increase at an annual rate of 1%
 - b. Jobs to increase at an annual rate of 0.5% (half percent), and

c. Tax Assessment to increase at an annual rate of 1.5%

3. That administration continue to work on strategies to encourage and facilitate growth and report back with various options throughout 2020-2021.

Therefore, the new Chatham-Kent CIP is a "Plan to Support the Chatham-Kent Growth Strategy and 2018-2022 Council Term Priorities" in order to allow market driven investment for targeted needs throughout all of Chatham-Kent (i.e. rental/affordable housing, commercial and employment business growth). It is intended that the new CIP will replace the existing Downtown and Main Street Areas, Commercial, and Employment CIPs. It is proposed to bring forward or enhance the most impactful and popular programs from the existing CIPs and introduce new incentives focused on encouraging much needed rental housing and affordable housing in the Municipality.

Comments

The By-law to adopt the Chatham-Kent CIP, which includes the CIP in its entirety, is attached as Appendix A. A summary of the CIP is as follows:

The objectives of the CIP are an expression of the intended outcomes resulting from the implementation of this CIP. Objectives are a way to guide decisions and will be used as guideposts to demonstrate how individual development proposals result in a public benefit (i.e. meeting one or more objectives). Additionally, the clearly stated objectives have been used to provide direction for the development and implementation of the specific policies, incentives and municipal actions contained in this CIP.

Generally speaking, the goals and objectives of the ECIP, DCIP and CCIP are carried forward:

- To stimulate development activity in the region that increases investment in existing and new industrial buildings/employment uses and employment growth.
- To provide incentives through planning policy in strategic areas that support new investment in existing and new industrial buildings and to assist the build-out and occupancy levels in areas where large groupings of industrial land exist.
- To assist the redevelopment of properties within existing industrial park areas which may be more marketable for different and higher-order employment uses.
- To continue to focus investment in the Downtown and Main Street Areas for beatification, revitalization of retailing, expansion of residential choices in the downtowns and (re)development of vacant and underutilized lands.
- To continue to invest in the commercial areas outside of downtowns areas.

In addition to the above, the CIP also focuses on financial incentives to support housing in the Municipality. The Municipality is experiencing a shortage of affordable housing

options, but also a general shortage of a variety of housing options, in particular rental housing, where the vacancy rate has been under 3% for the past few years.¹ The low vacancy rate creates additional challenges in finding suitable rental housing, and to add to the challenges, new additions to the primary rental housing stock have been extremely limited over the past 26 years. As previously noted, housing preferences by structure type are anticipated to gradually shift from low-density to medium- and high-density housing forms over the long term. As illustrated in Figure 1, the goal of the CIP is to encourage more options to address several types of housing along the Housing Continuum.

Figure 1²



The CIP is intended to complement the various initiatives and legislative changes introduced to date by the Province through the *Housing Supply Action Plan*. Specifically, the CIP would offer financial incentives for the following:

- Major Rental Housing Developments
- Affordable Housing Developments
- Secondary Dwellings

In order to achieve the goals and objectives of the CIP, the following Financial Incentive Programs may be offered as follows:

1. Property Tax Incremental Equivalent Program

The Property Tax Increment Equivalent Program is intended to provide economic incentive for the development, redevelopment, adaptive reuse or rehabilitation of properties in the CIP areas. Specifically, the purpose is to provide an incentive to reduce the tax increase that can result when a property is developed, redeveloped or rehabilitated. This may provide assistance in securing project financing and is anticipated to increase the assessment base in the Municipality.

¹ Source: Canada Mortgage and Housing Corporation (CMHC), vacancy rates, apartment structures of six units and over, privately initiated in urban centres of 50,000 and over

² Source: Canada Mortgage and Housing Corporation (CMHC), About Affordable Housing in Canada, Published: March 31, 2018

This program is applicable to commercial uses, employment uses, mixed use commercial/residential buildings, major rental housing developments and affordable housing developments in:

- Primary Urban Centres identified in the Official Plan
- Secondary Urban Centres identified in the Official Plan
- Hamlets identified in the Official Plan
- Other Business Parks or Rural Industrial areas identified in the Official Plan

The incentives proposed include:

- Commercial
 - Min \$250,000 eligible cost – ONE year only at 60%
- Mixed use residential/commercial
 - Min \$250,000 eligible costs - 5 years 60%
- Employment
 - Min \$250,000 eligible costs - 5 years 60%
 - Major \$5,000,000 eligible costs - 10 years 60%
- Rental Housing
 - Major Rental Housing Developments (50 units or greater) – 10 years 60%
 - Affordable Housing Developments (5 units or more and 25% affordable units) – 10 years 60%

BONUS: The rebate is increased to 100% from April 1, 2020 to Mar 31, 2022

2. Building & Planning Fee Rebate Program

The Building & Planning Fee Rebate Program is to provide assistance for the development, redevelopment, adaptive reuse or rehabilitation of properties via a reduction in applicable planning and building permit fees. Reduced planning and building permit fees may, in concert with other program support, help encourage development efforts by reducing initial regulatory costs.

This program is applicable to commercial uses, employment uses, mixed use commercial/residential buildings and affordable housing developments in:

- Primary Urban Centres identified in the Official Plan
- Secondary Urban Centres identified in the Official Plan
- Hamlets identified in the Official Plan
- Other Business Parks or Rural Industrial areas identified in the Official Plan

The incentives proposed include a grant equivalent of up to a maximum of 100% of Planning Application Fees and up to \$20,000 of Building Permit Fees levied by the Municipality for commercial uses, employment uses, mixed use

commercial/residential buildings that represents an investment of at least \$250,000 million of eligible costs and affordable housing developments.

3. Development Charge Partial Exemption Program

Development Charges (DCs) are fees collected by municipalities to help pay for the cost of infrastructure that comes with growth such as water, sewers, roads, transit, community centres, fire and police services. The Municipality currently only has DCs for water and wastewater services, which is administered by the Chatham-Kent Public Utilities Commission (CKPUC). Industrial development projects are currently exempt from paying DCs.

The Development Charge Partial Exemption Program is to promote new major rental housing developments and new affordable housing developments within the Community Improvement Project Area by increasing the financial feasibility of eligible investments. This program would effectively provide a partial exemption on local DCs administered by the CKPUC for eligible works.

This program is applicable to major rental housing developments and affordable housing developments in:

- Primary Urban Centres identified in the Official Plan
- Secondary Urban Centres identified in the Official Plan
- Hamlets identified in the Official Plan

The incentives proposed include a 50% exemption of DCs levied by the CKPUC for new major rental housing developments and new affordable housing developments.

4. Facade Improvement Program

The Facade Improvement Program is intended to encourage the redesign, renovation or restoration of facades of buildings containing a commercial use and mixed use commercial/residential buildings, by providing a financial incentive to offset some of the costs associated with the improvement of commercial facades.

This program is applicable to commercial uses and mixed use commercial/residential buildings in:

- Primary Urban Centres identified in the Official Plan
- Secondary Urban Centres identified in the Official Plan
- Hamlets identified in the Official Plan

The Facade Improvement Program is proposed to consist of a grant program, whereby applicants will be eligible to receive a grant for 50% of the eligible costs of the facade improvements to a maximum amount described in the chart below:

Cumulative length of eligible works	Maximum Grant Amount
0 - 50 ft.	\$ 7,500
50 - 100 ft.	\$ 15,000
100 - 150 ft.	\$ 22,500
150 + ft.	\$ 30,000

If improvements include restoration of the façade of a designated heritage building, the maximum grant amount increases by 50%. If improvements include restoration of a designated heritage building, a report from a qualified heritage professional must be submitted.

5. Residential Conversion and Affordable Housing Grant Program

The Residential Conversion and Affordable Housing Grant Program is applicable to various for the development, redevelopment, adaptive reuse or rehabilitation of properties in the CIP areas. Specifically, the purpose is to provide an incentive to the creation of new or rehabilitated dwelling unit(s) in a mixed use commercial/residential building or the creation of new affordable housing units or secondary dwellings.

Applicable to mixed use commercial/residential buildings, affordable housing developments and secondary dwellings in:

- Primary Urban Centres identified in the Official Plan
- Secondary Urban Centres identified in the Official Plan
- Hamlets identified in the Official Plan
- Areas where Secondary Dwellings are permitted in the Zoning By-law

For new affordable housing developments and secondary dwellings, where permitted in the Zoning By-law are created, applicants will be eligible to receive a grant of \$2,500 for each affordable housing unit, up to 20 dwelling units, to a maximum grant of \$50,000.

Where new or rehabilitated dwelling unit(s) or a small or large rental dwelling unit above or behind the non-residential use in a mixed use commercial/residential building, where permitted in the Zoning By-law are created, applicants will be eligible to receive a grant of \$7,500 for each dwelling unit, up to eight dwelling units, to a maximum grant of \$60,000.

Next Steps

The following are necessary next steps in the process should Council decide to move forward with the CCIP:

- Preparation of application forms, agreement templates and Program Implementation Guidelines that identify step by step procedures in the processing and approval of incentive applications.
- Marketing Guide that will explain, in a simple and straight-forward fashion, program products and processes, and further provide contact information of Chatham-Kent staff for assistance.

Areas of Strategic Focus and Critical Success Factors

The recommendations in this report support the following areas of strategic focus:

- Economic Prosperity:
Chatham-Kent is an innovative and thriving community with a diversified economy
- A Healthy and Safe Community:
Chatham-Kent is a healthy and safe community with sustainable population growth
- People and Culture:
Chatham-Kent is recognized as a culturally vibrant, dynamic, and creative community
- Environmental Sustainability:
Chatham-Kent is a community that is environmentally sustainable and promotes stewardship of our natural resources

The recommendations in this report support the following critical success factors:

- Financial Sustainability:
The Corporation of the Municipality of Chatham-Kent is financially sustainable
- Open, Transparent and Effective Governance:
The Corporation of the Municipality of Chatham-Kent is open, transparent and effectively governed with efficient and bold, visionary leadership
- Has the potential to support all areas of strategic focus & critical success factors
- Neutral issues (does not support negatively or positively)

Consultation

Internal

Corporate Services

Financial Services confirmed the financial implications in this report.

External

Ministry of Municipal Affairs and Housing (MMAH)

The Ontario Ministry of Municipal Affairs and Housing was provided notice of the proposed Chatham-Kent Community Improvement Plan on February 8, 2020. No comments have been received as of the date of this report.

Financial Implications

There will be foregone revenue to the Municipality in areas relating to the front-end incentives, which include the Building & Planning Fee Rebate Program, Facade Improvement Program, and Residential Conversion and Affordable Housing Grant Program. These programs are funded and administered by:

- There is one-time funding of \$250,000 available through the Employment CIP reserve that was established in 2016.
- The existing CIP base budget of \$134,000 be increased to \$534,000 in 2020 and \$734,000 in 2021 by re-allocating the savings generated by the elimination of the vacancy rebate program.

The foregone departmental revenue for Planning Services and Building Development Services will be funded from this reserve. In the event that the fiscal year grant intake exceeds the CIP base budget, the CIP reserve will be utilized to fund the amount to which the grant intake exceeds the base budget. If the grant intake is less than the base budget, the surplus related to the CIP program will be closed to reserve and carried forward to fund future deficits.

There will be a decrease in Development Charge revenue to the Chatham-Kent Public Utilities Commission related to the Development Charge Partial Exemption Program.

The Property Tax Increment Equivalent Grant Program will result in the deferred recognition of the municipal share of assessment growth revenue.

Chatham-Kent Community Improvement Plan:
A Plan to Support the Chatham-Kent Growth Strategy and
2018-2022 Council Term Priorities

10

Prepared by:


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General Manager, Finance, Budget and Information Technology Services
Chief Financial Officer/Treasurer

Attachment: Appendix A – A By-law to adopt the Chatham-Kent Community
Improvement Plan

P:\RTC\Community Development\2020\Planning Services\Mar 2-20 Chatham-Kent
Community Improvement Plan Report.docx

Corporation Of The Municipality Of Chatham-Kent

By-Law Number _____

A By-law to Adopt the Chatham-Kent Community Improvement Plan – A Plan to Support the Chatham-Kent Growth Strategy and 2018-2022 Council Term Priorities

Whereas Section 28(2) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended (the "*Planning Act*"), provides that "where there is an official plan in effect in a local municipality that contains provisions relating to community improvement in the municipality, the council may by by-law, designate the whole or any part of an area covered by such an official plan as a community improvement project area";

And Whereas Section 28(1) of the *Planning Act* defines "community improvement project area as "a municipality or an area within a municipality, that community improvement of which in the opinion of the council is desirable because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or of any other environmental, social or community economy development reason";

And Whereas the Official Plan for the Municipality of Chatham-Kent contains provisions enabling the Council of the Corporation of the Municipality of Chatham-Kent to designate Community Improvement Project Areas by by-law, for the purposes of preparing and undertaking a Community Improvement Plan;

And Whereas the Council of the Corporation of the Municipality of Chatham-Kent has passed By-law 167-2018 designating the entire Municipality of Chatham-Kent as a Community Improvement Project Area, respecting economic development and community revitalization in order to initiate a CIP review to better align with the Area of Strategic Focus in CK Plan 2035, in accordance with Section 28 of the *Planning Act*;

And Whereas the Council of the Corporation of the Municipality of Chatham-Kent has fulfilled the requirements of Section 28 of the *Planning Act*;

Now Therefore the Municipality Council of the Corporation of the Municipality of Chatham-Kent enacts as follows:

1. That the Chatham-Kent Community Improvement Plan for the entire Municipality of Chatham-Kent consisting of the attached text and figures being Schedule "A" is hereby adopted.
2. That the Mayor and Clerk are hereby authorized and directed to affix the seal of the Corporation to the Chatham-Kent Community Improvement Plan of Chatham-Kent.

THIS By-Law come into force and takes effect on the final day of passing.

Read a First, Second and Third Time and Finally Passed This 2nd Day of March, 2020

MAYOR – Darrin Canniff

CLERK – Judy Smith

CHATHAM-KENT COMMUNITY IMPROVEMENT PLAN

A Plan to Support the Chatham-Kent Growth Strategy and
2018-2022 Council Term Priorities

MARCH 2020



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Introduction

1.0 Background

For several years, the Municipality has offered a wide range of business development services and programs. Among them are the financial incentives offered through the Downtown and Main Street Areas Community Improvement Plan (DCIP) Commercial Community Improvement Plan (CCIP) and the Employment Community Improvement Plan (ECIP), which have been successfully implemented across the Municipality. These programs have triggered private sector investment resulting in business retention, expansion as well as new business attraction, which have generated new investment, retained existing jobs and created new opportunities.

The DCIP was implemented in 2004, and offers financial incentives for the improvement of private commercial property, including residential conversions, in the downtown and main street areas of: Blenheim, Bothwell, Chatham, Dresden, Erieau, Highgate, Merlin, Morpeth, Ridgetown, Thamesville, Tilbury, Wallaceburg, and Wheatley.

The CCIP was implemented in 2012, and offers financial incentives for the improvement of private commercial property in certain commercial corridors in Blenheim, Chatham, Dresden, Ridgetown, Tilbury and Wallaceburg.

The ECIP was implemented in 2016. It applies more broadly to areas designated and zoned for employment uses and offers incentives that support new investment in existing and new industrial buildings.

From time to time, it is advisable to assess the effectiveness of these plans, respond to emerging trends, and adjust the CIP and implementation strategies accordingly.

As per the *Planning Act*, in late 2018, Council passed By-law 167-2018 designating the entire Municipality of Chatham-Kent as a Community Improvement Project Area respecting economic development and community revitalization in order to initiate a CIP review to better align with the Chatham-Kent Growth Strategy.

Therefore, the new Chatham-Kent CIP is a “Plan to Support the Chatham-Kent Growth Strategy and the 2018-2022 Council Term Priorities” in order to allow market driven investment for targeted needs throughout all of Chatham-Kent (i.e. rental/affordable housing, commercial and employment business growth). It is intended that the new CIP would replace the existing Downtown, Commercial and Employment CIPs. It is proposed to bring forward or enhance the most popular programs from the existing CIPs and introduce new incentives focused on encouraging much needed rental housing and affordable housing in the Municipality.

2.0 CK Plan 2035

CK Plan 2035 is a Community Strategic Plan, which identifies the most important priorities for the community and outlines the objectives and actions necessary to reach the goals. The specific Areas of Strategic Focus are illustrated below along with the 2018-2022 Council Term Priorities, which identify Growth, Environmental Sustainability, Community Wellness and Community Engagement as the main priorities. In order to advance the Growth priority, a Growth Strategy has been developed and the new Chatham-Kent CIP is a "Plan to Support the Chatham-Kent Growth Strategy and the 2018-2022 Council Term Priorities".



2018-2022 COUNCIL TERM PRIORITIES

CKPLAN2035

AREAS OF STRATEGIC FOCUS



Economic Prosperity

People will fulfill economic opportunities locally according to their skills, abilities and training.



Healthy & Safe Community

Everyone will feel safe, supported and have opportunities to be healthy physically and mentally.



People & Culture

Our population will be thriving, valued and have a vibrant social and cultural diversity.



Environmental Sustainability

Everyone can make sustainable and renewable choices in all aspects of their lives.

As a municipality we are committed to being...

- financially sustainable
- resilient
- open and transparent
- collaborative

GROWTH	COMMUNITY WELLNESS
Our population and economy is growing.	Everyone is safe and able to thrive.
<ul style="list-style-type: none"> ⇒ Grow our population to support economic and labour force needs ⇒ Expand infrastructure for growth to support local economic development ⇒ Expand infrastructure related to recreational facilities ⇒ Improve transportation, public transit and active transportation options ⇒ Rationalize current inventory of bridges, roads, parks and buildings in support of new infrastructure investment 	<ul style="list-style-type: none"> ⇒ Support an increase in access to mental health and addiction services ⇒ Advance a health and equity in all policies approach to prevent and reduce the impacts of poverty ⇒ Ensure there is a variety of affordable housing options to meet needs ⇒ Ensure that everyone has access to social infrastructure that enables them to participate fully in their community ⇒ Expand trails and active transportation to promote physical activity and a healthy lifestyle
ENVIRONMENTAL SUSTAINABILITY	COMMUNITY ENGAGEMENT
Acting today for a better tomorrow.	The voice of the community is reflected in municipal decision-making.
<ul style="list-style-type: none"> ⇒ Develop a climate change strategy to deal with flooding and erosion issues ⇒ Promote growth while protecting the environment ⇒ Implement strategies to help everyone become stewards and adapt to a changing climate ⇒ Reduce cost and environmental impact of energy use 	<ul style="list-style-type: none"> ⇒ Develop and implement an engagement strategy for the corporation that includes methods to reach vulnerable and/or isolated groups ⇒ Build collaborative partnerships to advance the vision of Chatham-Kent ⇒ Provide exceptional customer service while fulfilling daily operations

Planning Framework

3.0 Provincial Policy Statement

Section 3 of the *Planning Act* requires that, "decisions affecting planning matters shall be consistent with policy statements issued under the Act". These policy statements are consolidated in most recent version of the Provincial Policy Statement (the "PPS") that took effect on April 30, 2014.

The Provincial policy directions aligned with the main purpose of this CIP include:

- Promoting opportunities for economic development and community investment-readiness (Section 1.7.1 a);
- Supporting the long-term economic prosperity by maintaining and enhancing the vitality and viability of downtowns and mainstreets (Section 1.7.1.c);
- Encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes (Section 1.7.1.d);
- Promoting opportunities for intensification and redevelopment taking into account existing building stock, and the availability of suitable existing or planned infrastructure and public service facilities (Section 1.1.3.3);
- Providing for an appropriate range and mix of housing types and densities required to meet projected requirements of current and future residents of the regional market area (Section 1.4.1);
- Providing an appropriate range of housing types and densities that accommodate current and future users (Section 1.4.1);
- Promoting a land use pattern, density and mix of uses that minimize the length and number of vehicle trips and support current and future use of transit and active transportation (Section 1.6.7.4);
- Promoting economic development and competitiveness by encouraging compact, mixed-use development that incorporates compatible employment uses to support livable and resilient communities (Section 1.3.1.c);

4.0 Planning Act

Section 28(2) of the *Planning Act*, R.S.O. 1990, as amended, provides that where there is an Official Plan in effect in a local Municipality that contains provisions relating to community improvement in the Municipality, the council of the Municipality may, by by-law, designate all or any part of an area covered by such an official plan as a community improvement project area.

According to Section 28(1) of the *Planning Act*, a "community improvement project area" is defined as "a Municipality or an area within a Municipality, the community improvement of which in the opinion of the council is desirable because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reason".

Council is of the opinion that the application of the Community Improvement provisions is desirable to support the Areas of Strategic Focus of the CK Plan 2035.

For the purposes of carrying out a Community Improvement Plan, a Municipality may engage in the following within the community improvement project area:

1. Acquire, hold, clear, grade or otherwise prepare land for community improvement;
2. Construct, repair, rehabilitate or improve buildings on land acquired or held by it in conformity with the community improvement plan;
3. Sell, lease, or otherwise dispose of any land and buildings acquired or held by it in conformity with the community improvement plan; and
4. Make grants or loans in conformity with the CIP to the registered owners, assessed owners or assignees to pay for eligible costs.

5.0 Official Plan

The community structure of Chatham-Kent comprises an urban component and a rural component. The urban component includes Primary Urban Centres (Chatham, Wallaceburg, Blenheim, Tilbury, Ridgetown, Wheatley, Dresden), Secondary Urban Centres (Bothwell, Thamesville, Charing Cross, Merlin, Mitchell's Bay, Pain Court), Suburban Residential, Hamlets and Rural Settlement areas. The Rural component includes Agricultural, Estate Residential, Recreational Residential, Recreational, Rural Industrial, Highway Commercial Areas and Aggregate Resource areas.

It is a goal of the Official Plan to guide the majority of growth to occur within the Urban Centre boundaries to ensure that the Municipality develops in a compact, orderly and sustainable manner within its ability to fund and support a full range of uses, infrastructure and social services, which will lead to Chatham-Kent's long-term financial well-being.

The Primary Urban Centres are the focal points where residential, commercial and industrial development will be directed in Chatham-Kent. The majority of new population and employment growth in Chatham-Kent will be directed to the Primary Urban Centres. Some new population and employment growth will also take place in the Secondary Urban Centres, which are served by full municipal services. Growth in Hamlets that are serviced by municipal piped water supply and private sanitary sewage will be through infilling and/or rounding out of the existing development areas.

It is the intent of this CIP to focus incentive programs to encourage development, redevelopment, adaptive reuse or rehabilitation within the Urban Centres and Business Parks and within Hamlets and Rural Industrial Areas to a limited extent.

With regard to housing, it is the objective of Chatham-Kent to:

- Plan for a diverse range of housing choices to ensure that the housing stock can accommodate an aging population, a variety of household types and sizes, a greater diversity of culture and a range of physical and mental disabilities, and that the housing stock can respond to fluctuations in these needs.
- Improve and maintain the existing housing supply.
- Increase the supply of affordable housing.
- Ensure the availability of emergency and transitional housing options for residents.
- Promote an expanding range of housing support services (in urban and rural areas).

- Promote, educate and create awareness of housing needs in Chatham-Kent.

Section 2.8 of the Official Plan contains policies specific to Community Improvement. The Community Improvement provisions of the *Planning Act* give Chatham-Kent a range of tools to proactively stimulate community improvement, rehabilitation and revitalization. In designated Community Improvement Project Areas, the preparation of Community Improvement Plans will provide Chatham-Kent with various powers to promote community improvement. This includes the authority to offer incentives to stimulate or leverage private and/or public sector investment. The main objective is to maintain and promote an attractive, well-maintained and safe living and working environment through community improvement.

6.0 2019 Municipal Comprehensive Review (25-Year Growth Forecasts)

In 2019, the Municipality undertook Phase 1 of a Municipal Comprehensive Review (M.C.R.)¹ in accordance with the requirements of the 2014 Provincial Policy Statement (P.P.S.). The 2014 P.P.S. defines a comprehensive review as an official plan review, which is initiated by a planning authority, or an official plan amendment, which is initiated or adopted by a planning authority. This component of the Municipality's M.C.R. examines future population and employment growth potential and corresponding urban land needs over a long-term planning horizon (up to 25 years).

Although this component of the M.C.R. does not put forward policy considerations or recommendations for an official plan review or amendment, it does consist of the following key background and technical inputs required by the 2014 P.P.S. to inform such recommendations:

- A long-term population, housing, and employment forecast by Primary Urban Centre, Secondary Urban Centre and rural area;
- A review of opportunities to accommodate residential and non-residential development within the built-up area and designated greenfield areas; and
- An assessment of long-term residential, commercial and employment land needs.

The Municipality is comprised of a number of diverse urban and rural settlement areas. Each of these areas has a role to play in accommodating moderate levels of population growth if they are to remain economically sustainable and viable over the long term.

Key findings of this study are provided below with respect to long-term population and employment growth as well as associated urban land requirements:

Population

- After a decade of population decline, Chatham-Kent's population base is estimated to have moderately increased between 2016 and 2018, largely driven by net-migration from other areas in Ontario.
- The Chatham-Kent residential real estate market has shown signs of increasing strength in recent years, as indicated through residential building permit activity over the past several years and home sales related to active residential

¹ Municipal Comprehensive Review, Municipality of Chatham-Kent, Final Report, Watson & Associates Economists Ltd., November 1, 2019

development plans. This suggests that the Municipality will experience positive population growth between 2016 and 2021.

- By 2046, the population of the Municipality is forecast to grow to approximately 108,900 from 104,800 in 2016. This represents a moderate annual population growth rate of 0.1%, which is comparably well below the forecast annual average provincial population growth rate of approximately 1.2% during this time period.
- To accommodate this long-term population forecast, the Municipality will require an additional 4,750 households between 2016 and 2046, or approximately 158 new households per year.
- Housing preferences by structure type are anticipated to gradually shift from low-density to medium- and high-density housing forms over the long term. This shift is anticipated to be driven largely by the aging of the Baby Boom population. The aging of the Municipality's population is also anticipated to drive the need for seniors' housing and other housing forms geared to older adults (e.g. assisted living, affordable housing, adult lifestyle housing). Given the diversity of the 55 to 74 and 75+ population age groups, forecast housing demand across the *Municipality* within this broad 55+ demographic group is anticipated to vary considerably.
- The majority of the forecast population and housing growth in the Municipality of is anticipated to be accommodated within the community of Chatham.

Economic Trends and Employment Growth

- The Municipality and the surrounding regional economy were hit particularly hard by structural changes, which occurred in the macro-economy over the past two decades. Most notably, the Municipality's manufacturing sector has experienced significant job losses over the past decade, which was further accelerated by the 2008/2009 global financial crisis between 2006 and 2011. It is important to note, however, that since 2016 the employed labour force base within the Chatham-Kent Census Agglomeration (C.A.) has steadily increased by approximately 1,000 while the unemployment rate has steadily declined to historical lows within the past several decades.
- Recent non-residential building permit activity and post-2016 employment estimates for Chatham-Kent indicate that the Municipality is expected to continue to experience moderate employment growth in the near term across a broad range of employment sectors, including industrial.

- By 2046, the Municipality is forecast to add approximately 3,500 jobs to its existing (2016) employment base of 39,500. Forecast employment growth is anticipated to be well balanced between industrial, commercial and institutional sectors.
- Approximately 67% of forecast employment growth for Chatham-Kent has been allocated to the community of Chatham, including industrial development associated with the Bloomfield Industrial Area.
- Continued demographic and technological change are also anticipated to drive increased demand for work at home employment. Between 2016 and 2046, work at home employment in the Municipality is expected to expand by just under 300 jobs, largely associated with job growth in the knowledge-based and creative economy.

Financial Incentives

7.0 Community Improvement Project Area

According to the *Planning Act*, a “community improvement project area” means a Municipality or an area within a Municipality, the community improvement of which in the opinion of the Council is desirable because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reason. For the purposes of the CIP, the entire Municipality is designated as a Community Improvement Project Area. The areas and/or uses to which specific programs apply are detailed in the Community Improvement Plan Objectives.

8.0 Definitions

Adaptive Reuse: is the process of adapting old buildings or infrastructure by development, redevelopment, rehabilitation and/or construction for the purposes of using them for new eligible uses.

Administration: includes all staff employed by the Corporation of the Municipality of Chatham-Kent.

Affordable Housing Unit: means a Dwelling Unit that meets the definition for Affordable Housing. An Affordable Housing Unit does not include a Secondary Dwelling.

Affordable Housing: means housing accommodations and incidental facilities primarily for persons of low and moderate income that meet the requirements of any program for such purpose as administered by any agency of the Federal or Provincial government or the Municipality of Chatham-Kent.

Affordable Housing Development: means development, redevelopment or adaptive reuse of a property with five (5) or more Dwelling Units all of which are intended for use as rented residential premises where at least 25% of the units are Affordable Housing Units. An Affordable Housing Development may include a retirement home within the meaning of subsection 2 (1) of the *Retirement Homes Act, 2010*, but does not include a long-term care home within the meaning of subsection 2 (1) of the *Long-Term Care Homes Act, 2007*.

Applicant: may include registered owners, assessed owners and tenants of land and buildings within the community improvement project area, and to any other person to whom such an owner or tenant has assigned the right to receive a grant.

Assignee: is a person to whom an owner or tenant has legally assigned the right to receive a grant and/or loan pursuant to this CIP.

Base Rate: is the total amount of municipal taxes payable in the calendar year that Chatham-Kent Council approves the financial incentives for the eligible works.

Council: is the legislative body that governs the business and affairs of The Corporation of The Municipality of Chatham-Kent. It includes the Mayor and Ward Councillors.

Construction: is the erection or physical improvements of the whole or any part of a building or structure for the purpose of development, redevelopment, rehabilitation, retrofit works, and/or adaptive reuse. Construction includes physical improvements related to energy efficiency or accessibility.

Commercial Use: means the use of any land, building or structure for the purpose of buying and selling commodities, or supplying of services as distinguished from Employment Uses, as defined.

Designated Heritage Building: is a building that is designated under Part IV of the Ontario Heritage Act.

Development: is investment that results in the productive use of lands and/or buildings within the Community Improvement Project Area, and includes but is not limited to new building construction or improvements made for the purposes of establishing new residential, commercial, employment or institutional uses, or the expansion of existing buildings to realize more effective use of the land's potential.

Director, Planning Services: is the head of the Planning Services Division within the Community Development Department within the Corporation of The Municipality of Chatham-Kent's organizational hierarchy.

Dwelling Unit: means a connected space for residential purposes, within a building, which includes one or more bedrooms, sanitary facilities, and cooking facilities, all of which are provided for the exclusive use of the occupants thereof and having a private entrance from outside the building or from a common corridor, stairway or elevator.

Eligible Costs: are the costs related to development, redevelopment, rehabilitation and/or adaptive reuse of a building or property in conformity with this CIP, and as further specified under the financial incentive programs described by this CIP.

Eligible Use: is a use that meets the eligibility criteria of one or more of the financial incentive programs described by this CIP.

Eligible Works: includes all development, redevelopment, rehabilitation and/or adaptive reuse of a use that meets the eligibility criteria of one or more of the financial incentive programs described by this CIP.

Employment Uses: means the use of any land, building or structure for the purpose of industrial uses, offices, business support services, call centres, laboratory of scientific research facilities, warehousing, transport terminals, construction and other similar uses. An Employment Use does not include an Agricultural Use.

Major Rental Housing Development: means development, redevelopment or adaptive reuse of a property with fifty (50) or more Dwelling Units all of which are intended for use as rented residential premises. A Major Rental Housing Development may include a retirement home within the meaning of subsection 2 (1) of the *Retirement Homes Act, 2010*, but does not include a long-term care home within the meaning of subsection 2 (1) of the *Long-Term Care Homes Act, 2007*.

Major Employment Project: is a development, redevelopment or adaptive reuse of property that represents an investment of at least \$5 million of eligible costs.

Mixed Use Commercial/Residential Building: means a building containing on the ground or first floor a non-residential use permitted in the zone and a dwelling unit(s) or a small or large rental dwelling unit above the non-residential use or behind the non-residential use. However, the residential use on the ground or first floor may not be more than 50% of the gross floor area.

MPAC: is the Municipal Property Assessment Corporation established by the Ontario Property Assessment Corporation Act, 1997.

Municipality: means the Corporation of the Municipality of Chatham-Kent.

Municipal Taxes: is the Municipality of Chatham-Kent (i.e. the municipal) portion of property taxes payable and does not include Educational portion payable to the Province.

Reassessment: is a change in assessed value or a change in the tax class, as determined MPAC, that results in an increase in property taxes.

Redevelopment: is development of a property or properties that have been previously developed, or for the expansion, rehabilitation or adaptive reuse of an existing building. This can include the acquisition and wholesale changeover in the use of a large site or several smaller neighbouring sites, and may involve some land assembly or demolition activity.

Rehabilitation: is the returning of an existing building and/or land to a useful state by adaptive reuse, development, redevelopment and/or construction.

Renovation: Making changes and repairs that improve the overall condition of the existing building and its functionality for its intended use.

Retrofit Works: are improvements and/or upgrades to a building's infrastructure to improve energy efficiency and performance (i.e. to reduce utility and/or maintenance costs) and/or work that is done for the sole purpose of complying with the Ontario Building Code.

Secondary Dwelling: means a dwelling unit that is ancillary to a single detached dwelling, a semi-detached dwelling unit, or a row house dwelling unit and is located within one of the three foregoing dwelling types or within a building ancillary to one of the three foregoing dwelling types.

Site Servicing: means off-site infrastructure, including water services, sanitary sewers, stormwater management facilities, electrical and gas utilities.

Site Works: means on-site infrastructure, including water services, sanitary sewers and stormwater management facilities, parking areas, lighting, landscaping, and structures ancillary to the main use.

Tax Increment: is the difference between the base rate at the time of Chatham-Kent Council's approval of financial incentives for the project and the municipal taxes after the completion of the approved eligible works, occupancy and reassessment by MPAC. The tax increment will be calculated on an annual basis and will include increases and decreases resulting from tax rate changes and reassessments.

Underutilized: is property or space in a building that is currently not being used to its full potential, often it is accessory to but not essential to the operations of the primary use.

9.0 Community Improvement Plan Objectives

The objectives of the CIP are an expression of the intended outcomes resulting from the implementation of this CIP. Objectives are a way to guide decisions and will be used as guideposts to demonstrate how individual development proposals result in a public benefit (i.e. meeting one or more objectives). Additionally, the clearly stated objectives have been used to provide direction for the development and implementation of the specific policies, incentives and municipal actions contained in this CIP.

Generally speaking, the goals and objectives of the ECIP, DCIP and CCIP are carried forward:

- To stimulate development activity in the region that increases investment in existing and new industrial buildings/employment uses and employment growth.
- To provide incentives through planning policy in strategic areas that support new investment in existing and new industrial buildings and to assist the build-out and occupancy levels in areas where large groupings of industrial land exist.
- To assist the redevelopment of properties within existing industrial park areas which may be more marketable for different and higher-order employment uses.
- To continue to focus investment in the Downtown and Mainstreet Areas for beatification, revitalization of retailing, expansion of residential choices in the downtowns and (re)development of vacant and underutilized lands.
- To continue to invest in the commercial areas outside of downtowns areas.

In addition to the above, the CIP also focuses on financial incentives to support housing in the **Municipality**. The **Municipality** is experiencing a shortage of affordable housing options, but also a general shortage of a variety of housing options, in particular rental housing, where the vacancy rate has been under 3% for the past few years.² The low vacancy rate creates additional challenges in finding suitable rental housing, and to add to the challenges, new additions to the primary rental housing stock have been extremely limited over the past 26 years. As previously noted, housing preferences by structure type are anticipated to gradually shift from low-density to medium- and high-density housing forms over the long term. As illustrated in Figure 1, the goal of the CIP is to encourage more options to address several types of housing along the Housing Continuum.

² Source: Canada Mortgage and Housing Corporation (CMHC), vacancy rates, apartment structures of six units and over, privately initiated in urban centres of 50,000 and over

Figure 1³

THE HOUSING CONTINUUM



The CIP is intended to complement the various initiatives and legislative changes introduced to date by the Province through the *Housing Supply Action Plan*. Specifically, the CIP would offer financial incentives for the following:

- **Major Rental Housing Developments**
- **Affordable Housing Developments**
- **Secondary Dwellings**

³ Source: Canada Mortgage and Housing Corporation (CMHC), *About Affordable Housing in Canada*, Published: March 31, 2018

In order to achieve the goals and objectives of the CIP, the following Financial Incentive Programs may be offered as follows:

1. Property Tax Increment Equivalent Program

Applicable to **commercial uses, employment uses, mixed use commercial/residential buildings, major rental housing developments and affordable housing developments** in:

- Primary Urban Centres identified in the Official Plan
- Secondary Urban Centres identified in the Official Plan
- Hamlets identified in the Official Plan
- Other Business Parks or Rural Industrial areas identified in the Official Plan

2. Building & Planning Fee Rebate Program

Applicable to **commercial uses, employment uses, mixed use commercial/residential buildings and affordable housing developments** in:

- Primary Urban Centres identified in the Official Plan
- Secondary Urban Centres identified in the Official Plan
- Hamlets identified in the Official Plan
- Other Business Parks or Rural Industrial areas identified in the Official Plan

3. Development Charge Partial Exemption Program

Applicable to **major rental housing developments and affordable housing developments** in:

- Primary Urban Centres identified in the Official Plan
- Secondary Urban Centres identified in the Official Plan
- Hamlets identified in the Official Plan

4. Façade Improvement Program

Applicable to **commercial uses** and **mixed use commercial/residential buildings** in:

- Primary Urban Centres identified in the Official Plan
- Secondary Urban Centres identified in the Official Plan
- Hamlets identified in the Official Plan

5. Residential Conversion and Affordable Housing Grant Program

Applicable to **mixed use commercial/residential buildings**, **affordable housing developments** and **secondary dwellings** in:

- Primary Urban Centres identified in the Official Plan
- Secondary Urban Centres identified in the Official Plan
- Hamlets identified in the Official Plan
- Areas where Secondary Dwellings are permitted in the Zoning By-law

10.0 General Incentive Program Requirements

The general and program specific requirements are not necessarily exhaustive and the **Municipality** reserves the right to include other requirements and conditions as deemed necessary on an application specific basis. All of the financial incentive programs contained in this CIP are subject to the following general requirements in addition to the individual requirements specified under each program.

1. Application for any of the incentive programs contained in the CIP can be made only for properties within the Community Improvement Project Area.
2. Projects that have received a conditional site plan approval (by Council or delegated authority, as applicable) or a building permit (where no site plan approval required) prior to March 2, 2020 are not eligible for financial incentives under this CIP.
3. Site plan approval, if applicable, is a mandatory application requirement.
4. If the **applicant** is not the owner of the property, the **applicant** must provide written consent from the owner of the property on the application. The property owner may also be required to be a party to any agreements for the financial incentive programs.
5. **Applicants** approved for the programs contained in the CIP will be required to complete the **eligible works** and have the property reassessed by **MPAC** within specified timeframes.
6. The **applicant** must address all outstanding work orders and/or other fees from the **Municipality** (including tax arrears) against the subject property to the satisfaction of the **Municipality** prior to the grant being paid, or be addressed as part of the proposed work.
7. Any **applicant** that is purchasing municipally owned property as part of the proposal must enter into a written agreement with the **Municipality** stating that they will keep and maintain the land, building and the use in conformity with the Community Improvement Plan. The agreement will also include the specific details (amount, duration, performance expectations, legal remedies, etc.) of the incentive programs that will be made available to development. The agreement entered into will be registered against the land to which it applies and the **Municipality** will enforce the provisions of the agreement against any party to the agreement and all subsequent owners or tenants.

11.0 General Incentive Program Provisions

All projects that are approved for financial incentives are subject to the following terms and conditions, in addition to the individual provisions specified under each program.

1. **Council** is the sole approval authority for all applications submitted under the financial incentive programs included in this CIP. **Council** may delegate to either a Committee of the **Council** or to an appointed officer of the **Municipality** by position occupied by the **Council's** authority to approve financial incentive applications subject to the requirements of the individual financial incentive programs.
2. As a condition of approval of an application for any of the financial incentive programs contained within this CIP, the **applicant** must enter into an agreement with the **Municipality**. The agreement will be registered against the land to which it applies and will specify the terms, duration and default provisions of the grant.
3. Approved grants being received through one or more of the financial incentive programs contained within this CIP can be transferred to the new owners of the property or other assignee at the sole discretion of the **Municipality** subject to the new owner entering into an agreement (where applicable) with the **Municipality**, that fulfills the requirements of the original agreement, plus any new requirements.
4. All proposed works approved under the incentive programs and associated improvements to buildings and/or land shall conform to all provincial laws, municipal by-laws, policies, procedures, standards and guidelines, including applicable Official Plan and zoning requirements and approvals.
5. The **applicant** will be required to submit a complete application to the **Municipality** describing in detail the work that is planned. This may include reports, floor plans, conceptual site plans, business plans, estimates, contracts and other details as may be required to satisfy the **Municipality** with respect to conformity of the project with the CIP. The application must be submitted to the **Municipality** prior to **Council's** approval of financial incentives for the project.
6. All studies, drawings, reports and/or materials submitted to and/or requested by the **Municipality** to support a financial incentive program application shall be prepared by qualified professionals to the satisfaction of the **Municipality**. The individual financial incentive programs may have specific requirements for information, as well as outline the specific professional qualifications necessary to complete the prescribed work.

7. The total of the grants made in respect of improvements to buildings and/or lands shall not exceed the **eligible costs** as further specified under the financial incentive programs described by this CIP.
8. The **Municipality** may undertake an audit of work done and **eligible costs** if it is deemed necessary, at the expense of the **applicant**.
9. Municipal staff, officials, and/or agents of the **Municipality** may inspect any property that is the subject of an application for any of the financial incentive programs offered by the **Municipality**.
10. The **Municipality** is not responsible for any costs incurred by an **applicant** in relation to any of the programs, including without limitation, costs incurred in anticipation of a grant.
11. The total of all grants provided in respect of the particular lands and buildings of an **applicant** under the programs contained in the CIP shall not exceed **eligible costs** with respect to these lands and buildings.
12. Grants will not apply to any portion of the personal property, inventory or land purchase value of the project.
13. The entirety of an approved **development**, including **eligible works** under the incentive programs will constitute a project. Grants will be provided based on the completion of the project as set out in the agreement.
14. The financial incentive programs approved by **Council** will take effect as of the date of **Council** adoption and will not be applied retroactively to any work that has taken place prior to the adoption of the CIP.
15. Approval of financial incentive program applications will not be applied retroactively to any work that has taken place prior to the **Council's** or delegate's approval to participate in an incentive program. However, **Council** or its delegate may at its discretion approve including **eligible costs** incurred between the time that the **Municipality** receives a complete application for a financial incentive program(s) and the date of the final approval to participate in the program. The applicant assumes all of the risks associated with beginning the **eligible works** prior to final approval, including the potential for denial of a financial incentive program application.
16. **Council** at its discretion may at any time discontinue a program; however, any participants in the program prior to its discontinuance will continue to receive grants as approved for their property in accordance with the agreement signed with the **Municipality**.

17. If the **applicant** is in default of any of the general or program specific requirements, or any other requirements of the **Municipality**, the **Municipality** may delay, reduce or cancel the approved grant, and any grant amount paid will be recovered by the **Municipality**.
18. If a building that was erected or improved with a program grant is demolished prior to the expiry of the grant period, the grant is terminated and will be recovered by the **Municipality**.
19. The **Municipality** has the right to perform annual inspections to ensure compliance with the agreement and adjust the incentive levels to reflect the current situation in relation to the agreement signed with the **Municipality**.
20. Grants will be paid in accordance with the specific requirements and payment terms of each individual financial incentive program offered by this Community Improvement Plan.
21. Unless otherwise stated, the financial incentive programs described in this CIP are designed to be funded by a budget established for the purposes of implementing the financial incentive programs according to the payment conditions and schedule outlined for each program, and subject to the availability of funding as approved by **Council**.
22. The Property Tax Increment Grant Program described in this CIP is designed to be funded by the tax increment generated by the **development, redevelopment, adaptive reuse or rehabilitation** according to the payment schedule outlined for the program.
23. **Council**, at its sole discretion, may evaluate an incentive application and decide on a case-by-case basis to adjust the level of the incentives (not to exceed the **eligible costs**), provide for an alternative payment schedule, and/or identify and use alternative sources of funding to pay the grants. **Council** will prepare additional implementation criteria and/or policies to assist with determining when one or more of these options may be necessary and/or desirable. **Council** modified incentives must comply with the eligibility criteria of the individual incentive program.
24. Financial incentives are available for the **eligible costs** of the **development, redevelopment, adaptive reuse or rehabilitation** of a building and/or property, and are not based on occupancy or changes in occupancy.
25. For grants, the **applicant** must sign an "Acknowledgement and Agreement" form at the time that the grant is approved.

12.0 Property Tax Increment Equivalent Program

Description

The Property Tax Increment Equivalent Program is intended to provide economic incentive for the **development, redevelopment, adaptive reuse or rehabilitation** of properties in the CIP areas. Specifically, the purpose is to provide an incentive to reduce the tax increase that can result when a property is developed, redeveloped or rehabilitated. This may provide assistance in securing project financing and is anticipated to increase the assessment base in the **Municipality**.

Program Details

Applicants are eligible to apply for funding under this program, subject to meeting the General Incentive Program Requirements and the following:

1. **Commercial uses, employment uses, mixed use commercial/residential buildings, major rental housing developments and affordable housing developments**, where the development, redevelopment and rehabilitation project results in an increase in the assessed value and taxes on the property.
2. For **commercial uses** there must be a minimum of \$250,000 in **eligible costs** and the grant calculation and payment schedule is as follows:

Year of Grant	Increment Tax Rebate	Taxes Payable
1 st year only	60%	Base Rate

3. For **mixed use commercial/residential buildings** there must be a minimum of \$250,000 in **eligible costs** and the grant calculation and payment schedule is as follows:

Year of Grant	Increment Tax Rebate	Taxes Payable
1 to 5	60%	Base Rate

4. For **employment uses** there must be a minimum of \$250,000 in **eligible costs** and the grant calculation and payment schedule is as follows:

Year of Grant	Increment Tax Rebate	Taxes Payable
1 to 5	60%	Base Rate

For a **major employment project**, **Council** may approve an additional five years based on the following grant calculation and payment schedule:

Year of Grant	Increment Tax Rebate	Taxes Payable
6 to 10	60%	Base Rate

5. For **major rental housing developments** or **affordable housing developments** the grant calculation and payment schedule is as follows:

Year of Grant	Increment Tax Rebate	Taxes Payable
1 to 10	60%	Base Rate

6. For the period from April 1, 2020, to March 31, 2022, the increment tax rebate above for all categories shall be 100% and thereafter return to the rates shown in Items 2-4.
7. The amount of the grant will be determined based upon the incremental increase in the **municipal taxes** that results from the work being completed and the project being assessed by **MPAC**.
8. The grant will only be payable if completion of the approved **development**, and all **eligible works** as set out in the agreement, occurs within two (2) years of the date the grant is approved, unless otherwise approved by **Council**.
9. The amount of the grant will be recalculated every year based on the **tax increment** for that particular year.
10. The **applicant** will be required to pay the full amount of property taxes owning each year of the program's applicability and will receive a Property Tax Increment Equivalent Grant for the amount of the municipal **tax increment** after the final tax bills for each year have been collected, provided all other eligibility criteria and conditions are to be met. Grants will not be applied as tax credits. If the tax bill is not paid in full, the **Municipality** may cancel all future grants and collect past grants made as part of this program.
11. In the case of an assessment appeal, the **Municipality** reserves the right to withhold any forthcoming payments pending final disposition of the appeal. If necessary, the grant will be adjusted and paid once a decision regarding the appeal is rendered.
12. The program does not exempt property owners from an increase in **municipal taxes** due to a general tax rate increase or a change in assessment for any other reason after the **eligible work** has been completed.

The Property Tax Increment Equivalent Program may be passed on to subsequent owners, including individual **dwelling unit** owners, for the amount and time left in the original grant payback period with **Council's** approval. Subsequent owners will be required to enter into an agreement with the **Municipality** that outlines the details of the remaining grant amount, eligibility and financial obligations.

Eligible Costs

The Property Tax Increment Equivalent Grant is only available for **eligible costs** specified below:

1. Any portion of the *eligible costs* that were not reimbursed through another financial incentive program under this CIP or another CIP in effect.
2. **Development** as defined under this CIP.
3. Feasibility studies and support studies required to fulfil any requirements of making a complete planning application or building permit applications.
4. Constructing/upgrading of any off-site improvements required to fulfil any condition of a development / planning approval.

Recommend Budget

Like other tax incentive programs, there is no direct 'cost' to the **Municipality**. The properties and/or buildings sit underutilized today and make a tax contribution that reflects their depressed value. Without any incentive to invest, the situation may not change. While the **Municipality** forgoes the tax increases of newly **developed, redeveloped, reused or rehabilitated** property in the short term, the investment should spawn economic activity; create much needed housing; create a revitalized building stock and neighbourhoods that will eventually contribute a higher level of taxation.

13.0 Building & Planning Fee Rebate Program

Description

The Building & Planning Fee Rebate Program is to provide assistance for the **development, redevelopment, adaptive reuse or rehabilitation** of properties via a reduction in applicable planning and building permit fees. Reduced planning and building permit fees may, in concert with other program support, help encourage development efforts by reducing initial regulatory costs.

Program Details

1. Grant equivalent of up to a maximum of 100% of Planning Application Fees and up to \$20,000 of Building Permit Fees levied by the **Municipality** for **commercial uses, employment uses, mixed use commercial/residential buildings** that represents an investment of at least \$250,000 million of eligible costs and **affordable housing developments**.
2. The Planning Application Fees Grant only covers those planning application fees levied by the **Municipality**. It does not cover fees associated with the completion of required studies for planning approvals, legal costs, or Local Planning Appeal Tribunal-related activities.
3. No maximum dollar amount on Building Permit Fees for **affordable housing developments**.
4. The **applicant** pays for all planning and development/building permit costs as required and at the times required.
5. Application for this program will be considered retroactively for projects approved under other programs in this CIP.
6. The grant will only be payable if completion of the approved **development**, and all **eligible works** as set out in the agreement, occurs within two (2) years of the date the grant is approved, unless otherwise approved by **Council**.

Eligible Costs

Eligible costs include those fees set out in a municipal by-law and levied by the **Municipality** to for applications made in respect of Planning Applications and Building Permits.

Recommended Budget

Foregone income to the **Municipality** and any other overhead costs related to reviewing and processing the application. The foregone departmental revenue for the Planning Services Division and the Building Development Services Division should be funded by the CIP Reserve Fund.

14.0 Development Charges Partial Exemption Program

Description

Development Charges (DCs) are fees collected by municipalities to help pay for the cost of infrastructure that comes with growth such as water, sewers, roads, transit, community centres, fire and police services. The **Municipality** currently only has DCs for water and wastewater services, which is administered by the Chatham-Kent Public Utilities Commission (CKPUC). Industrial development projects are currently exempt from paying DCs.

The Development Charge Partial Exemption Program is to promote new **major rental housing developments** and new **affordable housing developments** within the Community Improvement Project Area by increasing the financial feasibility of eligible investments. This program would effectively provide a partial exemption on local DCs administered by the CKPUC for **eligible works**.

Program Details

1. Provision for up to a 50% exemption of DCs levied by the CKPUC for new **major rental housing developments** and new **affordable housing developments**.
2. The **applicant** of the property submits a completed application at the time of Site Plan submission. The application must include information with the exact number and type of dwelling units, timeline and commitment to proceed to a building permit.
3. Approval of the DC exemptions would be delegated to a Senior Leadership Team comprised of the General Manager, Community Development, General Manager, CKPUC and General Manger/Chief Financial Officer. The **Director, Planning Services** (or delegate) provides a summary of the application to the Senior Leadership Team for approval.
4. A letter is provided to the applicant confirming eligibility is met and providing an estimate of the DC partial exemption.
5. At the time of Building Permit issuance, the payable DC amount is adjusted accordingly.
6. The program will run for the period from April 1, 2020, to March 31, 2022 or until such time that, a new DC Background Study and DC By-law is approved by Council.

Recommended Budget

Foregone income to the CKPUC and administrative costs related to processing applications.

15.0 Façade Improvement Program

Description

The Façade Improvement Program is intended to encourage the redesign, renovation or restoration of facades of buildings containing a **commercial use** and **mixed use commercial/residential buildings**, by providing a financial incentive to offset some of the costs associated with the improvement of commercial facades.

Program Details

1. The Façade Improvement Program will consist of a grant program, whereby **applicants** will be eligible to receive a grant for 50% of the **eligible costs** of the facade improvements to a maximum amount described in the chart below:

Cumulative length of eligible works	Maximum Grant Amount
0 - 50 ft.	\$ 7,500
50 - 100 ft.	\$ 15,000
100 - 150 ft.	\$ 22,500
150 + ft.	\$ 30,000

2. If improvements include restoration of the façade of a **designated heritage building**, the maximum grant amount increases by 50%. If improvements include restoration of a **designated heritage building**, a report from a qualified heritage professional must be submitted.
3. The grant will only be payable if completion of the approved **development**, and all **eligible works** as set out in the agreement, occurs within one (1) year of the date the grant is approved.

Eligible Costs

The Façade Improvement Grant is only available for eligible costs specified below:

1. Repair or replacement of a street-facing building façade, including doors and windows.
2. Side and/or waterfront façade improvements are eligible if the public view of the façade is significant.
3. Exterior and entrance modifications to provide barrier free accessibility in accordance with the *Accessibility for Ontarians with Disabilities Act (AODA)*.

4. Repair or repointing of façade masonry and brickwork and other architectural details.
5. New or upgraded lighting fixtures on exterior façade and in entrance areas.
6. Architectural design fees required to make an application under the Façade Improvement Program.
7. Notwithstanding any other part of this section, works that conserve or enhance elements specific in a by-law under *the Ontario Heritage Act* with respect to the property.
8. **Eligible costs** shall not include:
 - a. Façade painting;
 - b. Façade cleaning;
 - c. Promotional signage.

Recommended Budget

Cost of the Façade grant should be funded by the CIP Reserve Fund.

16.0 Residential Conversion and Affordable Housing Grant Program

Description

The Residential Conversion and Affordable Housing Grant Program is applicable to various for the **development, redevelopment, adaptive reuse or rehabilitation** of properties in the CIP areas. Specifically, the purpose is to provide an incentive to the creation of new or rehabilitated dwelling unit(s) in a **mixed use commercial/residential building** or the creation of new **affordable housing units** or **secondary dwellings**.

Program Details

Applicants are eligible to apply for funding under this program, subject to meeting the General Incentive Program Requirements and the following:

1. For new **affordable housing developments** and **secondary dwellings**, where permitted in the Zoning By-law are created, **applicants** will be eligible to receive a grant of \$2,500 for each **affordable housing unit**, up to 20 **dwelling units**, to a maximum grant of \$50,000.
2. Where new or rehabilitated **dwelling unit(s)** or a small or large rental dwelling unit above or behind the non-residential use in a **mixed use commercial/residential building**, where permitted in the Zoning By-law are created, **applicants** will be eligible to receive a grant of \$7,500 for each dwelling unit, up to eight **dwelling units**, to a maximum grant of \$60,000.
3. The **Municipality** will pay the grant to the property owner within 20 working days of successful completion of the approved work.

Eligible Costs

The Residential Conversion and Affordable Housing Grant is only available for **eligible costs** specified below:

1. **Development** of new and/or rehabilitated residential units that are in compliance with the Ontario Building Code, Property Standards By-law and the Fire Code.
2. Improvements for barrier-free accessibility.
3. Upgrading of on-site infrastructure, including water services, sanitary sewers and stormwater management facilities.

17.0 Other Community Improvement Plan Actions

Purpose

In addition to the financial incentive programs outlined in this CIP, the *Planning Act* also permits the **Municipality** to undertake the following community improvement activities:

- a) acquire, hold, clear, grade or otherwise prepare land for community improvement;
- b) construct, repair, rehabilitate or improve buildings on land acquired or held by it in conformity with the community improvement plan; and,
- c) sell, lease, or otherwise dispose of any land and buildings acquired or held by it in conformity with the community improvement plan.

Property Acquisition

The **Municipality** may facilitate the assembly of land within the Community Improvement Project Area in conformity with the Community Improvement Plan. Additionally, the **Municipality** may acquire, hold, clear, grade or otherwise prepare the land for community improvement as defined by this CIP. The principal reason for acquisition is to improve and secure the economic well-being of Chatham-Kent's primary urban centres, secondary urban centres and hamlets by asserting an elevated level of control over the acquisition and consolidation of sites suitable for facilitating new development or redevelopment, providing much-needed amenities and services, or that further the objectives of this CIP. The **Municipality** may also choose to construct, repair, rehabilitate or improve buildings on land acquired or held by it to further the objectives of this CIP.

Property Disposition

The **Municipality** may dispose of municipally owned land or buildings within the Community Improvement Project Area in conformity with the Community Improvement Plan. Additionally, the **Municipality** may sell, lease, or otherwise dispose of any land and buildings acquired or held by it provided the end use of the property and/or buildings remains in conformity with this CIP. The **Municipality** may choose to dispose of municipally owned property or buildings at less than market value in order to facilitate the **development, redevelopment, adaptive reuse or rehabilitation** of the property and/or buildings.

Municipally owned property that is disposed of for the purpose of meeting one or more of the objectives of this CIP, whether at market value or less, is subject to the following requirements:

1. All disposition of municipal land must be done in compliance with the **Municipality's** "Disposition of Real Property" By-law, unless the property is deemed to be a **major rental housing development, major employment project or affordable housing development**, as defined in this CIP, which can be disposed of using one or more of the following methods:
 - Direct offer of purchase and sale;
 - Request for Proposals;
 - Expression of Interests;
 - Land exchange(s); or
 - Any other method deemed to be appropriate by **Council**.
2. **Council** will determine the percentage below market value, if any, that the **Municipality** will sell the property for based on the benefit to the public generated by the project, as determined by **Council**.
3. The actual percentage below market value will be determined by **Council**. The amount below market value plus all other incentives under this, or any other approved, CIP cannot exceed the total **eligible costs**.
4. As required by the *Planning Act* the purchaser of **Municipality** owned property will be required to enter into a written agreement with the **Municipality** stating that they will keep and maintain the land, building and the use in conformity with the Community Improvement Plan. The agreement entered into above will be registered against the land to which it applies and the **Municipality** will enforce the provisions of the agreement against any party to the agreement and, subject to the provisions of the *Registry Act* and the *Land Titles Act*, against any and all subsequent owners or tenants of the land.
5. Projects are also required to be in compliance with the **Municipality's** other by-laws and policies, including zoning and building regulations.

Land Development Corporation

In accordance with Section 203(1) of the *Municipal Act*, the **Municipality** may establish a land development corporation for the sole purpose of providing one or more economic development services including "the acquisition, development and disposal of sites in the **Municipality** for residential, industrial, commercial and institutional uses."

18.0 Monitoring and Administration

Monitoring

The performance and impact of the various incentive programs will be monitored to ensure that the purpose and objectives of this CIP are successfully being met. The collection and analysis of information is intended to monitor:

- Funds dispersed through the CIP incentive programs by program type to determine which programs are being most frequently;
- The economic impact associated with projects taking advantage of the CIP incentive programs in order to determine the ratio of private sector investment being leveraged by public sector investment;
- The feedback from users of the incentive programs, so that adjustments can be made to the incentive programs over time as it is deemed necessary.

The following program-specific information will be collected on an ongoing basis:

- Number of applications by program type;
- Number of building facades improved and value of building facade improvements;
- Number of buildings or properties improved;
- Value of building/property improvements;
- Number of new rental housing units, affordable housing units and secondary units created and location of new residential units created;
- Increase in assessment value of the building/property; and
- Estimated and actual amount of grants provided.

Administration

Administration will report on the progress on implementation and the monitoring results of the incentive programs to **Council** on an annual basis. A comprehensive analysis will be presented to **Council** at the five year anniversary of the CIP coming into effect. This analysis will be accompanied by recommendations relating to the following matters (at a minimum):

- Continuation or repeal of the entire CIP;
- Discontinuation or addition of programs contained within the CIP; and,
- Minor adjustments to the program details, terms or requirements of programs contained within the CIP.

Minor revisions to the CIP, including the adjustment of terms and requirements of any of the programs, changing the boundaries of any of the targeted program boundaries (within the existing boundary of the CIP Project Area) , or discontinuation of any of the programs contained in the CIP, may be undertaken without amendment to the CIP. Such minor changes or discontinuation of programs will be provided to the Minister of Municipal Affairs and Housing for information purposes only. The addition of any new programs, significant changes to eligibility criteria, changes to the CIP Project Area boundaries, or changes to the CIP that would substantially increase funding provided by existing financial incentives will require a formal amendment to the CIP in accordance with Section 28 of the *Planning Act*.

▲
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Municipal Property Assessment Corporation

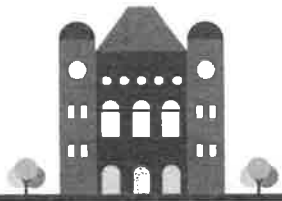
Municipality of Chatham-Kent

March 2nd, 2020

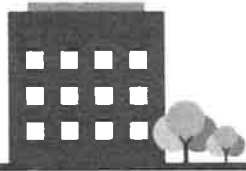


MUNICIPAL
PROPERTY
ASSESSMENT
CORPORATION

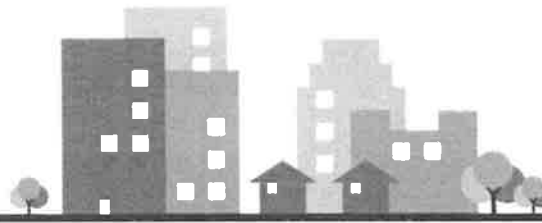
Ontario's Property Assessment and Taxation System



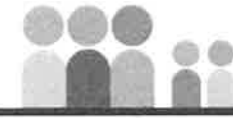
GOVERNMENT OF ONTARIO:
Establishes the province's assessment and taxation laws and determines the education tax rates.



MPAC:
Provides property assessments for all properties in Ontario.



MUNICIPALITIES:
Determine revenue requirements, set municipal tax rates and collect property taxes to pay for municipal services.*



PROPERTY OWNERS:
Pay property taxes which pay for services in the community. You also pay education taxes that help fund elementary and secondary schools in Ontario.



Police & fire protection



Waste management



Roads, sidewalks & public transit



Municipal parks & recreational facilities

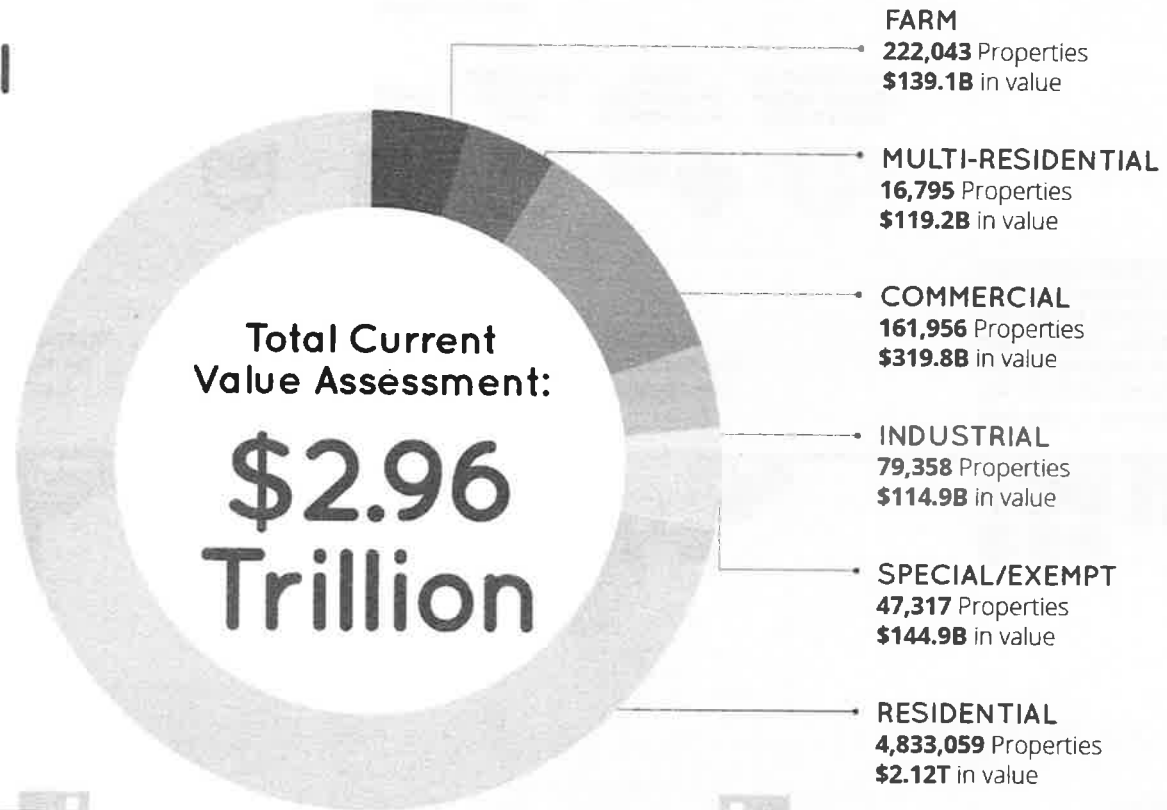


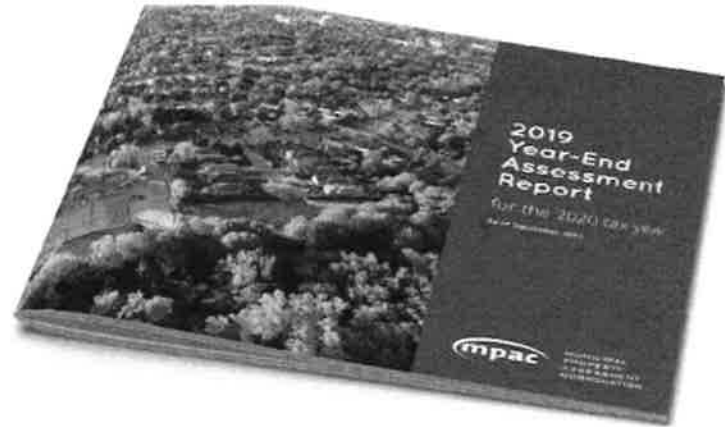
Education taxes are also collected for school boards

* Provincial Land Tax and levies by local boards are collected in unincorporated areas and contribute toward important services.

2019 Assessment Roll

Total number of properties
on the Assessment Roll:
5,360,528 – an increase of
66,805 from 2018





Valuing Ontario
 In Ontario, there are more than 5 million properties representing \$2.96 trillion in property value. It's MPAC's role to assess and classify every property, supporting the collection of nearly \$21 billion in municipal taxes annually.

2019 by the numbers



Building and strengthening municipal partnerships

In 2019, we made a strategic investment in our relationships with municipalities. We focused on building and strengthening our partnerships with municipalities across the province. We supported the collection of nearly \$21 billion in municipal taxes annually.

Partnerships in action

We're proud of the municipal partnerships we've built and are working hard to demonstrate our value to you and to continuously improve. The field highlight some of the ways we're doing this.

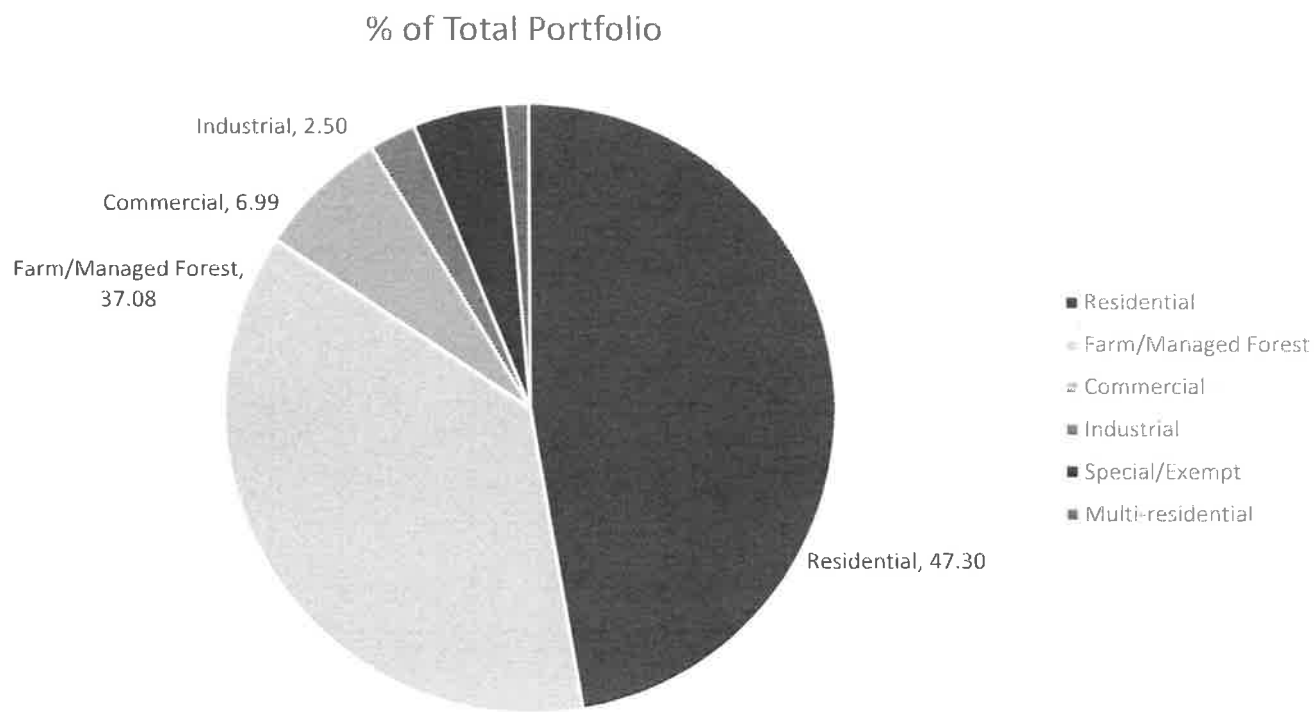
Supporting the City of Ottawa through spring flooding

The City of Ottawa is a leader in flood management. We supported the City's efforts to improve its flood management through a partnership with the City of Ottawa. We provided technical support and expertise to help the City improve its flood management practices.

Municipality of Chatham-Kent Assessment Base 2019 taxation year

Property Class	Number of Properties	Total Assessed Value (M's)	Percentage Of Total Portfolio
Residential	41,729	6,739,826,616	47.30
Farm/ Managed Forest	8,391	5,284,875,053	37.08
Commercial	2,966	993,861,572	6.99
Industrial	827	357,301,260	2.50
Special/ Exempt	1,250	685,800,802	4.81
Multi-residential	152	187,518,780	1.32
TOTAL	55,315	14,249,184,083	100.00

Municipality of Chatham-Kent Assessment Base 2019 taxation year



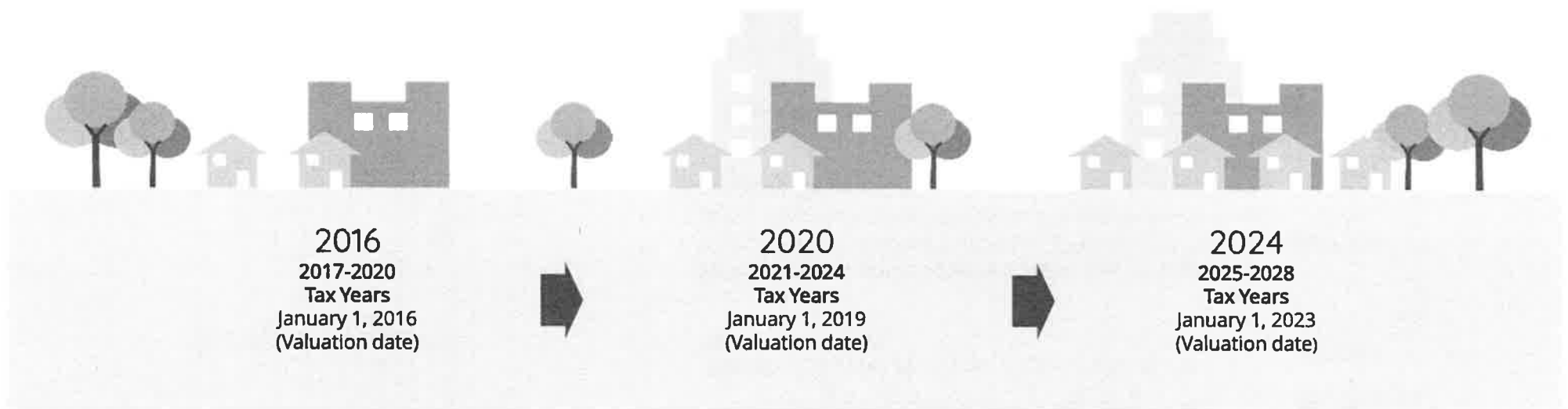


Ontario's 4-Year Assessment Cycle



MUNICIPAL
PROPERTY
ASSESSMENT
CORPORATION

Ontario's 4-year cycle



How Phase In Works

Example Only

ASSESSMENT OVERVIEW:

Your property's assessed value as of January 1, 2019:	\$350,000
Your property's assessed value as of January 1, 2016:	\$325,000
Between 2016 and 2019 , your property's assessed value changed by:	\$25,000

What happens if my assessed value has changed?

Any increase in assessed value will be phased in gradually over four years. Any decrease will be applied immediately for the 2021-2024 property tax years.



To learn more about how phase in works, please visit mpac.ca.



How we
assess
properties



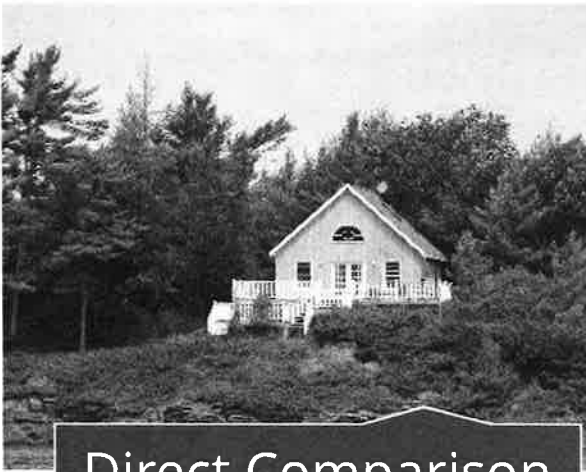
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PROPERTY
ASSESSMENT
CORPORATION

Current Value Assessment (CVA)



Current value is market value at a point in time (the legislated valuation date)

Approaches to Value



Direct Comparison
Approach



Income Approach



Cost Approach

An aerial, black and white photograph of a residential neighborhood. The houses are arranged in a grid-like pattern, with a prominent winding road that curves through the center of the image. The houses have varying rooflines and are interspersed with trees and greenery. The overall scene is a typical suburban residential area.

Valuing Residential Properties



2020 Assessment Update



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2020 PROPERTY ASSESSMENT NOTICE MAILING SCHEDULE

ISSUE DATE	MUNICIPALITY / GEOGRAPHIC AREA	RFR DEADLINE	ISSUE DATE	MUNICIPALITY / GEOGRAPHIC AREA	RFR DEADLINE
May 4	District of Muskoka, Territorial District of Parry Sound & Nipissing	September 1	July 20 July 27 August 4	City of Toronto	November 17, November 24 December 2
May 11	Simcoe County, City of Barrie, City of Orillia	September 8	August 17	City of Kingston, Hastings County, Northumberland County, Prince Edward County, County of Lennox & Addington, Cities of Belleville and Quinte West	December 15
May 19	County of Haliburton, County of Peterborough, City of Peterborough, City of Kawartha Lakes, Bruce County, Grey County	September 16	August 24	Regional Municipality of Niagara, Chatham-Kent, Lambton County	December 22
May 25	Durham Region	September 22	September 3	City of Windsor, Essex County, Township of Pelee	January 4
June 1	York Region	September 29	September 8	City of Hamilton, City of Brantford, Brant County, Norfolk County, Haldimand County	January 6
June 8	Territorial District of Cochrane & Timiskaming, District of Sudbury & Manitoulin, Territorial District of Algoma, Territorial District of Thunder Bay, Territorial District of Kenora & Rainy River	October 6	September 14	Elgin County, Middlesex County, City of London, Oxford County, Huron County, Perth County, St. Thomas, City of Stratford, Town of St. Marys	January 12
June 15	Counties of Prescott & Russell, Counties of Stormont, Dundas & Glengarry, County of Lanark, Counties of Leeds & Grenville, County of Frontenac, Renfrew County, City of Pembroke, Gananoque, Smith Falls, City of Brockville, Town of Prescott	October 13	September 21	Wellington County, Dufferin County, City of Guelph, Region of Waterloo	January 19
June 22	City of Mississauga	October 20	September 28	City of Ottawa	January 26
June 29	City of Brampton, Town of Caledon	October 27	October 13	Business Properties	February 10
July 6	Region of Halton	November 3	October 19	Conservation, Farmland, Managed Forest	February 16
			November 23	Amended & any previous excluded notices	March 23



SEARCH PROPERTIES OF INTEREST VIEW MY FAVOURITES REPORT 00/24 DOWNLOAD MY FAVOURITES REPORT 0/100 SNAPSHOT VIEWS

PROPERTY TYPE: RESIDENTIAL CONDO | ROLL #

STREET # STREET NAME (REQUIRED) CLEAR SEARCH

REFINE YOUR SEARCH
 PROPERTY DESCRIPTION: YEAR BUILT: BUILDING - EXTERIOR SQUARE FOOTAGE:
 NUMBER OF STOREYS: FULL STOREY: PARTIAL STOREY:
 LOT SIZE: FRONTAGE:

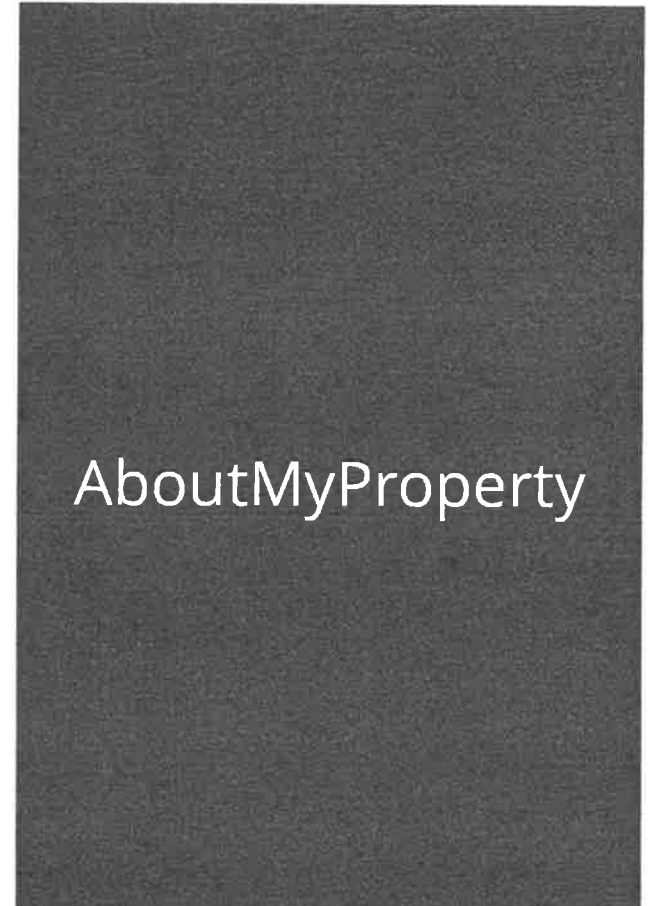
Map Satellite

Address:
 Property Description: 301 - Single-family detached (not on water)
 Year Built:
 Building - exterior square footage: Sq. Ft.
 Lot Size: Sq. Ft.
 Number of Storeys:
 Current Value Assessed: \$
 Sales Indicator: No valid sales within 5 years

Map Legend

Map data ©2020 Google Terms of Use Report a problem

Your property Properties you've viewed Properties in My Favourites Properties with sales data used in analysis

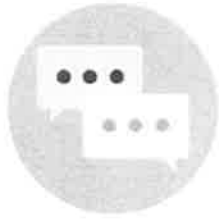


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Informed Service



Focus groups



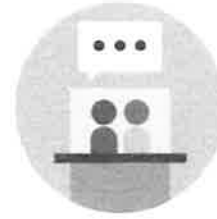
1:1 conversations



Province-wide survey



MLG



Booth conversations
at conferences



Webinars

Supporting Municipalities



Involved

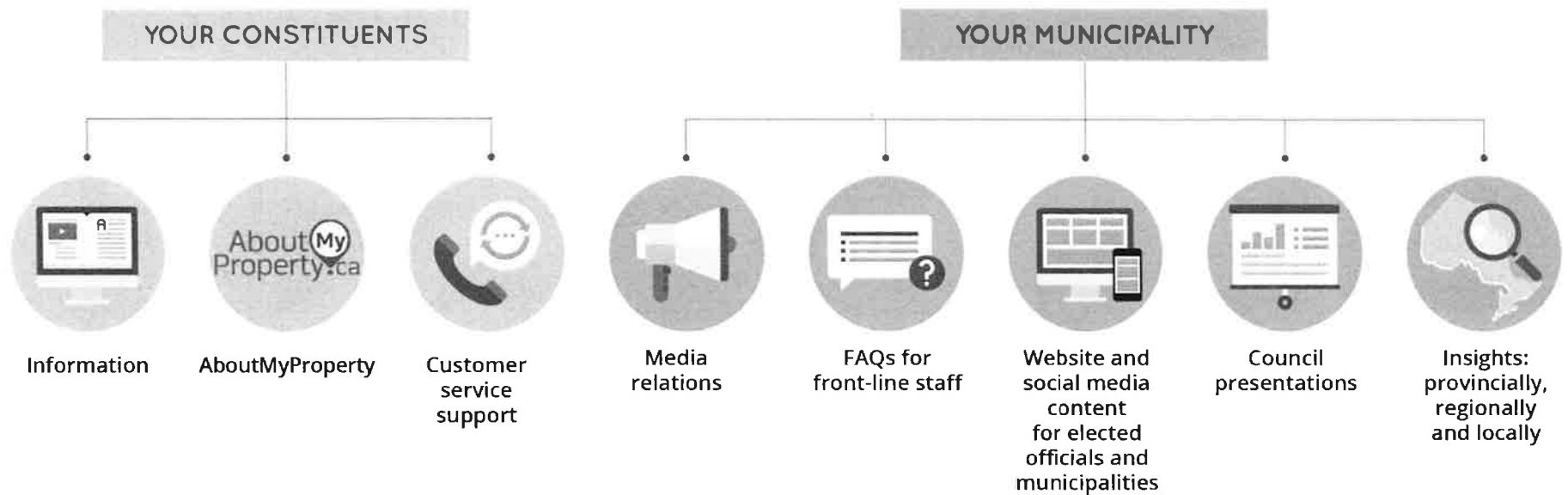


Informed



Prepared

How we're informing and supporting you is based on your feedback



Connect With Us

InTouch, our monthly newsletter, delivers important email updates to municipal staff. It covers operational changes, upcoming events, key initiatives and other property assessment-related updates. You can read past issues at mpac.ca/municipalities.



Monthly Webinars

Held the first **Wednesday of every month at 1 p.m.** to address provincial issues and trends

Watch your email for registration details

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MPAC on YouTube



Zone 1

Regional Manager Amanda Macdougall

519-497-4808

Account Manager Brenda Slater

519-281-1679

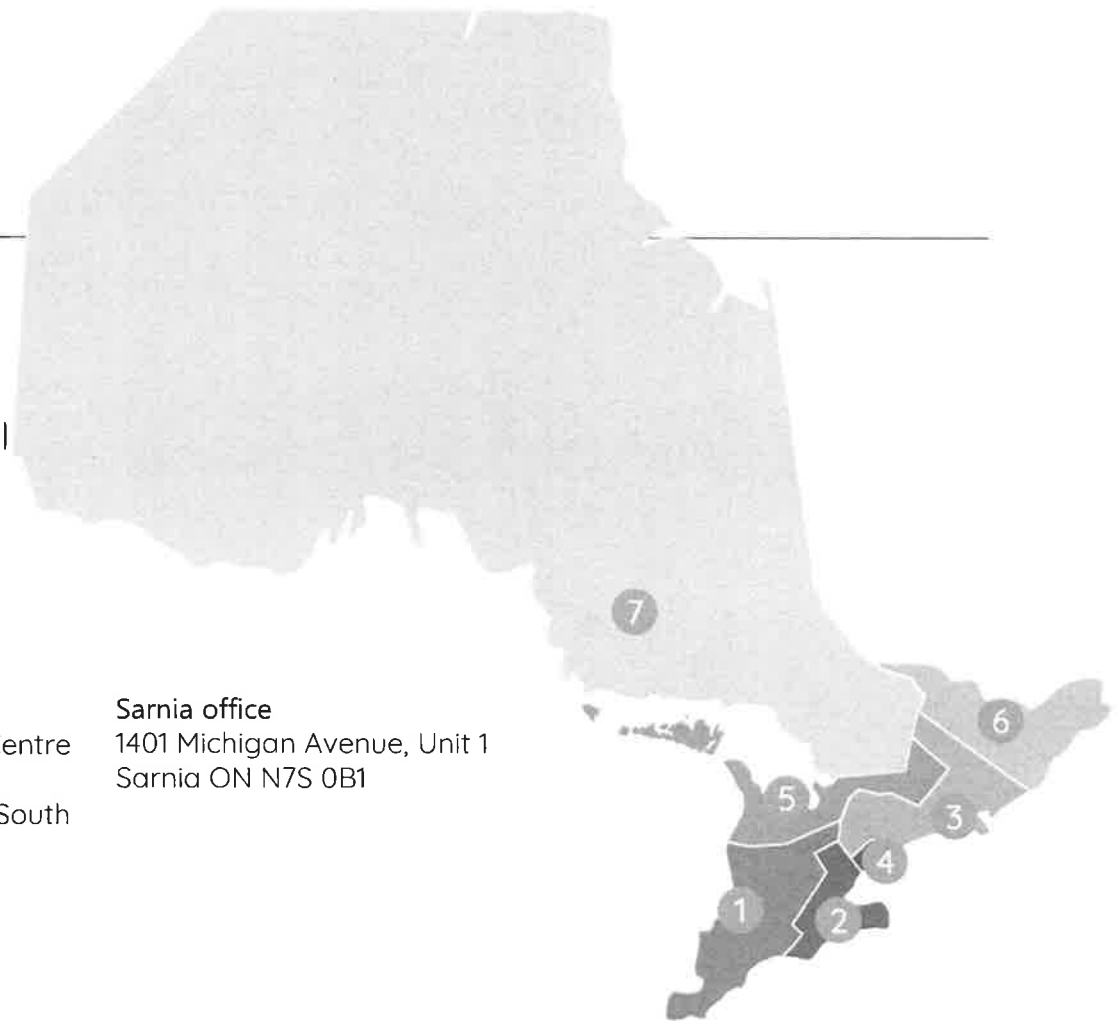
Local offices

Kitchener office
4271 King Street East,
Suite 100
Kitchener ON N2P 2E9

London office
Westmount Shopping Centre
Upper Level, Unit 252
785 Wonderland Road South
London ON N6K 1M6

Sarnia office
1401 Michigan Avenue, Unit 1
Sarnia ON N7S 0B1

Windsor office
1695 Manning Road, Unit 195
Tecumseh ON N8N 2L9



Thank You



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▲
[Back to Top](#)

Municipality Of Chatham-Kent
Finance, Budget & Information Technology Services
Financial Services

To: Mayor and Members of Council
From: Matt Torrance, MBA, CPA, CGA
Director, Financial Services
Date: February 5, 2020
Subject: 2019 Record of Payment to Council-Owned Vendors

This report is for the information of Council.

Background

Council approved the following recommendations at the February 11, 2019 Council meeting:

1. Council authorize Administration to process payment for any future purchases in compliance with Chatham-Kent's Purchasing By-law for services rendered during this Council term to Glassroots Media operating as Sydenham Current owned by Councillor Aaron Hall.
2. Council authorize Administration to process payment for any future purchases in compliance with Chatham-Kent's Purchasing By-law for services rendered during this Council term to Authier Print & Promotional Products owned by Councillor Mark Authier.
3. Council authorize Administration to process payment for any future purchases in compliance with Chatham-Kent's Purchasing By-law for services rendered during this Council term to Instant Print - Wallaceburg owned by Councillor Mark Authier.
4. Council authorize Administration to process payment for any future purchases in compliance with Chatham-Kent's Purchasing By-law for services rendered during this Council term to John and Kori Wright (towing service) owned by Councillor John Wright.
5. Council authorize Administration to process payment for any future purchases in compliance with Chatham-Kent's Purchasing By-law for services rendered during this Council term to Bondy's Dry Cleaners operated by Councillor Michael Bondy.

Comments

Section 39 (e) of the Purchasing By-law states: Council must approve the purchase of any deliverables where the company being awarded is owned directly or indirectly, in whole or in part, by a member of Council. Council approved payments to these vendors at the February 11, 2019 Council meeting.

To provide ongoing oversight of the purchases made by municipal departments from businesses owned and/or operated by Council members, the Audit Committee has reviewed during each committee meeting a listing of all purchases made. In addition, administration committed to report to Council annually a record of the total payments made to these vendors.

The total payments made to these vendors in 2019 is summarized in the table below:

Councillor	Vendor	Amount
Cl. Hall	Glassroots Media	\$7,818.47
Cl. Wright	John and Kori Wright (towing)	\$7,198.10
Cl. Authier	Authier Print & Promotional Products	\$185.32
TOTAL		\$15,201.89

Consultation

No other departments were consulted on this report.

Financial Implications

Payments totaling \$15,201.89 were issued to Council-owned vendors in 2019.

Prepared by:

Reviewed by:

 Matt Torrance, MBA, CPA, CGA
 Director, Financial Services

 Gord Quinton, MBA, CPA, CGA
 Chief Financial Officer, Treasurer

C: Jennifer Scherle, Purchasing Officer
 Tracy Turner Bartlett, Supervisor, Accounts Payable

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Municipality of Chatham-Kent
Finance, Budget and Information Technology Services
Financial Services
Information Report

To: Mayor and Members of Council
From: Matt Torrance, MBA, CPA, CGA
Director, Financial Services
Date: February 12, 2020
Subject: Proposed Arena Complex

This report is for the information of Council.

Background

Council approved the following recommendation at the May 27, 2019 Council meeting:

Administration to proceed immediately with primary architectural work and land acquisition options.

Council approved the following recommendation at the October 7, 2019 Council meeting:

Administration be approved to submit an application to the Community, Culture and Recreation Funding Stream – Multi-Purpose Category to maximize the grant funds from the senior levels of government for the smaller size twin-pad entertainment centre and multi-sport complex (seating capacity 2200 / 200 / 200) based on a maximum project cost of \$60M. Potential future investments in architectural design, land acquisition, outdoor sports fields, servicing and traffic mitigation costs are not included in the \$60M.

Council approved the following motion at the November 4, 2019 Council meeting:

“That

- 1. Administration report to Council reporting all funds spent or committed to be spent for any matter whatsoever relating to the proposed arena complex, and*
- 2. Administration update council on these expenditures quarterly, and*
- 3. Administration report monthly on the status of any provincial and federal amounts to Chatham-Kent for this proposal.”*

Comments

A grant application was submitted to the Province of Ontario on November 12, 2019 as part of the Investing in Canada Infrastructure Program: Community, Culture and Recreation Stream (Multi-Purpose Stream) intake. The Province had expected to assess and announce the approved applications in February 2020, however there was an overwhelming response which has resulted in a revised target date of July 2020. Projects approved by the Province then move to the Federal Government for review and approval which is expected to take 2 to 4 months.

Administration reported at the December 9, 2019 Council meeting that costs incurred or committed to date totalled \$305,036. Since that time, an additional \$4,082 in consulting fees and \$4,681 in environmental assessment expenses were realized. There are no funds currently committed to be spent.

The costs related to this project to date are summarized below:

Architectural Design	\$61,957
Consulting Services (Grant Application)	7,618
Environmental Testing	244,224
TOTAL	\$313,799

Consultation

No other departments were consulted on this report.

Financial Implications

The total arena complex costs incurred or committed to date are \$313,799. Council has committed to funding up to \$18.5M if the grant application is approved.

Prepared by:

Reviewed by:

 Matt Torrance, MBA, CPA, CGA
 Director, Financial Services

 Gord Quinton, MBA, CPA, CGA ,
 Chief Financial Officer, Treasurer

Attachment(s): None

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Municipality of Chatham-Kent
Community Development
Planning Services
Information Report

To: Mayor and Members of Council
From: Anthony Jas
Planner I, Planning Services
Date: January 21, 2020
Subject: Municipal Heritage Committee - 2019 Annual Report

This report is for the information of Council.

Background

The Municipal Heritage Committee advises and assists Council on matters relating to Part IV and Part V of the *Ontario Heritage Act* and other heritage matters as Council may specify.

Comments

In accordance with its Terms of Reference, the Municipal Heritage Committee have prepared a report outlining its 2019 activities. A copy of the 2019 Municipal Heritage Committee Annual Report is attached as Appendix A.

Consultation

No other departments were consulted.

Financial Implications

There are no financial implications.

Prepared by:

Reviewed by:



Anthony Jas
Planner I, Planning Services



Ryan Jacques, MCIP, RPP
Manager, Planning Services

Reviewed By:

Reviewed By:



Bruce McAllister, MCIP, RPP
Director, Planning Services

John Norton
General Manager
Community Development

Attachment: Appendix A – Municipal Heritage Committee Annual Report 2019

C Municipal Heritage Committee

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**Chatham-Kent
Municipal Heritage Committee
Annual Report 2019**



Heritage Chatham-Kent
Municipal Heritage Committee



Chatham-Kent
Cultivating Growth. Shore to Shore.

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Heritage Conservation in Ontario

Our inheritance of architecture and cultural and natural landscapes is an important and irreplaceable asset and resource. The conservation of these resources is fundamental to creating community pride and identity, and attracting new residents and tourism, all of which have important economic impacts on our community. As well, the benefits from the conservation of our heritage architecture, and cultural and natural landscapes occur not only to the present generation but also to generations in the future. The immediacy of such conservation and heritage planning comes from the fact that, unfortunately, what is not saved and preserved today cannot be saved and preserved tomorrow.

In Ontario, the task of conserving this inheritance of historically, architecturally, and/or contextually significant properties is primarily a municipal responsibility. The *Ontario Heritage Act* provides a framework within which municipalities can act to ensure the conservation of these properties.

Role of Municipal Council

Under the *Ontario Heritage Act*, Council is empowered to:

- Add individual properties to the Municipal Heritage Property Register
- Designate individual property by by-law
- Amend a designating by-law
- Repeal a designating by-law
- Issue or refuse permits to alter a designated property
- Issue or refuse permits to demolish a designated property
- Purchase or lease individually designated property
- Expropriate designated property
- Enter into easements and covenants with designated property owners
- Provide grants and loans to designated property owners
- Designate districts or areas
- Initiate a prosecution for failure to comply with a designation by-law and the Act

Role of Municipal Heritage Committee

Under Section 28 of the *Ontario Heritage Act*, a council of a municipality is authorized to establish, through by-law, one Municipal Heritage Committee that is made up of five (5) or more people.

The Municipal Heritage Committee, as an advisory committee of Council, is representative of the community and, is recognized as the legitimate vehicle for co-ordinating and conveying community concerns. It therefore plays an important role by enabling the community to participate more directly in the decision-

making process. In general, the role of a Municipal Heritage Committee is a dual responsibility.

Committee Membership

The 2019 – 2022 Municipal Heritage Committee was appointed following the Municipal Election in 2018. Committee Members are Dave Benson, Gerri Delannoy, Lisa Gilbert, James Griffin, Patricia Pook, Melanie Simpson, Susan Simpson, Katharine Smyth, Loretta Storey, John Taylor, Ron Vanrabaeyns, Chris Williams (Chair), and Councillor John Wright.



Heritage Chatham-Kent

Municipal Heritage Committee

Statutory Role of Municipal Heritage Committee

Chatham-Kent Council is required under the Ontario Heritage Act, to consult with the Municipal Heritage Committee during the designation and/or repeal of designation process for individual properties or districts and on applications to demolish and/or remove structures from, or otherwise alter designated properties. Council must also consult the Municipal Heritage Committee prior to entering into any easements or covenants pertaining to designated properties.

Non-Statutory Role of Municipal Heritage Committee

The Municipal Heritage Committee is to:

Be a resource for Municipal Council when considering projects that may have heritage resources involved.

Work to educate individual property owners and the community as a whole on the heritage resources within the community.

Work with other local Heritage Groups and Affiliates in the preservation of heritage properties and landscapes.

Undertake community recognition for architectural preservation through sponsorship of plaquing initiatives, awards for restorations and best practices renovations, etc.

Advise on municipally, provincially, and federally-owned heritage properties and sites.

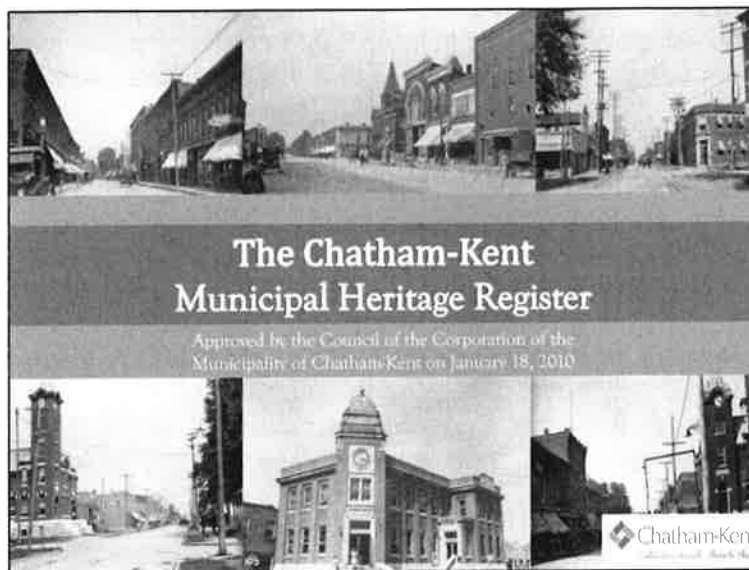
Advise on amendments to the Official Plan and Heritage Property Tax Relief Program.

Activities of the Municipal Heritage Committee

Statutory activities of the Municipal Heritage Committee

Municipal Heritage Property Register

Section 27 of the *Ontario Heritage Act* requires the clerk of every local municipality to keep a current, publicly accessible Municipal Register of properties of cultural heritage value or interest situated in the municipality. Prior to 2005, this Register would have included only individual properties formally designated under Part IV and districts designated under Part V of the *Ontario Heritage Act*. In 2005 changes to the *Ontario Heritage Act* have had the effect of conferring broader authority to Council. This allows municipalities to add properties to the Register that have not been designated, but which Council believes to be of cultural heritage value or interest. These properties are referred to as being "listed".



On January 18, 2010, Council approved the first Chatham-Kent Municipal Heritage Register and directed the Municipal Heritage Committee to continue to work with owners of properties of cultural heritage significance, to ensure their conservation in a manner that respects both public and private interests.

There are 83 properties designated under the *Ontario Heritage Act* in Chatham-Kent.

Ontario Heritage Act Activity in 2019

- The Committee prepared Designation Reports for properties whose owners requested designation under the *Ontario Heritage Act*. These properties include:
 - 8800 Talbot Trail, Community of Harwich (Sicklesteel-Newkirk-Thompson Inn)
 - 9388 Cedar Hedge Line, Community of Chatham-Township (Prince Albert Church)
 - 30 Ellwood Avenue, Community of Chatham (City)

The associated recommendations for the Intention to Designate and passing of a by-law for Sicklesteel-Newkirk-Thompson Inn and Prince Albert Church were approved by Council. It is expected that 30 Ellwood Avenue will be considered by Council in 2020.

- The Committee prepared a Designation Report for the Ridge House Museum property known municipally as 53 Erie Street South, Community of Ridgetown. This is a municipally-owned property that was designated by By-law 83-35 under the *Act* in 1983. The intent of the Designation Report is to amend the Designation By-law to bring it into conformity with the requirements of the *Act*. It is expected that this report will be considered by Council in 2020.
- The Committee considered two separate proposals to remove properties from the Chatham-Kent Municipal Heritage Register, to facilitate the removal of existing structures from these properties. The Committee provided advice to Council which included:
 - Bringing forward a Designation Report for 595 Wallace Street, Community of Wallaceburg, to demonstrate that this property warrants further evaluation of its historical, architectural and contextual significance prior to removal from the Municipal Heritage Register.
 - Supporting the removal of the property known as 68 London Road, in Community of Thamesville, from the Municipal Heritage Register, due to its current dilapidated state and concern for public safety.

Non-Statutory Activities of the Municipal Heritage Committee

Heritage Property Tax Relief Program

Well-maintained heritage properties enrich our quality of life and give communities their unique character and sense of place. Throughout Ontario, conserving heritage properties has helped revitalize historic town centres and attract residents, businesses and visitors to communities. Although heritage properties provide benefit and enjoyment to the whole community, most of these properties are privately owned. Due to the higher cost involved maintaining these heritage features versus a newer building, many owners have asked the Province and Municipalities for incentives.

On September 12, 2011, the Municipality of Chatham-Kent passed a by-law to adopt the Heritage Property Tax Relief Program. This program provides a tax incentive to owners to make regular investments in the ongoing conservation of their heritage properties. With continuous care and maintenance, major restoration projects and their high costs can often be avoided.

There are currently 44 properties enrolled in the program. Tax Relief payments are funded from a municipal base budget allocation of \$87,762.

Community Engagement and Non-statutory Activities 2019

➤ The Committee initiated their "New Heritage Home Owners Gift Basket" initiative which is to welcome new homeowners of designated heritage properties in Chatham-Kent with the presentation of a gift basket that includes locally grown and produced foods, information on the local community, and information about owning a designated property. In 2019, the Committee presented welcome packages to the new owners of:

- 90 Park Street, Community of Chatham (City)
- 495 King Street West, Community of Chatham (City)
- 8296 Starkweather Line, Community of Chatham Township

The Committee followed each presentation with a media release to recognize the event and to further promote heritage in Chatham-Kent.

➤ A Municipal Heritage Committee member attended the 2019 Ontario Heritage Conference held in Bluewater and Goderich Ontario from May 30 – June 1, 2019. The conference theme was heritage economics and featured a program focused on how the agricultural, marine, industrial, and tourist economics in Bluewater and Goderich has shaped the built and natural

heritage of their communities, and the interplay between heritage and tourism.

- The Committee welcomed two presentations over the course of the year that were intended to build connections in the Chatham-Kent community and further promote Heritage in Chatham-Kent. The presenters included:
 - Municipality of Chatham-Kent Tourism Development – representatives from Tourism Development addressed the Committee and reviewed the key focus areas for tourism in CK.
 - Howard Mutual Insurance – a representative attended a meeting as a question and answer session relating to insuring designated properties.
- The Committee attended the Chatham-Kent Association of Realtors – Annual Board Meeting in December 2019. Members set up a display booth that included pictures of heritage home sales in Chatham-Kent and provided attendees with general information regarding heritage properties.



Goals of the Municipal Heritage Committee in 2020

1. Mayor's Heritage Preservation Awards

The Committee will be working to bring back the Mayor's Heritage Preservation Awards in the second year of the term. An effort will be made to hold the event during Heritage Week and in conjunction with Heritage Day. The event recognizes owners of properties who have undertaken considerable effort in preserving the historical significance of their properties for the benefit of the Chatham-Kent community.

2. New Heritage Home Owners Gift Basket

The Committee will continue to welcome new owners of designated properties in Chatham-Kent with a gift basket containing local product and information. There were three baskets presented in 2019 and two that will be presented in early 2020.

3. The Committee will continue their work on an update of the Municipal Heritage Register. Part of this work will include reviewing the current Register and identifying properties that should be included in the next update.

4. The Committee will continue to advise heritage property owners in best practice restoration and preservation of their cultural landscapes and architecture as requested.

Proposed 2020 Municipal Heritage Committee Budget

The chart below illustrates a breakdown of the Municipal Heritage Committee's 2020 budget for submission to Council. A \$7,508 base budget allocation is subject to approval of the 2020 Municipal Budget.

Expense	Allocated Budget \$
Car Allowance & Local Mileage	\$2,000
Conference/Seminars/Training-Development	\$708
Project Costs	\$2,100
Meeting Expenses	\$2,500
Membership/Affiliation Fees	\$200
Total	\$7,508

Municipality of Chatham-Kent

Finance, Budget and Information Technology Services

Financial Services

Routine Approval

To: Mayor and Members of Council

From: Matt Torrance, MBA, CPA, CGA
Director, Financial Services

Date: February 10, 2020

Subject: Budget Methodology

Under Ontario Regulation 284/09, municipalities are allowed to exclude the following for budget purposes:

- Amortization expense
- Post-employment benefit expense
- Solid waste landfill closure cost and post closure expenses (not a material issue in Chatham-Kent)

The standards and reporting requirements of the Public Sector Accounting Board (PSAB) changed drastically in 2009, most significantly with the introduction of tangible capital assets to the statement of financial position, and amortization expense to the statement of operations. However, the accounting standards do not require municipalities to prepare budgets on the same basis. The Municipality of Chatham-Kent continues to develop its budget on the cash basis. This provides the annual cash requirements for the municipality and excludes the PSAB requirements for non-financial assets and liabilities. By rule, this method of budgeting must be reaffirmed each year.

For 2020, the amortization expense is estimated to be \$38.3 million, and the post-employment benefit expense is estimated to be \$3.7 million, both of which were excluded in developing the 2020 budget. The 2020 budget does include Chatham-Kent's lifecycle and capital budgets, which are greater than the historical amortization of its current assets as replacement costs increase over time, and the current year's post-employment benefit expense for eligible retired employees.

Prepared by:

Reviewed by:

Matt Torrance, MBA, CPA, CGA
Director, Financial Services

Gord Quinton, MBA, CPA, CGA
Chief Financial Officer, Treasurer

Attachment(s): None

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**Municipality of Chatham-Kent
Recommendations of the Drainage Board
To
Chatham-Kent Council**

RE: Drainage Board Meeting – February 18, 2020

Members present were Chairman Brian Anderson, Vice Chairman Grant Guy, Second Vice Chairman Ron Gelderland, and member Steve Gleeson. Not present Louis Roesch, and Scott McGeachy.

A summary of the recommendations of the Board with respect to the drainage matters considered at the February 18, 2020 meeting are set forth below. The provisional by-laws are found elsewhere in the agenda.

Summary of Recommendations of the Drainage Board

1. Talbot Trail Lot 151 Drain
Community of Raleigh

That the Engineer's report on the Talbot Trail Lot 151 Drain dated January 14, 2020 be adopted as presented and Council give 1st and 2nd reading to the By-law with respect to the Talbot Trail Lot 151 Drain.

2. Josh Vyn No. 1 Drain
Community of Howard

That the Engineer's report on the Josh Vyn No. 1 Drain dated January 6, 2020 be adopted as presented and Council give 1st and 2nd reading to the By-law with respect to the Josh Vyn No. 1 Drain.

3. Josh Vyn No. 2 Drain
Community of Howard

That the Engineer's report on the Josh Vyn No. 2 Drain dated January 6, 2020 be adopted as presented and Council give 1st and 2nd reading to the By-law with respect to the Josh Vyn No. 2 Drain.

4. Camythorne Drain
Community of Raleigh

That the Engineer's report on the Camythorne Drain dated February 3, 2020 be adopted as presented and Council give 1st and 2nd reading to the By-law with respect to the Camythorne Drain.

5. Campbell Leatherdale Drain
Community of Howard

That the Engineer's report on the Campbell Leatherdale Drain dated February 5, 2020 be adopted as presented and Council give 1st and 2nd reading to the By-law with respect to the Campbell Leatherdale Drain.

6. Duart Drain 2020
Community of Orford

That the Engineer's report on the Duart Drain 2020 dated January 24, 2020 be adopted as presented and Council give 1st and 2nd reading to the By-law with respect to the Duart Drain 2020.

That the following engineering appointments be approved: Section 4 Drain, Tecumseh Line – Spriet Associates London Limited, Facey East Branch Section 4 Drain - Spriet Associates London Limited, Section 4 Drain, Grande River Line - Spriet Associates London Limited, Hepburn Drain - Spriet Associates London Limited, Lalonde Drain - Spriet Associates London Limited, and Ted Teetzel Drain - Spriet Associates London Limited.

**Chatham-Kent Board of Health
Minutes**

Wednesday, January 15, 2020

11:00 a.m.

Call to Order

Present: Councillor Joe Faas (Chair)
Councillor Karen Kirkwood-Whyte
Councillor Brock McGregor (Vice-Chair)
Councillor Carmen McGregor
Ms. Noreen Blake
Mr. Ron Carnahan
Teresa Bendo, Director, Public Health
Dr. David Colby, Medical Officer of Health
Dr. April Rietdyk, General Manager, Community Human Services
Lisa Powers, Executive Assistant, Community Human Services

Regrets: Ms. Sharon Pfaff

Absent: Mr. Brennan Altman

Guests: Rachel Guerin, Blenheim Youth Centre (BYC); Pauline Nash, AIDS Committee Windsor; Emily Robert, BYC; Krystal Guyitt, Hope Haven; Councillor Clare Latimer; Jason Stubitz, CK Local Immigration Partnership; Hope Mugridge, St. Andrews Residence; Beth Kominek, Chatham-Kent Community Health Centre (CKCHC); Laura MacDougald, CKCHC; Alan McGuigan, ROCK Missions; Tania Sharpe, Chatham-Kent Public Library; Gabriel Clarke, Municipality of Chatham-Kent (MOCK); Rebecca Smyth, Access Open Minds; Thomas Kelly, MOCK; Heather Hughes, Lambton-Kent District School Board; Steve Pratt, United Way; Jay Cunningham, Kent Federation of Agriculture; Councillor Marjorie Crew, Family Service Kent (FSK); Brad Davies, FSK; Rashoo Brar, Chatham-Kent Health Alliance; Wanda Bell, Hope Haven; Kristen Williams, MOCK; Chantal Perry, MOCK; Mark Reinhart, MOCK; Amy Wadsworth, CK YMCA; Rodney Hetherington, Paramedic Services; Donna Litwin-Makey, Children's Treatment Centre; Deb Crawford, St. Clair Catholic District School Board

1. Provision for Declaration of Pecuniary Interest

No member of the Board declared a pecuniary interest on any matter on the open session agenda.

2. Minutes of the Board Meeting of December 18, 2019

Councillor C. McGregor moved, seconded by Mr. Carnahan:

“That the minutes of the December 18, 2019 Board of Health meeting be approved.”

The Chair put the Motion.

Motion Carried

3. Business Arising from the Minutes - None

4. Education/Training

a) Public Health Modernization, Presentation by Teresa Bendo, Director, Public Health

In an effort to inform the group on upcoming plans for public health modernization, Ms. Bendo shared a brief PowerPoint presentation. Attendees then participated in a small group exercise aimed at soliciting feedback to inform the Health Unit's formal consultation response.

Councillor C. McGregor moved, seconded by Ms. Blake:

“That the information gathered at the Public Health Modernization Consultation meeting be compiled and submitted by administration to the provincial government by February 10th.”

The Chair put the Motion.

Motion Carried

5. New Business

A. Items Requiring Action - None

B. Information Reports to be received - None

C. Items to be Received and Filed - None

6. Non-Agenda Items - None


7. Time, Date and Place for the Next Meeting of the Board

The next meeting of the Board will be held Wednesday February 19, 2020, at the Health and Family Services building, 435 Grand Ave. W., Chatham, with the open portion of the meeting to start at 11:00 a.m.

8. Adjournment

Moved by Councillor C. McGregor that the meeting be adjourned at 12:00 pm.

Joe Faas, Chair

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Chatham-Kent Museum Advisory Committee

Minutes

Thursday, Sep 26, 2019

7:00 PM

Call to Order

Present: Nicholas Cadotte
Clair Culliford
Frank Vink
Councillor Michael Bondy
Stephanie Saunders, Curator, Chatham-Kent Museum
Heather Slater, Manager, Arts and Culture
Blair Newby, Assistant Curator, CK Museum, Curator, Ridge House
Deborah Furlan, Admin Assistant, Arts and Culture
Dr. April Rietdyk, General Manager, Community Human Services

Regrets: Garna Argenti
Eileen Crouch

1. Disclosures of Pecuniary Interest (Direct or Indirect) and the General Nature Thereof

No member of the Board declared a pecuniary interest on any matter on the open session agenda.

2. Election of the Chair

Ms. Saunders acknowledged receipt of two resignations, Chairperson Mindy Bows and Garna Argenti.

Cl. Bondy nominated Mr. Culliford. Mr. Vink nominated self. Committee voted on paper slips. Votes in, tie two and two. Names in a cup and one paper pulled by Dr. Rietdyk. Mr. Vink's name was pulled from the cup.

Mr. Vink is chair.

3. Introduction – Blair Newby, Assistant Curator, CKM/Curator, RHM

Ms. Saunders introduced Ms. Newby, the new Assistant Curator, CK Museum and Curator, Ridge House; Ms. Newby greeted the Committee and gave a brief introduction.

Ms. Newby has 14 years of experience in the museum field. Ms. Newby has a Bachelors in History from the University of Waterloo and Masters in Museum Studies from the University of Toronto.

Ms. Newby has previously worked at the Buxton National Historic Site and Museum as a summer student for six years and at the Chatham-Kent Black History society for five years as the Executive Director.

More recently, Ms. Newby worked in the Special Events department at Black Creek Pioneer Village coordinating events for four years and at the Multicultural History Society of Ontario as the Outreach officer for 3 three years.

Ms. Newby is truly excited about this opportunity and what the year ahead has in store for her as the Curator of Ridge House Museum.

The committee welcomed Ms. Newby.

4. Minutes of the Chatham-Kent Museum Advisory Committee Meeting Held on May 23, 2019

Mr. Culliford moved, seconded by Cl.Bondy:

“That the minutes of the May 23, 2019 Chatham-Kent Museum Advisory Committee meeting be approved.”

The Chair put the Motion.

Motion Carried

5. Business Arising from the Minutes of the May 23, 2019 Advisory Committee meeting

None

6. Education and Training

None

7. New Business

a. Items Recommended for deaccessioning

None

b. Information Reports to be Received

i. Curator's report, by Stephanie Saunders, Curator

Attendance Summary:

- May
 - Paying: 69
 - Non-paying: 845
 - School: 60
 - Milner:26
 - Total: 1000
- June
 - Paying: 19
 - Non-paying: 700
 - School: 337
 - Milner:214
 - Milner School: 74
 - Total: 1344
- July
 - Paying: 54
 - Non-paying: 927
 - School: 0
 - Milner: 247
 - Total: 1228
- August
 - Paying: 72
 - Non-paying: 967
 - School: 52
 - Milner:269

- Total: 1360

Web Visitors:

- May:
 - Municipal website: 943
 - Facebook users/clicks: 6445/579
- June:
 - Municipal website: 530
 - Facebook users/clicks: 2375/83
- July:
 - Municipal website: 725
 - Facebook users/clicks: 592/64
- August:
 - Municipal website: 479
 - Facebook users/clicks: 3176/283

Staff Development:

- Paige Alexander and Courtney Pinsonneault have been hired as Museum Ambassadors.
- Blair Newby has been hired on contract as the Assistant Curator, CKM/Curator, RHM.
- Keirsten Smith has resigned from her position as a Museum Ambassador.
- Adele Steele, Kelsie VanDeVelde, and Lauren McKerrall have completed their contracts as Historical Interpreters (summer students).

Maintenance:

- The water meter at Milner Heritage House has been changed.
- The Milner Heritage House main floor air conditioning unit is not functional.
- The Milner Heritage House "bird room" has sustained water damage due to an HVAC leak. No artifacts were affected. The cause of the leak has been repaired.
- Monthly fire alarm testing has been conducted.

Curatorial Activities:

- 19 artifacts have been accessioned.
- 11 research requests were received and 7 have been completed.

Conservation:

- No update

Exhibitions:

- “School is in Session” opened at the Blenheim Heritage House on July 26.
- “Worlds of the Night” closed on August 4.
- “Carnivals! Festivals! Fairs! Oh My!” opened on August 28.

Interpretation/Education:

- In partnership with the Kent Historical Society, the museum hosted presentations on the Gray Dort Company on May 21 (15 attended), and Gray’s China Hall on September 17 (24 attended).
- The May 30 CKM ThursDIY had five people in attendance to make nature candles.
- 26 children made emergency picnic kids at CKM Kids Club on June 1.
- CKM also took part in Youthfest on June 1.
- The CKM ThursDIY for June was cancelled due to low enrollment.
- Tilbury Area Public School brought 18 students on a STEAM program on June 21.
- The museum participated in the EarlyON Bright Beginnings Expo in Tilbury on June 22 with 25 adults and 22 children in attendance.
- The first week of summer camp with the theme of “Adventure Camp” had 23 registrations.
- “Fantastic Beasts and Where to Find Them” summer camp week had 31 registrations.
- “Messy Museum” summer camp week welcomed 37 campers.
- Montessori visited the Imagination Station in the museum with 37 pre-kindergarten children on August 27.
- 35 campers attended our “Myths, Fantasy and Legends” week of summer camp.
- 14 toddlers from Montessori came to visit the Imagination Station in the museum on August 27.
- Kids Club for September was cancelled due to low enrollment.

Marketing/Public Relations:

- Posters, web postings, signage, and social media promotion were undertaken as required for all museum programming and exhibits.

Governance/Policy:

- No update.

Items of Interest:

- Upcoming Events:

- PA Day: Game On!, Friday, September 27, 8:30AM-5:00PM
- Sensory Friendly Saturday, Saturday, September 28, 10AM-11AM
- Sensory Trivia, Thursday, October 3, 7PM-10PM
- Kent Historical Society: General Duncan McArthur, Tuesday, October 15, 7:30PM-10PM
- PA Day: Monsters, Giants and Heroes, Friday, October 25, 8:30AM-5:00PM
- Kids Club: Haunted Hallowe'en, Saturday, October 26, 10AM-11AM
- Kids Club: WildCK, Saturday, November 16, 10AM-11AM
- Kent Historical Society: Chris Carter, Tuesday, November 19, 7:30PM-10PM
- PA Day: WildCK, Friday, November 22, 8:30AM-5:00PM
- CKM Adult Gingerbread Workshop, Thurs, December 12, 7PM-9PM
- Kids Club: Noon Year's Eve Party, Tuesday, December 31, 11AM-12PM

Committee engaged in discussion:

- Is a click a LIKE? A click is a LIKE, SHARE, COMMENT, basically an impression.

Milner house numbers are about steady over the last few years.

- Sensory Trivia is online; Mr. Culliford suggested committee members participate.
- Dr. Rietdyk any thoughts on why some programs have significant registration and others cancelled. Ms. Saunders does not get a lot of feedback on programs that get cancelled. Ms. Slater thinks the Arts and Culture team can do a better job, more frequent, get the word out, marketing and promoting.
- Mr. Vink Grays China Hall is closing – looking for paper, random items for the museum.

Cl. Bondy moved, seconded by Mr. Cadotte:

“That the Curator’s Report be received as information”

The Chair put the Motion.

Motion Carried

8. Non-Agenda Items

Dr. Reitdyk requested Mr. Vink share research he has been doing. Mr. Vink has been itemizing historical documents left at Ridgetown Municipal Centre (previously borrowed by an old curator).

Four Family Groups information:

- (1) Robert Gray not wealthy and lots of tragedy in his life (William Gray's brother). William became Mayor; the family ties back to Roxburghshire Scotland – to be accessioned to the CK Museum.
- (2) Beatties (Highgate) – Indian agent for Moraviantown. One of the Beattie descendants was sent a German shepherd dog.
- (3) John Blue – 1840s – receipt for a clock from William Hoyt.
- (4) John L Smith (Morpeth) – innkeeper; signed letter from Mayor of London Ontario owned a company for Stove Works about cast iron stove.

Mr. Culliford looking for a copy of a Chatham-Kent map hanging up in the library. Ms. Furlan offered to contact municipal records to assist.

9. Time, Date and Place for the Next Meeting of the Board

The next meeting of the committee will be held Thursday, January 30, 2020 in Studio One of the Chatham Cultural Centre at 7:00 PM. Additional meetings in 2020, are May 28 and September 24.

10. Adjournment

Moved by Mr. Cadotte that the meeting be adjourned at 7:41 PM

Ridge House Museum Advisory Committee

Minutes

Tuesday, Sep 24, 2019

7:00 PM

Call to Order

Present: Cl. John Wright
Sara Mervin
Edythe Marlatt
Frank Vink
Bob Wilson
Stephanie Saunders, Curator, Chatham-Kent Museum
Blair Newby, Assistant Curator, CKM/Curator, RHM
Dr. April Rietdyk, General Manager, Community Human Services
Deborah Furlan, Admin Assistant, Arts and Culture

Regrets: Heather Slater, Manager, Arts and Culture

1. Provision for Declaration of Pecuniary Interest

No member of the Board declared a pecuniary interest on any matter on the open session agenda.

2. Election of the Chair

Ms. Saunders acknowledged receipt of a resignation, Chairperson Mindy Bowls.

Mr. Vink nominated Ms. Mervin; Ms. Mervin accepted.

Committee voted, "That Sara Mervin be appointed chair for the remainder of the calendar year be approved."

Unanimously in favour. Ms. Mervin acclaimed.

3. Introduction – Blair Newby, Assistant Curator, CKM/Curator, RHM

Ms. Newby has 14 years of experience in the museum field. Ms. Newby has Bachelors in History from the University of Waterloo and Masters in Museum Studies from the University of Toronto.

Ms. Newby has previously worked at the Buxton National Historic Site and Museum as a summer student for six years and at the Chatham-Kent Black History society for five years as the Executive Director.

More recently, Ms. Newby worked in the Special Events department at Black Creek Pioneer Village coordinating events for four years and at the Multicultural History Society of Ontario as the Outreach officer for 3 three years.

Ms. Newby is truly excited about this opportunity and what the year ahead has in store for her as the Curator of Ridge House Museum.

The committee welcomed Ms. Newby.

4. **Minutes of the Meeting of May 29, 2019**

Ms. Marlatt moved, seconded by Cl. Wright.

“That the minutes of the May 29, 2019 Ridge House Museum Advisory Committee meeting be approved.”

The Chair put the Motion.

Motion Carried

5. **Business Arising from the Minutes**

None

6. **Education and Training**

None

7. **New Business**

A. **Items for deaccessioning**

None

B. Information Reports to be received

a) Curator's Report, by Ms. Newby, Curator

Attendance Summary:

- May
 - Paying: 0
 - Non-paying: 42
 - School: 0
 - Total: 42
- June
 - Paying: 6
 - Non-paying: 74
 - School: 0
 - Total: 80
- July
 - Paying: 0
 - Non-paying: 115
 - School: 0
 - Total: 115
- August
 - Paying: 0
 - Non-paying: 135
 - School: 0
 - Total: 135

Web Visitors:

- May:
 - Municipal website:
 - Facebook users/clicks: 1609/79
- June:
 - Municipal website:
 - Facebook users/clicks: 0/0
- July:
 - Municipal website:
 - Facebook users/clicks: 592/64
- August:
 - Municipal website:
 - Facebook users/clicks: 731/15

Staff Development:

- Paige Alexander and Courtney Pinsonneault have been hired as Museum Ambassadors.

- Blair Newby has been hired on contract as the Assistant Curator, CKM/Curator, RHM.
- Keirsten Smith has resigned from her position as a Museum Ambassador.
- Adele Steele, Kelsie VanDeVelde, and Lauren McKerrall have completed their contracts as Historical Interpreters (summer students).

Maintenance:

- Acquiring quotes and working with the heritage committee to complete lifecycle projects.

Curatorial Activities:

- 23 artifacts have been accessioned.
- Three research requests were received and two completed from May to August.

Conservation:

- The table top steeple clock and Regulator wall clock are back in working order.

Exhibitions:

- Discovery Den featured the theme of "On Your Mark, Get Set, Go!" in June, "Explore the Night" in July, and "Branch Out!" in August.

Interpretation/Education:

- Eleven children created outdoor tic tac toe games at the Creative Kids program on June 8.
- The RHM DIY Den for June, July and August were cancelled due to low enrollment.
- Creative Kids on July 6 to make galaxy play dough had eight registrations.
- Eight children participated in making a natural loom as part of the Creative Kids workshop in August.

Marketing/Public Relations:

- Posters, web postings, signage, and social media promotion were undertaken as required for all museum programming and exhibits.

Governance/Policy:

- No update.

Items of Interest:

- Upcoming Events:
 - Trick-or-Treat, October 31, 5-8PM
 - RHM Adult Gingerbread Workshop, December 5, 7-9PM
 - RHM Christmas Open House, December 14 (tentative), after Christmas Parade

Committee discussion re: Curator Report

The Committee asked whether Arts and Culture uses Instagram. Ms. Saunders replied that since the restructuring, staff are discussing use of Instagram either as a collective or as a museum, gallery, theatre. Museum staff to keep committee posted on decision re: use of Instagram.

Committee pleased new back door has assisted in maintaining keeping critters out.

Mr. Vink has been itemizing bits and pieces left at Ridgetown Municipal Centre (previously borrowed by an old curator). The four categories of items are (1) John Blue – 1840s; (2) Beatties (Highgate); (3) John L Smith (Morpeth) – innkeeper; letter about cast iron stove; and (4) Robert Grey (William Grey's brother)

Cl. Wright asked if Ridge House participates in the Golden Pumpkin event (trick or treating for little ones before dark). Museum staff will look into whether or not the Ridge House can get involved in the Golden Pumpkin. Museum staff to ask the Gingerbread Workshop patrons what would get adults out in the summer.

Cl. Wright moved, seconded by Ms. Marlatt:

“That the Curator’s Report be accepted as information.”

The Chair put the Motion.

Motion Carried

8. Non-Agenda Items

Cl. Wright was interested whether Ridge House has participated or would participate in the Kiwanis House Tour led by the Kiwanis Club of Ridgetown. Ms. Saunders replied that the Ridge House has not participated in the past but could explore participation in the future. Committee ideas to have costumed interpreters and to keep Discovery Den closed should the museum participate. Cl. Wright to get the MaryAnn Hawthorn's information to Ms. Saunders.

Mr. Vink requested removal of the mulberry tree as it is over-grown.

9. Time, Date and Place for the Next Meeting of the Board

The next meeting of the Committee will be held January 28, 2020 at the Ridge House Museum at 7:00 pm. Additional meetings in 2020 are May 26 and September 22.

10. Adjournment

Moved by Mr.Vink that the meeting be adjourned at 7:32 pm.

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Chatham-Kent Age Friendly Community Advisory Committee

Date and Time: November 7, 2019, 1:00pm – 3:00pm

Location: Room 301A, Health & Family Services Building

Present: Karen Herman (Chair)
Meghan Bradley
Marjorie Crew
Sara Ebare
Tara Seney

Regrets: Barbara Ferren
Helen Kehoe
Jyl Panjer

Staff Present: Heather Bakker, Administrative Assistant, Public Health
Annie Lukacsovics, Age Friendly Coordinator

1. Welcome

2. Approval of the Agenda

Motion of Approval: Meghan Bradley
Seconded: Marjorie Crew
Carried.

3. Declaration of Pecuniary/Conflict of Interest

No members declared a pecuniary interest on any matter on the open session agenda.

4. Approval of Minutes of October 3, 2019

Motion of Approval: Marjorie Crew
Seconded: Tara Seney
Carried.

5. Business Arising from Minutes of October 3, 2019

- Follow-up to Sidewalk Winter Maintenance Policy – Marjorie updated that Council approved the policy to remain as status quo, the Municipality will plow sidewalks and residents are to complete prevention salting if needed; Council agreed to support the minimum Provincial standards.
- CK to the Power of Young People – CK^y Advisory Group representative – Annie introduced Victoria Bodnar, staff support for CK^y. Committee has been in

existence for one year and meets 3-4 times per year, will be looking at CK participation at the AFC.

6. Guest Speaker: Sherri Saunders, Executive Director, Chatham-Kent CHC

Sherri spoke of the formation of the Chatham-Kent Ontario Health Team (OHT) and advised the committee on the status of the committee's progress. The creation of OHTs is in response to the Province's call to action to enhance residents health needs. OHT is local health care providers working together to provide coordinated care, including providers from multiple health sectors (e.g. primary care, hospital, home care, long-term care).

CK OHT partners include Thamesview Family Health Team, Chatham-Kent Health Team, Tilbury District Health Team, Chatham-Kent Community Health Centres, Chatham-Kent Health Alliance, March of Dimes Canada, TransForm, Municipality of Chatham-Kent (including Public Health, Employment & Social Services, Housing, Riverview Gardens), March of Dimes Canada, Alzheimer's Society, Erie St. Clair Behavioural Supports Ontario, Erie St. Clair LHIN, Canadian Mental Health Association Lambton Kent, Chatham-Kent Hospice, St. Andrew's Residence, Westover Treatment Centre, EMS. Collaborative partners include Prosperity Roundtable.

Vision – achieving the best health and well-being together.

At maturity, the CKOHT will serve 105,241 residents. Year one population – approximately 110,000 patients enrolled, being adults 55+ with at least one of the following criteria: heart failure or angina, COPD, dementia or diabetes.

Twenty-four patient advisors supported work to complete the application; the steering committee is co-chaired by a patient advisor. Twenty plus+ engagement sessions have occurred or are scheduled; all engagements will help develop the CKOHT Strategic Plan. Participation from francophone and indigenous communities, CK local immigration partnerships, physicians and NPs, patients, rural leaders, seniors and system partners.

Follow on Facebook and twitter, /ChathamKentOHT, @CK_OHT, www.ckoht.ca. Advise how can we improve, what is missing, how can we continue to engage? Presentation is attached to minutes.

7. Guest Speaker: Councillor Karen Kirkwood-Whyte re: update on affordable housing initiatives in Chatham-Kent

Previously, Prosperity roundtable held discussion on tiny homes in Chatham-Kent. Mayor Canniff supported the idea of tiny homes in his campaign. Since April 2019, Karen is working with a group of people who wanted to focus on tiny homes, has since evolved to small homes, not rental properties, affordable home ownership. Committee has a number of people that have passion, interest and expertise, have identified a piece of property, offer to purchase, and now completing environmental

assessments. Plan is for up to 30 little units, single, double and triple units, which will be owned by a non-profit association. Homes will be owned by individuals, with a life lease, with a co-op of residents to manage the residences. Next step is getting the interest of community to purchase homes. Working on another affordable housing initiative and will be looking at residents with support staff.

8. Housing Assessment Update

Report will not go to Council as planned, new date being scheduled.

9. Non-Agenda Business

November 27 – Senior Advisory Committee and Age Friendly Community Committee are invited to a joint Festive lunch.

Elder Abuse – Tara advised that she is supporting a conversation on Elder Abuse on December 13, at the Alexander Houle Community Room.

10. Next Meeting

Sara Ebare moved, seconded by Meghan Bradley:

That December 5th meeting be cancelled.

Motion Carried

11. Adjournment

Moved by Meghan to adjourn meeting 3:00pm CARRIED

CONFIRMED: _____, CHAIR



Chatham-Kent Accessibility Advisory Committee

Date and Time:	Tuesday, January 21, 2020 1:30 p.m. – 3:30 p.m.
Location:	Studio One, Cultural Centre
Present:	Mike Gerard, Mickey Puddicomb, Rick LaMarsh, Sara Ebare, Ralph Roels, Brett Bartlett, Eileen Travis Hamilton, Jerry Meriano, Brian Bird, Sheila Clements
Absent:	Clare Latimer, Bruce Thompson, Kiara McGivern
Staff Present:	Annette Bourdeau, Jane McGee, Jan Metcalfe, Shelley Charbonneau
Council Rep:	Clare Latimer
Guest:	Ashley Gialelem, Ian Clark, Whitney Burk

1. Call to Order

The Chair called the meeting to order at 1:30 pm.

2. Review of Minutes from November 19, 2019

Motion of Approval: Sara
Seconded: Ralph
Carried.

3. Chatham-Kent Fire Services Presentation

The Public Education Officer, Fire Services presented information relating to Community Safety.

Information regarding fire and carbon monoxide alarms as well as building fire safety plans for people of all abilities was shared.

If anyone would like to request a CHiRP Check (Chatham-Kent Homes: Informed, Ready and Protected) they can call Fire Services at 519-360-1998 or email ckfire@chatham-kent.ca

4. C-K Transit Study Update/Request for Input

Chatham-Kent's Transit Project Manager provided an update on the status of the project. A public engagement process is in place to gain public feedback. A final report to Chatham-Kent Council will occur in late May/June.

The Committee provided feedback on the following items:

- On demand services, scheduled services and fixed route services.
- Specialized services and parity to conventional services.
- Challenges managing appropriate use of scheduled bookings for accessible services.
- Extended evening service and use of technology for access.
- Partnerships to provide accessible taxi service.
- Provision of education on use of the service application i.e. social media.
- Challenges for specialized services where there are behavioural concerns affecting other riders.

5. CK Health Alliance Update (CKHA)

Mickey provided her CKHA Accessibility Council January report to be circulated with the AAC minutes.

6. Library Accessibility Tour

Scheduled for January 27th @ 1:30 pm. RSVP to Mike or Annette. Can be rescheduled if this is not a good time.

7. Award Nominations

Business award nominees are:

- Casino- very open space. Large, accessible washrooms.
- Eden Villa- renovated in 2013.

Committee members will visit these sites.

Advocate award to be presented to:

- St. Clair College.

Perseverance award to be presented to:

- Rick Frances.

The awards presentation will take place in March.

8. Updates, Media and Next Meeting Items

Seniors Fair– February 14th @ Active Lifestyle Centre, Chatham.

Assistive Hearing Device– have secured funds to purchase. IT will ensure system identified by AAC will work in Council chambers.

Meeting adjourned: 3:30 pm

Next Official Meeting Date: **Tuesday, February 18, 2020**

Location: Chatham Cultural Centre

Time: 1:30 p.m.

RIDGE LANDFILL LIAISON COMMITTEE
TUESDAY, DECEMBER 10, 2019
REGULAR MEETING

The Ridge Landfill Liaison Committee held its regular meeting on the above date commencing at 10:27 a.m. at the Ridge Landfill Onsite Office, 20262 Erieau Road, Blenheim, Ontario

Committee Members Present were: Anthony Ceccacci, Municipality of Chatham-Kent; Dave Wammes, Public Member; John Vermey, Ridge Landfill Community Trust Fund; Cathy Smith, Waste Connections of Canada, Project Manager, Ridge Landfill Expansion; Allan MacKinnon, Ministry of the Environment, Conservation, and Parks (MECP)

Also present were: Rick Kucera, Secretary; John Ferguson, Ferguson Geoscience

Regrets: Tim Church, Waste Connections of Canada Ridge Landfill Representative; Trevor Thompson, Chair, Municipality of Chatham-Kent

Guests: Mark Leduc, Waste Connections of Canada Ridge Landfill

1. **MINUTES:**

DAVE WAMMES - JOHN VERMEY :

"THAT the minutes of September 24, 2019 be adopted without revision."

Motion Carried Unanimously

2. **COMMITTEE MEMBERSHIP**

Allan MacKinnon was introduced to the Committee as the new MECP representative.

3. **BUSINESS ARISING FROM THE MINUTES:**

(a) **Odour Complaint Follow-up**

Mark Leduc reported that odour complaints during the quarter have been ongoing with a single complainant. Odour control misters and the landfill gas flare remain operational. Upgrades to the gas recovery system, including the electrical system and pump condensate units, are expected to increase gas recovery capacities and flare efficiency to further reduce odours. Mark also related that select loads have strong odours and arrangements are made to bury the waste upon arrival but offsite odours may occur depending on the prevailing wind direction when select wastes arrive.

(b) **Update on Ridge Landfill Expansion**

Cathy Smith reported that after MECP review comments of the draft EA were addressed, it is expected that the final EA will be provided to MECP in early 2020 to allow greater time after the Holidays for Public Review and Comment.

DAVE WAMMES - JOHN VERMEY :

"THAT the reports be received"

Motion Carried Unanimously

RIDGE LANDFILL LIAISON COMMITTEE
TUESDAY, DECEMBER 10, 2019
REGULAR MEETING

4. **NEW BUSINESS:**

(a) **Dillon Consulting – Groundwater and Surface Water Quality Monitoring Data**

Residential Well Sampling Event – September 2019

Laboratory reports and an interpretive memo for the 2019 private well sampling event have been received and are maintained on file. A summary of the report findings was included in the Agenda package and **John Ferguson** provided a brief overview for the Committee.

In summary, a total of 15 private wells in proximity to the Ridge Landfill were sampled in September 2019, including three residences for the first time, to monitor drinking water quality on an annual basis as input toward whether landfill operations affect the confined regional aquifer. Laboratory results document that volatile organic compounds (VOCs) were added to the monitoring program during 2019 and no VOCs were detected during the 2019 monitoring event. Further, reported leachate-indicator parameter concentrations were consistent with previous findings and within historical concentration ranges to indicate that a landfill leachate impact is not identified for the locations tested. Residents were notified individually of the water quality results for their water supply wells and no additional private well sampling was recommended before the next scheduled monitoring event in 2020.

The Committee requests that a brief summary of monitoring results be provided in addition to the laboratory reports for future scheduled monitoring program events.

DAVE WAMMES - JOHN VERMEY :

"THAT the report be received"

Motion Carried Unanimously

5. **UNFINISHED BUSINESS**

No unfinished business was identified.

6. **PUBLIC COMPLAINTS:**

Mark Leduc reported that a Charing Cross resident has reported trucks straying from the approved haul route, perhaps on their way to the Bloomfield Truck Stop. General Committee discussions identify that select local trucks are required to provide curb-side services to surrounding residents and businesses. Mark related that notifications have been provided to contractors regarding the required use of the approved route and staff periodically monitor local truck traffic for compliance.

7. **PUBLIC PRESENTATIONS:**

No Public presentations were received.

RIDGE LANDFILL LIAISON COMMITTEE
TUESDAY, DECEMBER 10, 2019
REGULAR MEETING

8. **OTHER BUSINESS:**

Mark Leduc reported that as a component of a new generator being installed to support additional onsite offices, an estimated 20-25 litres of diesel fuel was released by over-pressuring and migrated through the shallow soil into the adjacent surface water. Initial response activities, including impacted soil over-excavation and impacted water isolation and recovery, were completed by US Ecology with verification samples collected for laboratory testing by Dillon Consulting. Surface water will continued to be recovered as required when a visible sheen is identified. The new generator has been re-located to a lined pit that has been backfilled with gravel as secondary containment in the event of future spills.

The election of a Committee **Chair** and **Vice-Chair** was deferred until the next meeting in March 2020.

9. **NEXT MEETING:**

The proposed date of the next meeting is scheduled for **Tuesday, March 10, 2020, at 10:00 am** in the **downstairs Lecture Room at the Gable Rees Rotary Pool**. An electronic invitation will be provided to Committee Members.

10. **ADJOURNMENT:**

Owing to poor weather, the scheduled Landfill Tour was deferred until an acceptable date for Council members and other interested Stakeholders can be arranged in early 2020.

Meeting adjourned at 11:50 am.

ANTHONY CECCACCI :

"THAT the meeting be adjourned."

Motion Carried Unanimously

Chair
Secretary

These minutes were recorded by the undersigned,
to whom any errors or omissions should be reported
as soon as possible.
John Ferguson

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BLenheim LANDFILL LIAISON COMMITTEE
TUESDAY, DECEMBER 10, 2019
REGULAR MEETING

The Blenheim Landfill Liaison Committee held its regular meeting on the above date commencing at 9:03 a.m. at the Gable Rees Rotary Pool Downstairs Lecture Room, 66 Regent Street, Blenheim, Ontario

Committee Members Present were: Brian Case, Public Member; Mary Clare Latimer, Municipality of Chatham-Kent; Dave Wammes, Public Member; Anthony Ceccacci, Municipality of Chatham-Kent; Brad Norton, Waste Management of Canada Corporation Inc.

Also present were: Rick Kucera, Secretary; and John Ferguson, Ferguson Geoscience

Regrets: Allan MacKinnon, Ministry of the Environment, Conservation, and Parks (MECP)

1. **MINUTES:**

CLARE LATIMER - BRAD NORTON :

"THAT the minutes of September 24, 2019 be adopted without revision"

Motion Carried Unanimously

2. **COMMITTEE MEMBERSHIP:**

Jim Hawryluk has retired as the Public Member from the Committee. The Committee Members directed that Jim be presented with a plaque in the New Year commemorating his greater than 20 years of service to the Committee as a Public Member. Jim was also a Committee Member before amalgamation in 1998 representing Harwich Township. Thank you and Best Wishes from all Committee Members!

Rick Kucera introduced and welcomed **Dave Wammes** as the new Public Member for the Committee.

3. **BUSINESS ARISING FROM THE MINUTES:**

No Business Arising from the Minutes

4. **NEW BUSINESS:**

- (a) **RWDI Air Inc. Consulting Engineers and Scientists – Groundwater and Surface Water Quality Monitoring Events**

July 2019 Storm Surface Water Monitoring Event
August 2019 Surface Water Monitoring Event
October 2019 Storm Surface Water Monitoring Event

Letters of Notification for scheduled monitoring events during 2019 have been received. A summary of the findings were attached to the Agenda package. **John Ferguson** provided an overview of each report to the Committee.

In summary, surface water quality monitoring is completed during regularly scheduled events to investigate whether the closed landfill affects the surrounding natural environment. Surface quality monitoring station SW3 was dry in August 2019 and laboratory results document that no organic chemicals were detected from monitoring stations SW1 and SW2. Further, reported metals concentrations satisfy the relevant *Provincial Water Quality Objectives* (PWQOs), except for total phosphorous which was attributed to surrounding agricultural land use.

BLLENHEIM LANDFILL LIAISON COMMITTEE
TUESDAY, DECEMBER 10, 2019
REGULAR MEETING

Surface water quality is monitored at established stations after precipitation events when the leachate treatment system is operational as an early indicator of landfill effects to the surrounding natural environment. Laboratory reports document that no organic chemicals were detected during the July 2019. As surface quality monitoring station SW3 was dry after storm monitoring events in July and October, reported concentrations of select parameters which exceeded the PWQO limits and were attributed to native clayey soil erosion rather than a landfill leachate effect, did not discharge offsite and were expected to be diluted within the Stormwater Management Pond.

BRAD NORTON - ANTHONY CECCACCI :

"THAT the reports be received"

Motion Carried Unanimously

4. **UNFINISHED BUSINESS:**

No unfinished business.

5. **PUBLIC COMPLAINTS:**

No public complaints were received.

6. **PUBLIC PRESENTATIONS:**

No public presentations were received.

7. **OTHER BUSINESS:**

Brad Norton shared that work to expand the Poplar Treatment System is proposed for 2020. Pending MECP approval to double the size of the poplar footprint, work to install additional piping that enhances leachate flow to the perimeter collector system will be completed to provide greater irrigation liquid volumes for treatment and reduce the potential for leachate seeps since the stored leachate head will be lowered within the leachate mound. Tree planting will likely be completed in 2021.

Anthony Ceccacci shared that his recent tour of the closed Landfill has increased his understanding of the monitoring program and his appreciation of site naturalization projects. Conversations with constituents indicate that additional naturalization work would be positive. **Brad Norton** confirmed that additional projects are subject to budget approvals. General Committee discussions identify that teaming and funding opportunities may exist with the Lower Thames Valley Conservation Authority (LTVCA). Additional tree planting, wild-flowers within the buffer lands during Earth Week 2020, and virtual tours to increase Public awareness of the site were discussed as potential opportunities. Brad related that projects which increase song-bird habitat have been completed at other Waste Management sites and may be appropriate for the closed Blenheim Landfill. Anthony, **Clare Latimer**, and Brad will collaborate.

After nominations were opened and closed, **Brian Case** was elected as **Committee Chair** and **Clare Latimer** was elected as **Committee Vice-Chair** for a one year term until March 2021.

BLLENHEIM LANDFILL LIAISON COMMITTEE
TUESDAY, DECEMBER 10, 2019
REGULAR MEETING

8. **NEXT MEETING:**

The proposed date of the next meeting is scheduled for **Tuesday, March 10, 2020, at 9:00 a.m.** The meeting location will be the **downstairs Lecture Room at the Gable Rees Rotary Pool.**

9. **ADJOURNMENT:**

Meeting adjourned at 9:57 a.m.

ANTHONY CECCACCI

"THAT the meeting be adjourned."

Motion Carried Unanimously

Chair

Secretary

These minutes were recorded by the undersigned,
to whom any errors or omissions should be reported
as soon as possible.
John Ferguson

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Municipality of Chatham-Kent

Infrastructure and Engineering Services

Engineering and Transportation Division

To: Mayor and Members of Council

From: Jason Cikatricis, C.E.T.,
Engineering Technologist

Date: February 7, 2020

Subject: Contract T17-206 Fifth Street Bridge over the Thames River –
Structure Rehabilitation - Community of Chatham.

Recommendations

It is recommended that:

1. The Contract amendment in the amount of \$787,535.77 (including HST) for the construction work associated with Contract T17-206; Fifth Street Bridge over the Thames River – Structure Rehabilitation – Community of Chatham, be awarded to Looby Builders (Dublin) Limited, Dublin Ontario.
2. The Contract amendment in the amount of \$325,100.53 (including HST) for the consulting work associated with Contract T17-206; Fifth Street Bridge over the Thames River – Structure Rehabilitation – Community of Chatham, be awarded to Dillon Consulting Limited, Chatham Ontario.
3. The amount of \$117,679.28 (including HST) for the required Bell work associated with Contract T17-206; Fifth Street Bridge over the Thames River – Structure Rehabilitation – Community of Chatham, be awarded to Bell Canada.
4. The Mayor and Clerk be authorized to enter into the recommended agreements.

Background

The Fifth Street Bridge reconstruction project started in July 2017 and was completed in November 2019. This project consisted of the removal of the existing Fifth Street Bridge superstructure, rehabilitation of the existing concrete abutments and piers, and installation of new structural steel, new asphalt on concrete decking, new concrete sidewalks, new steel tube railings, new roadway reconstruction in the vicinity of the structure, and the reconstruction of the traffic signals at the corner of King Street and Fifth Street.

Prior to the bridge reconstruction, there were existing Bell cables below the Thames River that terminated in Bell maintenance holes located in the existing concrete bridge abutments. As part of the bridge project, the existing Bell maintenance holes (located in the existing bridge abutments) were being abandoned and removed. Therefore, new Bell infrastructure had to be installed from the Bell maintenance hole on at the intersection of King Street and Fifth Street to the Bell maintenance hole at the intersection of Thames Street and Fifth Street.

In order to accommodate the replacement of the Bell infrastructure across the Thames River, the new Bell cables had to be installed on the underside of the new Fifth Street Bridge. The new cables were installed by a Bell approved sub-contractor as part of the bridge construction. The existing Bell cables had to remain in service, and accessible at the existing Bell maintenance holes, in the bridge abutments, until the new cables were installed and spliced into the live system. The new Bell cables had to be spliced to the existing cables in the maintenance holes located at the intersections of Thames Street and Fifth Street and King Street and Fifth Street.

Additionally, existing Bell infrastructure from the maintenance hole at the intersection of Thames Street and Fifth Street to the maintenance hole at the intersection of Thames Street and Victoria Avenue had to be replaced due to broken conduits. This additional work caused further delays; as it was not part of the original contract.

The cable splicing work was completed by Bell independent of the bridge contractor. Due to regulations, the bridge contractor and Bell could not be on site at the same time. This meant that the bridge contractor had to wait for Bell's splicing work to be completed before they could finish the bridge project.

Due to the fact that the Bell splicing work was not completed until November 30, 2018, the contractor could not complete the project because of the cold seasonal weather conditions, and the type of work that had to be completed.

Comments

Even though construction was extended by approximately one year due to environmental and construction issues, the functionality and quality of the bridge was a success.

Due to a number of unforeseen issues that were not part of the original contract, and change orders that could not be contained in the original contract, the costs exceeded the Tender amount approved by Council.

A summary of some of the unforeseen issues are listed below:

- Northeast retaining wall had to be reconstructed from the ground up (approx. 2.4m high) instead of just the top 0.6m being replaced.
- Pier reconstruction complications, including the steel cofferdam surrounding the piers.

- Unacceptable fill materials removed from site that had to be disposed at landfill
- Roadway shoring protection system to maintain Bell maintenance hole access south of the bridge.
- Additional work on Simcoe Lane
- Additional mobilizations and demobilizations for General Contractor and Sub-Contractors.
- Additional Bonds and Insurance required to cover the time extension.
- Field and office overhead costs required to cover the time extension.
- The Third Street Bridge was closed from August 3, 2018 to October 26, 2018 and a 10 tonne weight restriction imposed upon opening. During this time, the Fifth Street Bridge had to have a minimum of 2 lanes open for public traffic and Emergency vehicles; therefore construction efforts were substantially slower due to the volume of traffic using the bridge on a daily basis.
- February 2018 Flood damages

In order to properly manage these additional issues, the consulting engineering firm had to increase the amount of work required and extend the time they were working on the project, which increased consulting fees.

Areas of Strategic Focus and Critical Success Factors

The recommendations in this report support the following areas of strategic focus:

- Economic Prosperity:
Chatham-Kent is an innovative and thriving community with a diversified economy
- A Healthy and Safe Community: Chatham-Kent is a healthy and safe community with sustainable population growth
- People and Culture:
Chatham-Kent is recognized as a culturally vibrant, dynamic, and creative community
- Environmental Sustainability:
Chatham-Kent is a community that is environmentally sustainable and promotes stewardship of our natural resources

The recommendations in this report support the following critical success factors:

- Financial Sustainability:
The Corporation of the Municipality of Chatham-Kent is financially sustainable
- Open, Transparent and Effective Governance:
The Corporation of the Municipality of Chatham-Kent is open, transparent and effectively governed with efficient and bold, visionary leadership

- Has the potential to support all areas of strategic focus & critical success factors
- Neutral issues (does not support negatively or positively)

Financial Implications

Additional project fees associated with this contract will be funded as summarized in the following table:

Contract Amendment - Financial Implications
T17-206 Fifth Street Bridge over the Thames River – Structure Rehabilitation,
Community of Chatham.
Project Costs

Recommended Contract Amendment - Construction (Including HST and rebate)	\$ 787,535.77
Recommended Contract Amendment - Consulting (Including HST and rebate)	\$ 325,100.53
Recommended Contract Amendment - Bell work (Including HST and rebate)	\$ 117,679.28
Total Amendment Project Costs	\$1,230,315.68
Total Amendment Project Funding	\$1,230,315.68

Note: Contract completion penalties have been imposed on the contractor in the amount of \$ 124,000.00. Legal Services will provide legal advice to Council in Closed Session regarding delays caused by Bell's work on the bridge.

The amendment costs represent 16% of the total contract value.

The total current project costs listed above will be funded from the Bridge Lifecycle Reserve, which includes funds under the Association of Municipalities of Ontario (AMO) Federal Transfers of Federal Gas Tax Funding Agreement.

Prepared by:

Reviewed by:

Jason Cikatricis, C.E.T.
Engineering Technologist,
Engineering and Transportation

Chris Thibert, P.Eng.
Director,
Engineering and Transportation

Reviewed by:

Thomas Kelly, P.Eng., MBA
General Manager
Infrastructure and Engineering Services

Consulted and confirmed the content of the consultation section of the report by:

Jennifer Scherle
Purchasing Officer

(RTC:\Infrastructure & Engineering\I&ES\2020\4207 – Contract Amendment to Contract
T17-206 Fifth Street Bridge over the Thames River – Structure Rehabilitation)

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Municipality of Chatham-Kent

Infrastructure and Engineering Services

Engineering and Transportation Division

To: Mayor and Members of Council

From: Mark McFadden, P. Eng.
Manager, Infrastructure Services

Date: March 2, 2020

Subject: Contract T20-110 Road Crack Cleaning and Sealing

Recommendations

It is recommended that:

1. The 2020 Road Crack Cleaning and Sealing Maintenance Program be approved.
2. The tender in the amount of \$421,348.19 including HST for the Road Crack Cleaning and Sealing be awarded to 2228977 Ontario Inc. o/a RanN Maintenance.
3. The Mayor and Clerk be authorized to sign the necessary agreements.

Background

Road crack cleaning and sealing provides an economically effective treatment to maintain asphalt roads that are experiencing early stages of transverse and longitudinal cracking. Typically, it is used to prevent water and debris from entering cracks in asphalt roads. Limiting water infiltration protects the underlying pavement layers and reduces the detrimental effects of freeze thaw cycles. Best practice has demonstrated that application of crack sealant material to roads experiencing early stages of cracking (usually between 2-3 years after new pavement is placed) can expect to have their life expectancy increased by 3 years. As such, road crack cleaning and sealing is a cost effective treatment to prolong pavement life.

During early spring, Engineering and Transportation staff derived a list of road sections based on Pavement Condition Index (PCI) collected by Fugro Roadware in 2016 and 2017, and by road rehabilitation history. Past experience has shown that road segments in the 70-90 PCI range (with 100 representing a pavement in excellent condition) are the most suitable candidates for this type of application. This data was used for the purpose of identifying ideal candidates for road crack cleaning and sealing.

Comments

The contract provides for the supply and application of road crack cleaning and sealing to be applied on various roads throughout Chatham-Kent. Maps and tables outlining the road sections to be completed are shown in Appendix A and B (see attached).

Areas for maintenance were identified, reviewed and prioritized by the Engineering and Transportation Division and through consultation with the Public Works Division. Road segment selections are based and prioritized based on rehabilitation history, condition ratings, and road class.

The engineering, contract administration and inspection on this project are being carried out by the Engineering and Transportation Division.

Tenders were called and received by the Purchasing Officer on Thursday, February 6, 2020.

Four (4) contractors submitted tenders for the project and bidding was an open competitive process.

The results are as follows:

Bidder	Location	Bid Amount (including HST)
2228977 Ontario Inc. o/a RanN Maintenance	Guelph, ON	\$ 421,348.19
Neptune Security Services Inc.	Mississauga, ON	\$477,990.00
Shepley Road Maintenance Ltd.	Essex, ON	\$ 557,655.00
Cornell Construction Limited	Brantford, ON	\$641,303.25

The Engineering and Transportation Division has reviewed the tenders and found them to be complete in all respects.

Areas of Strategic Focus and Critical Success Factors

The recommendations in this report support the following areas of strategic focus:

- Economic Prosperity:
Chatham-Kent is an innovative and thriving community with a diversified economy
- A Healthy and Safe Community:
Chatham-Kent is a healthy and safe community with sustainable population growth
- People and Culture:

Chatham-Kent is recognized as a culturally vibrant, dynamic, and creative community

- Environmental Sustainability:
Chatham-Kent is a community that is environmentally sustainable and promotes stewardship of our natural resources

The recommendations in this report support the following critical success factors:

- Financial Sustainability:
The Corporation of the Municipality of Chatham-Kent is financially sustainable
- Open, Transparent and Effective Governance:
The Corporation of the Municipality of Chatham-Kent is open, transparent and effectively governed with efficient and bold, visionary leadership
- Has the potential to support all areas of strategic focus & critical success factors
- Neutral issues (does not support negatively or positively)

Consultation

The tenders were opened by the Purchasing Officer and reviewed by the Engineering and Transportation Division.

The Managers of Public Works (North and South) were consulted on the road listing.

Financial Implications

This project is being funded from the 2020 Roads Lifecycle Budget.

Description	Total
A) Project Costs	
Recommended Tender (Including HST)	\$ 421,348.19
Less HST Rebate (11.24%)	- \$ 41,911.10
Total Project Cost	\$ 379,437.09
B) Project Funding	
Lifecycle Roads	\$ 379,437.09
Total Project Funding	\$ 379,437.09

The tender submitted by 2228977 Ontario Inc. o/a RanN Maintenance was within the budget estimate.

Prepared by:

Reviewed by:

Curtis Lanoue, EIT
Engineering Technologist I

Mark McFadden, P.Eng.
Manager, Infrastructure Services

Reviewed by:

Reviewed by:

Chris Thibert, P.Eng.
Director, Engineering and Transportation

Thomas Kelly, P.Eng., MBA
General Manager

Consulted and confirmed the content of the consultation section of the report by:

Jennifer Scherle
Purchasing Officer
Financial Services

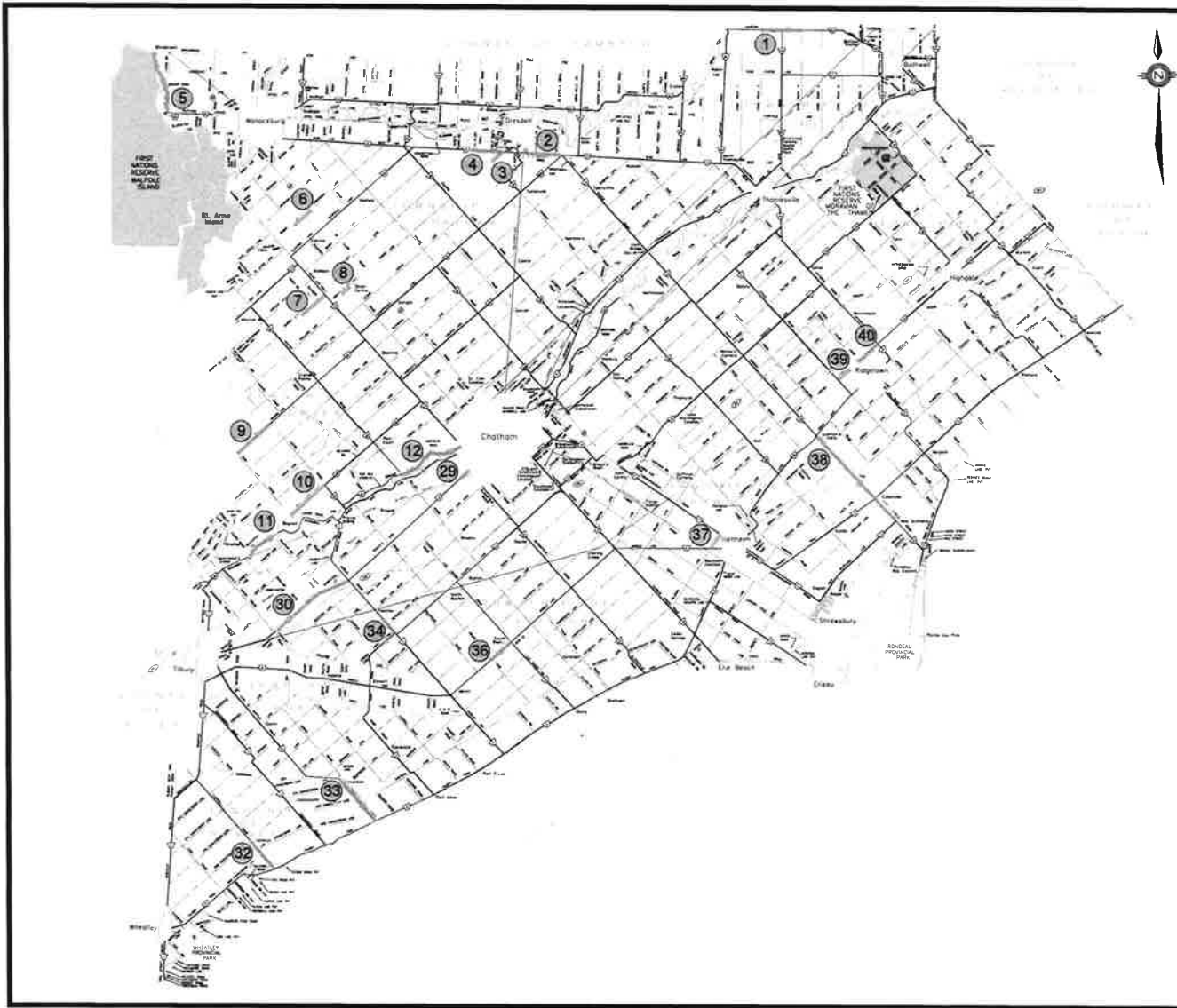
Attachments: Appendix A: T20-110 Road Crack Cleaning and Sealing – List
Appendix B: T20-110 Road Crack Cleaning and Sealing – Locations

(RTC:\Infrastructure & Engineering\I&ES\2020\4210 – Tender Award Contract T20-110
(Road Crack Cleaning and Sealing))

No.	Municipal Area	Street/Road	Location Description	Length (m)
1	Twp. Of Zone	Lambton Line	Zone Road 2 to Zone Road 4	2730
2	Twp. of Chatham	Community Road / Base Line	North Street to Kent Bridge Road	3500
3	Twp. of Chatham	Union Line	Base Line to Lindsay Road	1030
4	Twp. of Chatham	Base Line	Union Line to Greenvally Line	1860
5	Twp. of Chatham	St. Clair Parkway	Whitebread Line to Dufferin Avenue	4270
6	Twp. of Dover	Robin Line	Baldoon Road to St. Clair Road	1580
7	Twp. of Dover	Marsh Line	Bear Line Road to 2130m East of Winter Line Road	2160
8	Twp. of Dover	Dover Centre Line	Baldoon Road to 890m East of Bear Line Road	680
9	Twp. of Dover	Rivard Line	Jacob Road to Town Line Road	3080
10	Twp. of Dover	Pain Court Line	Jacob Road to Town Line Road	3100
11	Twp. of Tilbury-East	Tecumseh Line	570m East of Dauphin Road to Jeannettes Creek	2600
12	Twp. of Dover	Grande River Line	Winter Line Road to Bear Line Road	5000
13	Chatham	McNaughton Avenue West	Truro Road to St. Clair Street	850
14	Chatham	McNaughton Avenue West	Victoria Avenue to Given Road	1050
15	Chatham	Delaware Avenue	McNaughton Avenue to Forest Street	850
16	Chatham	Gladstone Avenue	Delware Avenue to Victoria Avenue	390
17	Chatham	Elizabeth Street	Gladstone Street to Forest Street	420
18	Chatham	Arnold Street	Gladstone Street to Forest Street	420
19	Chatham	Lacroix Street	CP Railway to King Street West	350
20	Chatham	King Street West	Merritt Avenue to Lacroix Street	870
21	Chatham	Buckingham Avenue	Tecumseh Road to Phillip Street	390
22	Chatham	Phyllis Avenue	King Street West to Phillip Street	200
23	Chatham	Phillip Street	West Limits to Robertson Avenue	250
24	Chatham	Robertson Avenue	King Street West to Harvey Street	270
25	Chatham	Inshes Avenue	King Street West to South Limits	990
26	Chatham	Richmond Street	Merritt Street to McDougall Avenue	560
27	Chatham	Lacroix Street	Tweedsmuir Street to Indian Creek Road	810
28	Chatham	Queen Street	Tweedsmuir Street to Indian Creek Road	830
29	Twp. of Raleigh	Queen's Line	Bloomfield Road to CN Railway	940
30	Twp. of Tilbury-East	Queen's Line	Hwy 401 to Merlin Road	5800
31	Tilbury	Mill Street West	Baptiste Creek to 440m West of Lyon Street	620
32	Twp. Of Romney	Campbell Road	3rd Concession Line to Talbot Trail	2550
33	Twp. Of Romney	Stevenson Road	Goodreau Line to Talbot Trail	3600
34	Twp. of Raleigh	Merlin Road	Finn Line to Port Road	1410

No.	Municipal Area	Street/Road	Location Description	Length (m)
35	Merlin	Aberdeen Street	Erie Street North to East Limit of Merlin	1150
36	Twp. of Raleigh	Middle Line	Drake Road to A.D. Shadd Road	1830
37	Twp. of Harwich	Allison Line	Communication Road to Middle Line	1150
38	Twp. of Harwich	Kent Bridge Road	Ridge Line to New Scotland Line	7850
39	Twp. of Howard	Mitton Line	Scane Road to Mitton Industrial Park Road	1155
40	Twp. of Howard	Gosnell Line	Colby Road to Victoria Road	1825
41	Ridgetown	Main Street East	Victoria Avenue to Lynn Street	575
42	Ridgetown	Main Street West	West Limit of Ridgetown to Henry Street	485

* Roads are prioritized as work proceeds. Any quantities are subject to change (increase/decrease) and may affect quantities and/or roads sections to be completed within the available funding limits.



2020 Road Crack Cleaning and Sealing

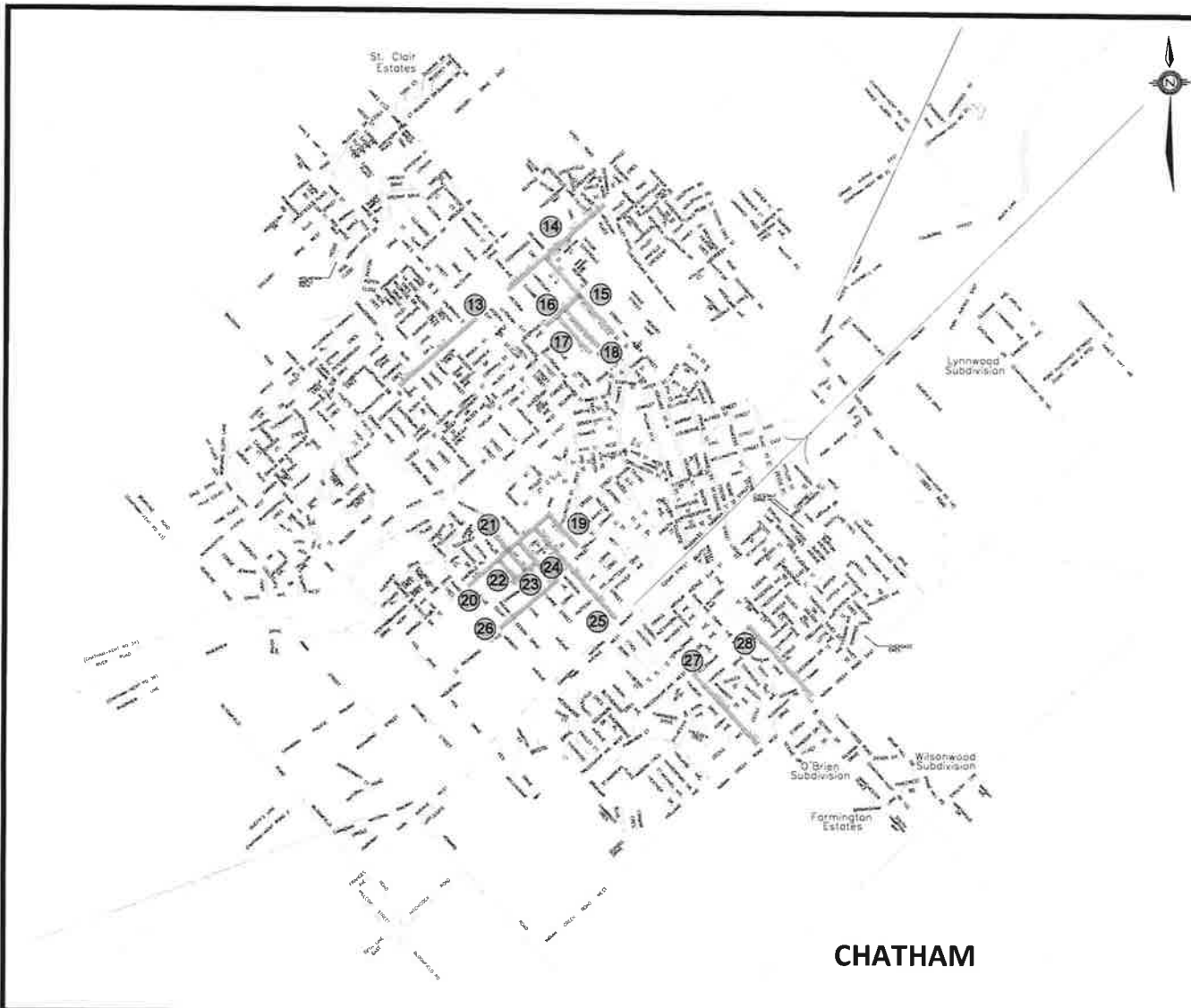
RURAL

1. Lambton Line - Zone Road 2 to Zone Road 4
2. Base Line / Community Road - North Street to Kent Bridge Road
3. Union Line - Base Line Road to Lindsay Road
4. Base Line - Union Line to Greenvalley Line
5. St. Clair Parkway - Whitebread Line to Dufferin Avenue
6. Robin Line - Baldoon Road to St. Clair Road
7. Marsh Line - Bear Line Road to 2130m East of Winter Line Road
8. Dover Centre Line - Baldoon Road to 890m East of Bear Line Road
9. Rivard Line - Jacob Road to Town Line Road
10. Pain Court Line - Jacob Road to Town Line Road
11. Tecumseh Line - 570m East of Dauphin Road to Jeannettes Creek
12. Grande River Line - Winter Line Road to Bear Line Road
29. Queens Line - Bloomfield Road to CN Railway
30. Queen's Line - Hwy 401 to Merlin Road
32. Campbell Road - 3rd Concession Line to Talbot Trail
33. Stevenson Road - Goodreau Line to Talbot Trail
34. Merlin Road - Finn Line to Port Road
36. Middle Line - Drake Road to A.D. Shadd Road
37. Allison Line - Communication Road to Middle Line
38. Kent Bridge Road - Ridge Line to New Scotland Line
39. Mitton Line - Scane Rd. Mitton Industrial Park Road
40. Gosnell Line - Colby Road to Victoria Road

PLEASE NOTE:

ROADS ARE PRIORITIZED AS WORK PROCEEDS. ANY QUANTITIES ARE SUBJECT TO CHANGE (INCREASE/DECREASE) AND MAY AFFECT QUANTITIES AND/OR ROADS SECTIONS TO BE COMPLETED WITHIN THE AVAILABLE FUNDING LIMITS.

 <p>Chatham-Kent <i>Cultivating Growth. Shore to Shore</i></p> <p>MUNICIPALITY OF CHATHAM-KENT Infrastructure & Engineering Services Engineering & Transportation Division</p>	
<p>APPENDIX B: T20-110 CRACK CLEANING & SEALING LOCATIONS</p>	<p>SHEET NO. 1 OF 3</p>



CHATHAM

2020 Road Crack Cleaning and Sealing

CHATHAM

- 13. McNaughton Avenue West - Truro Road to St. Clair Street
- 14. McNaughton Avenue West - Victoria Avenue to Given Road
- 15. Delaware Avenue - McNaughton Avenue to Forest Street
- 16. Gladstone Avenue - Delaware Avenue to Victoria Avenue
- 17. Elizabeth Street - Gladstone Avenue to Forest Street
- 18. Arnold Street - Gladstone Avenue to Forest Street
- 19. Lacroix Street - CP Railway to King Street West
- 20. King Street West - Merrit Avenue to Lacroix Street
- 21. Buckingham Avenue - Tecumseh Road to Phillip Street
- 22. Phyllis Avenue - King Street West to Phillip Street
- 23. Phillip Street - West Limits to Robertson Avenue
- 24. Robertson Avenue - King Street West to Harvey Street
- 25. Inshes Avenue - King Street West to South Limits
- 26. Richmond Street - Merrit Avenue to McDougall Avenue
- 27. Lacroix Street - Tweedsmuir Avenue to Indian Creek Road
- 28. Queen Street - Tweedsmuir Avenue W to Indian Creek Road

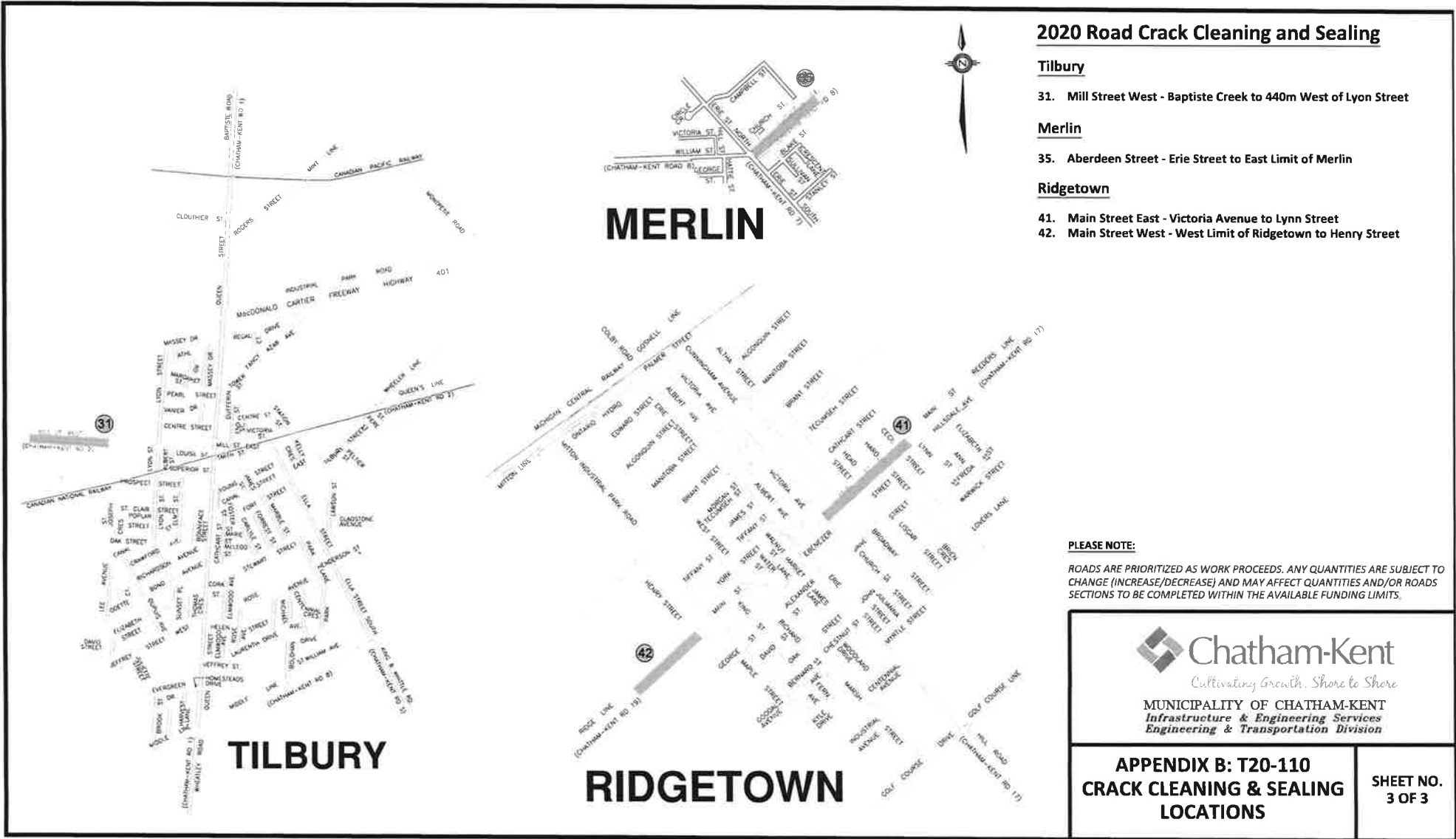
PLEASE NOTE:

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**APPENDIX B: T20-110
CRACK CLEANING & SEALING
LOCATIONS**

**SHEET NO.
2 OF 3**



2020 Road Crack Cleaning and Sealing

Tilbury

- 31. Mill Street West - Baptiste Creek to 440m West of Lyon Street

Merlin

- 35. Aberdeen Street - Erie Street to East Limit of Merlin

Ridgetown

- 41. Main Street East - Victoria Avenue to Lynn Street
- 42. Main Street West - West Limit of Ridgetown to Henry Street

PLEASE NOTE:
ROADS ARE PRIORITIZED AS WORK PROCEEDS. ANY QUANTITIES ARE SUBJECT TO CHANGE (INCREASE/DECREASE) AND MAY AFFECT QUANTITIES AND/OR ROADS SECTIONS TO BE COMPLETED WITHIN THE AVAILABLE FUNDING LIMITS.



Cultivating Growth. Shore to Shore

MUNICIPALITY OF CHATHAM-KENT
Infrastructure & Engineering Services
Engineering & Transportation Division

APPENDIX B: T20-110 CRACK CLEANING & SEALING LOCATIONS	SHEET NO. 3 OF 3
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Municipality of Chatham-Kent
Infrastructure and Engineering Services
Engineering and Transportation

To: Mayor and Members of Council

From: Mark McFadden
Manager, Infrastructure Services

Date: February 11, 2020

Subject: Request for Proposal Award: RFP R19-175, Ridgetown Stormwater Master Plan, Community of Ridgetown

Recommendations

It is recommended that:

1. The proposal in the amount of \$466,577.00, including HST for the Ridgetown Stormwater Master Plan, Community of Ridgetown be awarded to Ecosystem Recovery Inc.
2. The Mayor and Clerk be authorized to sign the necessary agreements.

Background

The existing stormwater collection system that services the community of Ridgetown is made up of both closed pipes and open drains. All of the drainage catchments either drain to a Natural Watercourse or to a Municipal drain, which in turn drains by gravity to the Thames River. Water levels in the creeks and open drains will have a direct impact on the efficiencies of the existing storm sewer collection system. A significant amount of the sewers are more than 50 years old and were constructed to (or below) the standards of the day and struggle to convey the recent rain events that have been occurring more frequently and with more intensity than in the past. The scope of this project will also include the CCTV video evaluation and GPS survey of the entire storm water collection system. This project is being undertaken as a means to evaluate the existing collection system and develop a strategy for the conveyance of the rain water in the short-term and for long-term implementation in Ridgetown. Support of the goals of this Master Plan will provide a higher level of service to residents and businesses residing within the subject catchment areas.

This Master Plan will identify areas of need and how best to invest in the development of new and replacement stormwater infrastructure.

The Request for Proposals focused on the procurement of consulting engineering services associated with the development of a Stormwater Master Plan from their experiences with similar type projects and working with the Ministry of the Environment, Conservation and Parks and the Municipal Class Environmental Assessment process.

The subject project is to be part of the 2020 storm sewer lifecycle budget. It is the intention of the Municipality that the consulting engineering services be initiated in 2020 and completed during the 2021 calendar year.

Comments

Four (4) separate proposals were received by the Purchasing Officer on January 15, 2020 and forwarded to the Engineering and Transportation Division for review and evaluation by the evaluation panel using the Council approved evaluation matrix as provided in the proposal call to all submitting firms. The four proposals submitted were from, AECOM Canada Ltd., Dillon Consulting Limited, Ecosystem Recovery Inc., and Stantec Consulting Ltd.

The proposals were received using a two-envelope system with the technical proposals in one envelope and the fee schedule submitted in a separate envelope opened by the panel only after the ratings of the technical proposal had been determined.

Table 1: Evaluation Matrix

Qualification Criteria	Weighting	Percentage
<u>Experience and Qualifications of the Project Team</u>		
Project Manager and Senior Designers	15	11%
Technical Support Staff Design	8	6%
Contract Administration & Tech Support	8	6%
<u>Management Qualifications</u>		
Experience on Similar Projects	20	14%
Availability of Key Staff	5	4%
Local Office	3	2%
<u>Project Implementation</u>		
Approach and Methodology	15	11%
Scheduling / Understanding Key Activities	12	9%
Project Quality Assurance	12	9%
<u>Price</u>		
Project Fee	42	30%
TOTAL	140	100%

Due to the complexity of the project and the specialized nature of the work that was required to complete this project the respondents were required to achieve a 70% grade threshold on their technical proposal submission. Submissions must score at least 70% of the maximum on the evaluation matrix to have their fee envelope opened. Failure to achieve this grade will result in a non-compliant submission.

Table 2: Summary of Evaluation Scores

Rank	Submitting Firm	Office Location	Final Score
1.	Ecosystem Recovery Inc.	London, ON	1151
2.	AECOM Canada Ltd.	London, ON	1121
3.	Dillon Consulting Limited	Chatham, ON	1088
4.	Stantec Consulting Ltd.	London, ON	1033

The proposal submitted by Ecosystem Recovery Inc. (ERI) illustrated the staffing resources, methodology and quality controls necessary to initiate and successfully complete the project. Based on the panel review process, the proposal submitted by ERI was deemed to be the preferred submission ranked highest by the panel.

Areas of Strategic Focus and Critical Success Factors

The recommendations in this report support the following areas of strategic focus:

- Economic Prosperity:
Chatham-Kent is an innovative and thriving community with a diversified economy
- A Healthy and Safe Community:
Chatham-Kent is a healthy and safe community with sustainable population growth
- People and Culture:
Chatham-Kent is recognized as a culturally vibrant, dynamic, and creative community
- Environmental Sustainability:
Chatham-Kent is a community that is environmentally sustainable and promotes stewardship of our natural resources

The recommendations in this report support the following critical success factors:

- Financial Sustainability:
The Corporation of the Municipality of Chatham-Kent is financially sustainable
- Open, Transparent and Effective Governance:

The Corporation of the Municipality of Chatham-Kent is open, transparent and effectively governed with efficient and bold, visionary leadership

- Has the potential to support all areas of strategic focus & critical success factors
- Neutral issues (does not support negatively or positively)

Consultation

The proposals were received, opened and distributed to the Engineering and Transportation Division by the Purchasing Officer. Proposals were reviewed, evaluated and ranked by a panel consisting of the Director of Engineering and Transportation, Manager of Infrastructure Services, Manager of Public Works South, a Drainage Superintendent and an Engineering Technologist of the Infrastructure and Engineering Department.

The Purchasing Officer was consulted in the preparation of this report.

Financial Implications

Costs associated with engineering consulting fees and disbursements related to same will be funded via the 2020 Lifecycle Storm Sewer Replacement Budget.

**Proposal R19-175
Engineering Services for Ridgetown Stormwater Master Plan
Community of Ridgetown**

Description	Total
A) Project Costs	
Recommended RFP	\$412,900.00
Plus HST 13%	\$53,677.00
Less HST Rebate 11.24%	-\$46,409.96
Total Project Costs	\$420,167.04
B) Estimated Project Funding	
2020 Storm Lifecycle Budget – 100%	\$420,167.04
Total Project Funding	\$420,167.04

The low tender bid submitted by ERI was within the budget estimate.

Request for Proposals
R19-175 Consulting Engineering Services for the Ridgetown Master Plan
Community of Ridgetown

The recommendation in this report has an associated financial implication of \$420,167.04 in consulting and investigation fees. This fee covers all aspects of the project.

Prepared by:

Reviewed by:

Matthew Link, A.Sc.T.
Engineering Technologist
Engineering and Transportation

Mark McFadden, P.Eng.
Manager, Infrastructure Services
Engineering and Transportation

Reviewed by:

Reviewed by:

Chris Thibert, P.Eng.
Director
Engineering and Transportation

Thomas Kelly, P.Eng., MBA
General Manager
Infrastructure and Engineering Services

Consulted and confirmed the content of the consultation section of the report by:

Jennifer Scherle
Purchasing Officer
Financial Services

Attachments: None

P:\RTC\Infrastructure & Engineering\I & ES\2020\4211 – RFP Award R19-175 Ridgetown
Stormwater Master Plan.doc

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Municipality Of Chatham-Kent
Chatham-Kent Public Utilities Commission
Water/Wastewater Services

To: Mayor and Members of Council

From: Lilly Snobelen
Manager, Compliance & Quality Standards
Chatham-Kent Public Utilities Commission

Date: February 18, 2020

Subject: 2019 Summary Reports for Drinking Water and Wastewater Systems

Recommendations

It is recommended that:

1. The attached Summary Reports for Drinking Water and Wastewater Systems be reviewed and any concerns be addressed with the General Manager of the Chatham-Kent Public Utilities Commission (CK PUC);
2. The attached Summary Reports for Drinking Water and Wastewater Systems be approved.

Background

Under the Safe Drinking Water Act 2002, Regulation 170/03, Schedule 22 'Summary Reports for Municipalities,' Administration is required to present a yearly summary report to the members of Commission and to the members of Council.

Commission has also asked that Administration prepare a summary of the wastewater treatment systems for information.

Comments

The Annual Summary Reports are attached for each water and wastewater system operated by CK PUC. The following list of items is included in the annual summary reports:

Water Systems:

- A summary list of issues for the water systems

- A list of requirements of the Act, the regulations, the system approval and any order that the system failed to meet at any time during the period covered by the report and the duration of the failure
- For each failure, a description of the measures that were taken to correct the failure
- A summary of the quantities and flow rates of the water supplied during the period covered by the report, including monthly average and maximum daily flows
- A comparison of the summary to the rated capacity and flow rates approved in the system approval.

Wastewater Systems:

- A brief description of the wastewater treatment system
- A list of effluent requirements as set out in the various Certificates of Approval or Environmental Compliance Approvals for the systems
- A comparison of the summary to the rated capacity and flow rates approved in the system approval
- A table of the effluent analysis and any compliance issues identified.

Areas of Strategic Focus and Critical Success Factors

The recommendations in this report support the following areas of strategic focus:

Economic Prosperity:

Chatham-Kent is an innovative and thriving community with a diversified economy

A Healthy and Safe Community:

Chatham-Kent is a healthy and safe community with sustainable population growth

People and Culture:

Chatham-Kent is recognized as a culturally vibrant, dynamic, and creative community

Environmental Sustainability:

Chatham-Kent is a community that is environmentally sustainable and promotes stewardship of our natural resources

The recommendations in this report support the following critical success factors:

Financial Sustainability:

The Corporation of the Municipality of Chatham-Kent is financially sustainable

Open, Transparent and Effective Governance:

The Corporation of the Municipality of Chatham-Kent is open, transparent and effectively governed with efficient and bold, visionary leadership

Has the potential to support all areas of strategic focus & critical success factors

Neutral issues (does not support negatively or positively)

Consultation

PUC Environmental Compliance Technicians
Compliance/Backflow Prevention Officer

Financial Implications

There are no financial implications resulting from the recommendations.

Prepared by:



Lilly Snobelen
Manager, Compliance & Quality Standards
Public Utilities Commission

Reviewed by:



Tim Sunderland
General Manager
Public Utilities Commission

Attachment(s):

Summary Report for Chatham-Kent Drinking Water Systems 2019
Summary of Compliance Issues for Chatham-Kent Wastewater Systems in 2019

**Public Utilities Commission for the Municipality of Chatham-Kent
Summary Report for Water Systems
2019**

The following issues of Non Compliance with the Terms and Conditions of the Drinking Water Works Permit or the Municipal Drinking Water License and the following Adverse Drinking Water Quality Incidents and Boil Water Advisories occurred:

Bothwell Distribution System

Non Compliance	None
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Adverse	None
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Chatham Drinking Water System

Non Compliance	None
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Adverse Total Coliform	July 8: 3 Total Coliforms in a Distribution Sample from Sample Station #8 on Phillip St. Corrective Action(s): Flush and Resample for E. coli and Total Coliform. Incident resolved July 11. AWQI # 146220
Boil Water Advisory	July 11: Boil Water Advisory due to suspected contamination during a watermain repair on Coverdale St. in Chatham. Corrective Action(s): Flush and Resample for E coli and Total coliforms until 2 consecutive sets return clear. Boil Water Advisory was rescinded July 13. AWQI # 146313
Adverse Total Coliform	September 4: 2 Total Coliforms in a Distribution Sample from Sample Station CH21 on Park Ave. W. Corrective Action(s): Flush and Resample for E. coli and Total Coliform. Incident resolved September 6. AWQI # 147820
Adverse Total Coliform	December 10: 4 Total Coliforms in a North-Kent Distribution Sample from Sample Station 11 at the end of Sharrow Road. Corrective Action(s): Flush and Resample for E. coli and Total Coliform. Incident resolved December 11. AWQI # 149213

**Public Utilities Commission for the Municipality of Chatham-Kent
Summary Report for Water Systems
2019**

Adverse Residual Chlorine	December 13: Free chlorine residual <0.20 mg/L in the Distribution System near dead end of Bothwell St. Corrective Action(s): Flushing and Retest of Free Chlorine Residual. Free chlorine residual verified by Operator. Incident resolved December 13. AWQI # 149263
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Ridgetown Drinking Water System

Non Compliance	None
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Adverse Naturally Occurring Fluoride	January 18: Fluoride concentration of 1.9 mg/L at the Erie point of entry. Corrective Action(s): Resample and test (January 21). Fluoride is naturally occurring in the source water for Ridgetown in amounts greater than the 1.5 mg/L standard. AWQI # 144561
Adverse Naturally Occurring Fluoride	January 18: Fluoride concentration of 1.9 mg/L at the Scane point of entry. Corrective Action(s): Resample and test (January 21). Fluoride is naturally occurring in the source water for Ridgetown in amounts greater than the 1.5 mg/L standard. AWQI # 144562
Adverse Pressure <20 psi	March 31: Pressure below 20 psi in the Highgate Distribution System for approximately 45 minutes. Event occurred due to emergency pump failure after a power outage at the Highgate Reservoir & Booster Pumping Station. Corrective Action(s): The issue self-corrected once the power was restored and the Pump Skid returned to normal operation. 2019 Sept 05: 30hp Back Up installed for emergency pump. 2019 Nov 12: 15hp Exist emergency pump replaced with a new 30hp. 2019 Dec 02: Pump 4 installed as Back Up for Pump Skid. 2020 Jan 20: Incident resolved. Test runs and trial run period for new back up emergency pumps deemed successful. AWQI # 145105
Adverse Total Coliform	July 29: 1 Total Coliform at the Erie point of entry. Corrective Action(s): Flush, Resample and test. Incident resolved 2019-Aug-01. AWQI # 146920

**Public Utilities Commission for the Municipality of Chatham-Kent
Summary Report for Water Systems
2019**

Adverse Total Coliform	Sept 23: 1 Total Coliform at the Erie point of entry. Corrective Action(s): Flush, Resample and test. Incident resolved 2019-Sep-26. AWQI # 148202
Adverse Naturally Occurring Sodium	Sodium concentrations of 71 mg/L, 72 mg/L, 71 mg/L and 72 mg/L in the Distribution System at 15 Cunningham Ave., 67 Ebenezer St. W., 180 Main St. E., & 161 Queen St. (Highgate), respectfully. AWQI # 149305, 149306, 149307 & 149308 reported on December 19, 2019. Corrective Action Taken: Resample and test. Sodium is naturally occurring in the source water in amounts greater than the 20 mg/L standard.

South Drinking Water System

Non Compliance	None
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Adverse Total Coliforms	June 10: 18 Total Coliforms in a Distribution sample from SW28 Middle Line and Ella and 29 Total Coliforms in a Distribution Sample from SW27 End of Pollard Line. Corrective Action(s): Resample and test. Sample results satisfactory. Incident resolved June 13 AWQI # 145667
Adverse Total Coliform	July 16: 1 Total Coliform in a Distribution sample from Sample Station #14 on Communication Rd. Corrective Action(s): Resample and test. Sample results satisfactory. Incident resolved July 18 AWQI # 146478
Adverse Total Coliform	July 22: 9 Total Coliform in a Distribution sample from Sample Station #28 at Middle Line and Ella. Corrective Action(s): Flush, resample and test. Sample results satisfactory. Incident resolved July 25 AWQI # 146685
Adverse Total Coliform	July 22: 28 Total Coliform in a Distribution sample from Sample Station #27 at the end of Pollard Line. Corrective Action(s): Flush, resample and test. Sample results satisfactory. Incident resolved July 25 AWQI # 146687

**Public Utilities Commission for the Municipality of Chatham-Kent
Summary Report for Water Systems
2019**

Adverse Total Coliform	September 10: 1 Total Coliform in a Distribution sample from Blenheim Reservoir. Corrective Action(s): Flush, resample and test. Sample results satisfactory. Incident resolved September 11 AWQI # 147944
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Wallaceburg Drinking Water System

Non Compliance	None
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Adverse Residual Chlorine	Feb 20: Chlorine Residual >4.0mg/L at the Point of Entry for approximately 1 minute at 22:08, and then again for approximately 2 minutes from 22:14 to 22:16. Corrective Action(s): The Chlorine Residual self-corrected, no further action was required. The incident was resolved on Feb 20. AWQI #144844
Adverse Total Coliform	Sept 04: 1 Total Coliform count in a sample taken from the Point of Entry Corrective Action(s): Resample and test. Sample results satisfactory. The incident was resolved on Sep 05. AWQI #147811
Adverse Total Coliform	Nov 19: 2 Total Coliform count in a distribution sample taken from SS 5 on Dora Drive Corrective Action(s): Resample and test. Sample results satisfactory. The incident was resolved on Nov 21. AWQI #149035
Adverse Total Coliform	Nov 26: 1 Total Coliform count in a sample taken from the Point of Entry Corrective Action(s): Resample and test. Sample results satisfactory. The incident was resolved on Nov 27. AWQI #149109

**Public Utilities Commission for the Municipality of Chatham-Kent
Summary Report for Water Systems
2019**

Wheatley Drinking Water System

Non Compliance	None
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Adverse Residual Chlorine	<p>Jun 5: Residual free chlorine greater than 4.00 mg/L for approx. 5 minutes (distribution water leaving the Tilbury Rechlorination Station).</p> <p>Corrective Action(s): Self-Corrected. Maintenance of ball check & review of programming.</p> <p>Incident resolved June 5.</p> <p>AWQI # 145600</p>
Adverse Total Coliforms	<p>Jun 6: Residual free chlorine greater than 4.00 mg/L for approx. 5 minutes (distribution water leaving the Tilbury Rechlorination Station).</p> <p>Corrective Action(s): Self-Corrected. Review of SCADA/PLC programming.</p> <p>Incident resolved June 6.</p> <p>AWQI # 145636</p>
Adverse Residual Chlorine	<p>Jun 7: 33 Total Coliforms from a new hydrant installation at Superior St. & Elm St. in Tilbury.</p> <p>Corrective Action(s): Flush and Resample. Sample results satisfactory.</p> <p>Incident resolved June 8.</p> <p>AWQI # 145634</p>
Adverse Residual Chlorine	<p>Jun 8 & 9: Two instances of residual free chlorine greater than 4.00 mg/L in distribution water leaving the Tilbury Rechlorination Station (for approx. 8 minutes on June 8 & for approx. 6 minutes on June 9).</p> <p>Corrective Action(s): Self-Corrected. Investigation and monitoring continued. Ball Check was cleaned.</p> <p>Incident resolved June 10.</p> <p>AWQI # 145652</p>
Adverse Residual Chlorine	<p>Jul 19: Residual free chlorine greater than 4.00 mg/L for approx. 1 minute (distribution water leaving the Tilbury Rechlorination Station).</p> <p>Corrective Action(s): Self-Corrected.</p> <p>Incident resolved July 19.</p> <p>AWQI # 146689</p>

**Public Utilities Commission for the Municipality of Chatham-Kent
Summary Report for Water Systems
2019**

Adverse Residual Chlorine	<p>Aug 13: Residual free chlorine greater than 4.00 mg/L for approx. 5 minutes (distribution water leaving the Tilbury Rechlorination Station).</p> <p>Corrective Action(s): Self-Corrected. Ordering and installing new check valve. Reviewing of SCADA programming.</p> <p>Incident resolved August 13.</p> <p>AWQI # 147240</p>
Adverse Residual Chlorine	<p>Aug 27: Residual free chlorine greater than 4.00 mg/L for approx. 4 minutes (distribution water leaving the Tilbury Rechlorination Station).</p> <p>Corrective Action(s): Self-Corrected. Installation of new check valve.</p> <p>Incident resolved August 27.</p> <p>AWQI # 147628</p>
Adverse Total Coliforms	<p>Sept 04: 4 Total Coliforms from a distribution sample taken on September 3, 2019 at sample station WH05 Talbot Rd. E & Cemetery Rd.</p> <p>Corrective Action(s): Flush and Resample. Sample results satisfactory.</p> <p>Incident resolved September 5.</p> <p>AWQI # 147810</p>
Adverse Residual Chlorine	<p>Sept 09: Residual free chlorine greater than 4.00 mg/L for approx. 1 minute (distribution water leaving the Tilbury Rechlorination Station).</p> <p>Corrective Action(s): Self-Corrected once the distribution valve was opened by the operator.</p> <p>Incident resolved September 9.</p> <p>AWQI # 147948</p>
Adverse Residual Chlorine	<p>Oct 07: Residual free chlorine greater than 4.00 mg/L for approx. 1 minute (distribution water leaving the Tilbury Rechlorination Station).</p> <p>Corrective Action(s): Self-Corrected once the distribution valve automatically re-opened.</p> <p>Incident resolved October 7.</p> <p>AWQI # 148474</p>
Adverse Total Coliforms	<p>Nov 09: 2 Total Coliforms from a distribution sample taken on November 08, 2019 on 5th Concession.</p> <p>Corrective Action(s): Flush and Resample. Sample results satisfactory.</p> <p>Incident resolved November 11.</p> <p>AWQI # 148955</p>

**Public Utilities Commission for the Municipality of Chatham-Kent
 Summary of Compliance Issues for Wastewater Systems
 2019**

The following issues of non compliance with the respective Environmental Certificates of Approval or Certificates of Approval occurred:

Blenheim Wastewater Treatment Plant:

	None
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Chatham Wastewater Treatment Plant:

Pump Station Bypass	May 02 A Pump Station Bypass of 4,234 m ³ , immediately downstream of Pump Station #10 Due to heavy rainfall over the previous two weeks. Corrective Action Taken: Sampling
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Clearville Wastewater Treatment Plant:

Total Ammonia Concentration	May Average Final Effluent Total Ammonia monthly average concentration was 6.92 mg/L Limit is 5 mg/L Corrective Action Taken: The plant experienced high influent sewage flows May 25 to 27 due to heavy rainfall. Issue self corrected.
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Dresden Wastewater Treatment Plant:

Total Phosphorus Exceedance	August Average Final Effluent Total Phosphorus monthly average 2.04 mg/L Limit is 1.0 mg/L Corrective Action Taken: Aeration tank drained to lined holding lagoon and reseeded.
Total Suspended Solids Exceedance	August Average Final Effluent Total Suspended Solids monthly average 32 mg/L Limit is 25 mg/L Corrective Action Taken: Aeration tank drained to lined holding lagoon and reseeded.

**Public Utilities Commission for the Municipality of Chatham-Kent
Summary of Compliance Issues for Wastewater Systems
2019**

Merlin Sewage Treatment Lagoon System:

	None
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Mitchell's Bay Sewage Treatment Lagoon System:

	None
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Ridgetown Wastewater Treatment Plant:

Overflow (from Force Main)	Overflow April 29 An Overflow from the Thamesville Pump Station forcemain at a site on Victoria Road of approximately 250 m ³ Due to failure of the body of the air relief mechanism. Corrective Action Taken: Sampling and repair.
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Tilbury Wastewater Treatment Plant:

Total Phosphorus Exceedance	January Average Final Effluent Total Phosphorus monthly average 0.97 mg/L Limit is 0.50 mg/L Corrective Action Taken: Discussions continue with the offending industry regarding compliance with the Sewer Use Bylaw.
Total Phosphorus Exceedance	February Average Final Effluent Total Phosphorus monthly average 0.76 mg/L Limit is 0.50 mg/L Corrective Action Taken: Discussions continue with the offending industry regarding compliance with the Sewer Use Bylaw.
Total Phosphorus Exceedance	March Average Final Effluent Total Phosphorus monthly average 0.85 mg/L Limit is 0.50 mg/L Corrective Action Taken: Discussions continue with the offending industry regarding compliance with the Sewer Use Bylaw.
Total Phosphorus Exceedance April Average	April Average Final Effluent Total Phosphorus monthly average 0.85 mg/L Limit is 0.50 mg/L Corrective Action Taken: Discussions continue with the offending industry regarding compliance with the Sewer Use Bylaw.

**Public Utilities Commission for the Municipality of Chatham-Kent
Summary of Compliance Issues for Wastewater Systems
2019**

Total Phosphorus Exceedance	<p>May Average Final Effluent Total Phosphorus monthly average 1.13 mg/L Limit is 0.50 mg/L Corrective Action Taken: Discussions continue with the offending industry regarding compliance with the Sewer Use Bylaw.</p>
Ammonia-Nitrogen Exceedance	<p>May Average Final Effluent Ammonia-Nitrogen monthly average 13.63 mg/L Limit is 2.0 mg/L (May 1st to October 31st) Corrective Action Taken: Discussions continue with the offending industry regarding compliance with the Sewer Use Bylaw.</p>
Ammonia Loading Exceedance	<p>May Average Average Daily Effluent Loading Ammonia average 13.59 kg/day Loading Limit is 10.8 kg/day (May 1st to October 31st) Corrective Action Taken: Discussions continue with the offending industry regarding compliance with the Sewer Use Bylaw.</p>
Total Suspended Solids Exceedance	<p>May Average Final Effluent Total Suspended Solids monthly average 12.0 mg/L Limit is 10.0 mg/L Corrective Action Taken: Discussions continue with the offending industry regarding compliance with the Sewer Use Bylaw.</p>
Total CBOD Exceedance	<p>May Average Final Effluent Total CBOD monthly average 10.5 mg/L Limit is 10.0 mg/L Corrective Action Taken: Discussions continue with the offending industry regarding compliance with the Sewer Use Bylaw.</p>
Total Phosphorus Exceedance	<p>June Average Final Effluent Total Phosphorus monthly average 1.09 mg/L Limit is 0.50 mg/L Corrective Action Taken: Discussions continue with the offending industry regarding compliance with the Sewer Use Bylaw. An experienced Operator has been engaged on a consulting basis to assist with process operations.</p>
Ammonia-Nitrogen Exceedance	<p>June Average Final Effluent Ammonia-Nitrogen monthly average 6.88 mg/L Limit is 2.0 mg/L (May 1st to October 31st) Corrective Action Taken: Discussions continue with the offending industry regarding compliance with the Sewer Use Bylaw. An experienced Operator has been engaged on a consulting basis to assist with process operations.</p>
Ammonia Loading Exceedance	<p>June Average Average Daily Effluent Loading Ammonia average 11.6 kg/day Loading Limit is 10.8 kg/day (May 1st to October 31st) Corrective Action Taken: Discussions continue with the offending industry regarding compliance with the Sewer Use Bylaw. An experienced Operator has been engaged on a consulting basis to</p>

**Public Utilities Commission for the Municipality of Chatham-Kent
Summary of Compliance Issues for Wastewater Systems
2019**

	assist with process operations.
Total Phosphorus Exceedance	<p>July Average Final Effluent Total Phosphorus monthly average 1.06 mg/L Limit is 0.50 mg/L Corrective Action Taken: Discussions continue with the offending industry regarding compliance with the Sewer Use Bylaw. An experienced Operator has been engaged on a consulting basis to assist with process operations.</p>
Total Phosphorus Exceedance	<p>August Average Final Effluent Total Phosphorus monthly average 1.85 mg/L Limit is 0.50 mg/L Corrective Action Taken: Discussions continue with the offending industry regarding compliance with the Sewer Use Bylaw. Sampling of the industry has been increased to twice a week. An experienced Operator has been engaged on a consulting basis to assist with process operations.</p>
Total Phosphorus Loading Exceedance	<p>August Average Average Daily Effluent Loading Total Phosphorus average 3.2 kg/day Loading Limit is 2.7 kg/day Corrective Action Taken: Discussions continue with the offending industry regarding compliance with the Sewer Use Bylaw. Sampling of the industry has been increased to twice a week. An experienced Operator has been engaged on a consulting basis to assist with process operations.</p>
Total Phosphorus Exceedance	<p>September Average Final Effluent Total Phosphorus monthly average 1.78 mg/L Limit is 0.50 mg/L Corrective Action Taken: Discussions continue with the offending industry regarding compliance with the Sewer Use Bylaw. Sampling of the industry has been increased to twice a week. Alternatives to treatment at Tilbury Wastewater have been proposed by the PUC.</p>
Total Phosphorus Loading Exceedance	<p>September Average Average Daily Effluent Loading Total Phosphorus average 2.9 kg/day Loading Limit is 2.7 kg/day Corrective Action Taken: Discussions continue with the offending industry regarding compliance with the Sewer Use Bylaw. Sampling of the industry has been increased to twice a week. Alternatives to treatment at Tilbury Wastewater have been proposed by the PUC.</p>

**Public Utilities Commission for the Municipality of Chatham-Kent
Summary of Compliance Issues for Wastewater Systems
2019**

Ammonia-Nitrogen Exceedance	<p>September Average Final Effluent Ammonia-Nitrogen monthly average 2.25 mg/L Limit is 2.0 mg/L (May 1st to October 31st) Corrective Action Taken: Discussions continue with the offending industry regarding compliance with the Sewer Use Bylaw. Sampling of the industry has been increased to twice a week. Alternatives to treatment at Tilbury Wastewater have been proposed by the PUC.</p>
Total Phosphorus Exceedance	<p>October Average Final Effluent Total Phosphorus monthly average 1.80 mg/L Limit is 0.50 mg/L Corrective Action Taken: Discussions continue with the offending industry regarding compliance with the Sewer Use Bylaw. Sampling of the industry has been increased to twice a week. Alternatives to treatment at Tilbury Wastewater have been proposed by the PUC.</p>
Total Phosphorus Loading Exceedance	<p>October Average Average Daily Effluent Loading Total Phosphorus average 3.1 kg/day Loading Limit is 2.7 kg/day Corrective Action Taken: Discussions continue with the offending industry regarding compliance with the Sewer Use Bylaw. Sampling of the industry has been increased to twice a week. Alternatives to treatment at Tilbury Wastewater have been proposed by the PUC.</p>
Total Phosphorus Exceedance	<p>November Average Final Effluent Total Phosphorus monthly average 1.75 mg/L Limit is 0.50 mg/L Corrective Action Taken: Discussions continue with the offending industry regarding compliance with the Sewer Use Bylaw. Sampling of the industry has been increased to twice a week. Although the proposed alternatives to treatment at Tilbury Wastewater have been rejected by the industry, the industry itself is investigating alterations to its process.</p>
Total Phosphorus Loading Exceedance	<p>November Average Average Daily Effluent Loading Total Phosphorus average 3.0 kg/day Loading Limit is 2.7 kg/day Corrective Action Taken: Discussions continue with the offending industry regarding compliance with the Sewer Use Bylaw. Sampling of the industry has been increased to twice a week. Although the proposed alternatives to treatment at Tilbury Wastewater have been rejected by the industry, the industry itself is investigating alterations to its process.</p>

**Public Utilities Commission for the Municipality of Chatham-Kent
Summary of Compliance Issues for Wastewater Systems
2019**

Total Phosphorus Exceedance	<p>December Average Final Effluent Total Phosphorus monthly average 1.79 mg/L Limit is 0.50 mg/L Corrective Action Taken: Discussions continue with the offending industry regarding compliance with the Sewer Use Bylaw. Sampling of the industry has been increased to twice a week. Although the proposed alternatives to treatment at Tilbury Wastewater have been rejected by the industry, the industry itself is investigating alterations to its process.</p>
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Wallaceburg Wastewater Treatment Plant:

Secondary Bypass	<p>April 20 Wallaceburg Wastewater Plant Secondary Bypass of 140 m³ Due to heavy rain rainfall Corrective Action Taken: Disinfection and Sampling</p>
Secondary Bypass	<p>April 26 Wallaceburg Wastewater Plant Secondary Bypass of 1,840 m³ Due to heavy rain rainfall Corrective Action Taken: Disinfection and Sampling</p>
Secondary Bypass	<p>May 01 Wallaceburg Wastewater Plant Secondary Bypass of 3,555.56 m³ Due to heavy rain rainfall Corrective Action Taken: Disinfection and Sampling</p>
Spill into the Collection System	<p>May 24 Libby St Pump Station and Wallaceburg WPCP Wet Well An oily spill of 1,200 imperial gallons and 2,200 imperial gallons respectively. Correcting Action Taken: The spill was removed by vactor trucks.</p>

Wheatley Wastewater Treatment Plant:

	None
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Municipality Of Chatham-Kent

Public Utilities Commission

To: Mayor and Members of Council

From: Tim Sunderland
General Manager
Chatham-Kent Public Utilities Commission

Date: February 13, 2020

Subject: Preliminary Assessing By-law for Bluewater Line and Base Line Road Waterline Project (Community of Chatham Township)

Recommendations

It is recommended that:

1. The Bluewater Line and Base Line Road Waterline Project and the necessary By-law under Part XII of the Municipal Act, 2001 be approved.
2. Administration be authorized to borrow monies towards the project by the issuance and sale of debentures. Pending the sale of the debentures, the Mayor and Treasurer be authorized to make such temporary borrowing as may be required in order to meet the payments due to vendors.

Background

The Bluewater Line and Base Line Road Waterline petition was submitted to the Chatham-Kent Public Utilities Commission (CK PUC) in October 2019. A public meeting was not held for this petition due to the few number of properties and property owners being a part of this petition.

Originally, the petitioned area would have a 100 mm diameter waterline extension connected to the existing 100 mm diameter waterline on Bluewater Line and continue easterly along Bluewater Line.

An information and vote package describing the proposed extension project and associated costs was distributed to the benefiting property owners by mail. A ballot was included in the package with the return date of December 6, 2019.

It was indicated to the property owners that CK PUC would require that a majority of affected property owners be in favour of the project and that, as a guideline, 66% of the returned voters should support the project before administration would recommend that the project proceed to construction.

One hundred percent (100%) of the property owners returned the ballots and the ballot results were eighty four percent (84%) in favour of proceeding with the project.

CK PUC staff discussed the benefit of looping this new proposed watermain with the existing watermain on Base Line to provide looping and better pressures if there were chances of watermain breaks along Dufferin Avenue. There are many reasons to loop the watermain including health, fire and economic benefits that will occur. By looping the watermain to the existing Base Line watermain, it will provide a continuous water loop system that will provide positive system improvements in reliability, flexibility of operations, maintenance and water quality.

At the regular scheduled December 19, 2019 PUC Commission meeting, CK PUC approved proceeding with providing water servicing to the residences along Bluewater Line, based on the approved Waterline Assessment Policy requiring 66% support. The waterline will be looped between Arnold Road and Base Line connecting to the existing waterline on Base Line and CK PUC would pay for the looping and carry the deferred assessments until the property owners wished to connect.

Comments

The distribution network for this area will be connected to the existing 100 mm diameter watermain on Bluewater Line and continue along it for 895 metres using 100 mm diameter watermain. It would then continue along Base Line just west of Arnold Road for 1688 m until Snye Road, using 150 mm diameter watermain where it would connect to the existing 150 mm diameter watermain. The total watermain will be approximately 2,583 metres.

The property owners in the petitioned area, Bluewater Line would not have an option to be deferred, since the ballots came back eighty four percent (84%) in favour, as per CK PUC's Waterline Assessment Policy. A total of six (6) residential land parcels and one (1) vacant agricultural parcel exist along the petitioned waterline area.

The property owners in the non-petitioned area include nine (9) residential land parcels and three (3) vacant agricultural parcels.

The 12 properties along the non-petitioned area were given the opportunity to buy into the project to acquire a water service at an estimated cost of \$32,183.64 based on 100% assessment which includes the 2019 Part 12 Charges. Six (6) property owners signed "Yes" on the Connection Request Form.

Out of the remaining six (6) properties, three (3) property owners signed "No" to a water service connection and three (3) of the property owners did not return their Connection Forms. The property owners that signed "No" or did not return their forms will be deferred at an estimated connection cost of \$35,000.00 based on 100% assessment plus Part 12 Charges. CK PUC would pay for and carry the deferred assessments until the property owners wish to connect.

The Engineering and Transportation Division prepared the estimated costs for the proposed waterline. The estimated cost for the petition and non-petitioned project, including MECP approvals and 1.76% HST is \$471,545.66 of which \$111,284.66 is associated with the carrying costs of the looped area and would be allocated to CK PUC. The estimated cost per connection including the 2017 Part 12 Charge is \$32,184.00 and \$7,353.00 for vacant agricultural land.

It is recommended that Council approve the Bluewater Line and Base Line Road Waterline Project By-law as outlined in Schedule "A" and Schedule "B" and the necessary By-law under Part XII of the Municipal Act, 2001.

Areas of Strategic Focus and Critical Success Factors

The recommendations in this report support the following areas of strategic focus:

Economic Prosperity:

Chatham-Kent is an innovative and thriving community with a diversified economy

A Healthy and Safe Community:

Chatham-Kent is a healthy and safe community with sustainable population growth

People and Culture:

Chatham-Kent is recognized as a culturally vibrant, dynamic, and creative community

Environmental Sustainability:

Chatham-Kent is a community that is environmentally sustainable and promotes stewardship of our natural resources

The recommendations in this report support the following critical success factors:

Financial Sustainability:

The Corporation of the Municipality of Chatham-Kent is financially sustainable

Open, Transparent and Effective Governance:

The Corporation of the Municipality of Chatham-Kent is open, transparent and effectively governed with efficient and bold, visionary leadership

Has the potential to support all areas of strategic focus & critical success factors

Neutral issues (does not support negatively or positively)


Consultation

The Engineering and Transportation Division prepared the preliminary engineering information.

Financial Implications

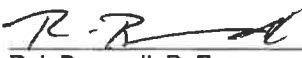
All costs associated with the project will be recovered through assessment and future connections. CK PUC will carry the cost of the deferred assessments until the property owners connect. The deferred assessment amount will be \$111,284.66.

Prepared by:



Jasen Pidlisnyj, C.E.T.
Engineering Technologist
Chatham-Kent PUC

Reviewed by:



Rob Bernardi, P. Eng.
Director, Engineering & Compliance
Chatham-Kent PUC

Reviewed by:



Tim Sunderland
General Manager
Chatham-Kent PUC

Attachment:

Bluewater Line and Base Line Road Waterline Preliminary Assessing By-Law

P:\RTC\Water&WasteWater (PUC)\2020

BY-LAW NUMBER
OF THE CORPORATION OF THE MUNICIPALITY OF CHATHAM-KENT

A By-Law to authorize the construction of a water works and the imposition of a water rate for the payment of the capital cost of the construction of such water works; **Bluewater Line Road and Base Line Road Waterline Project (Community of Chatham Township)**

FINALLY PASSED the day of , 2020.

WHEREAS the Council of the Corporation of the Municipality of Chatham-Kent authorized the Public Utilities Commission for the Municipality of Chatham-Kent to prepare the plans and specifications for the proposed Water Works.

AND WHEREAS a majority of affected ratepayers responded to a vote on the project.

NOW THEREFORE the Municipal Council of The Corporation of the Municipality of Chatham-Kent enacts as follows:

SHORT TITLE

1. This By-law may be cited as the "Bluewater Line Road and Base Line Road Waterline Project " Water Works By-law

DEFINITIONS

2. In this By-law,
 - (i) "Corporation" means the Corporation of the Municipality of Chatham-Kent;
 - (ii) "Council" means the Council of the Corporation of the Municipality of Chatham-Kent;
 - (iii) "Municipal Act" means the Municipal Act, 2001, as amended from time to time;
 - (iv) "Public Utilities Commission" means the Public Utilities Commission for the Municipality of Chatham-Kent;
 - (v) "Service Connection" means the pipe and appurtenances that connects the waterline to the street line;
 - (vi) "Street line" means the boundary of a property adjoining a road allowance;
 - (vii) "Water Works" means any works for the collection, production, treatment, storage, supply or distribution of water, or any part of such works;
 - (viii) "Water Works Rate" means a charge for the capital cost of water works.

- (ix) "Water line" means the distribution pipe which carries the supply of water along the road allowance.

APPLICATION OF BY-LAW

3. The Water Works referred to herein shall be constructed pursuant to the provisions of Part XII of the *Municipal Act, 2001*.
4. Water Works, including waterlines and appurtenances, shall be constructed along the lands shown on Schedule "A" attached hereto.
5. The Public Utilities Commission is hereby authorized to make such plans, profiles, and specifications and furnish such information as may be necessary for the making of a contract or contracts for the execution of the Water Works.
6. The Public Utilities Commission is hereby authorized to cause a contract or contracts for the construction of the said Water Works to be made and entered into, including the administration of a tender process, and to execute any related documentation to give effect thereto.
7. The construction of the Water Works shall be carried out and executed under the direction of the General Manager of Water and Wastewater Services for the Public Utilities Commission.
8. The Treasurer for the Corporation may make such arrangements with the Canadian Imperial Bank of Commerce, a chartered bank in Canada, for the temporary advances of monies to meet the cost of the Water Works pending the completion of the same.
9. The Water Works may be financed over a period not more than fifteen (15) years at a rate of interest to be determined by the Treasurer for the Corporation. The Water Works shall be paid for by the imposition of a water works rate on the benefiting lands computed by a unit charge for each parcel or parcels of lands, which is a parcel separately assessed according to the last returned assessment roll, or parcels having received severance consent by the date of this By-law, in accordance with the Schedule of Assessment attached hereto as Schedule "B".

10. Only one Service Connection will be permitted for each separate parcel or parcel having received severance consent by the date of the enactment of this By-law, assessed in Schedule "B."
11. Council hereby authorizes the borrowing of monies for completion of the Water Works by the issuance and sale of debentures. Pending the sale of the debentures, Council hereby authorizes the Mayor and Treasurer to undertake such temporary borrowing as may be required in order to pay any amounts that become due and payable as a result of proceeding with the Water Works project.

FUTURE CONNECTIONS

12. If a severance occurs on a parcel assessed in Schedule "B," after the date of the enactment of this By-law, the owner(s) of the severed parcel will be required to pay to the Corporation the cost of one unit as set out in Schedule "B."
13. The owner of an existing parcel will be required to pay to the Corporation, the cost of any additional connections to the parcel.

VALIDITY

14. If a court of competent jurisdiction declares any provision or part of this By-law to be invalid or of no force and effect, it is the intention of the Council in enacting this By-law that each and every other provision of this By-law authorized by law, be applied and enforced in accordance with its terms to the extent possible according to law.

THIS By-law come into full force and effect upon the final passing thereof.

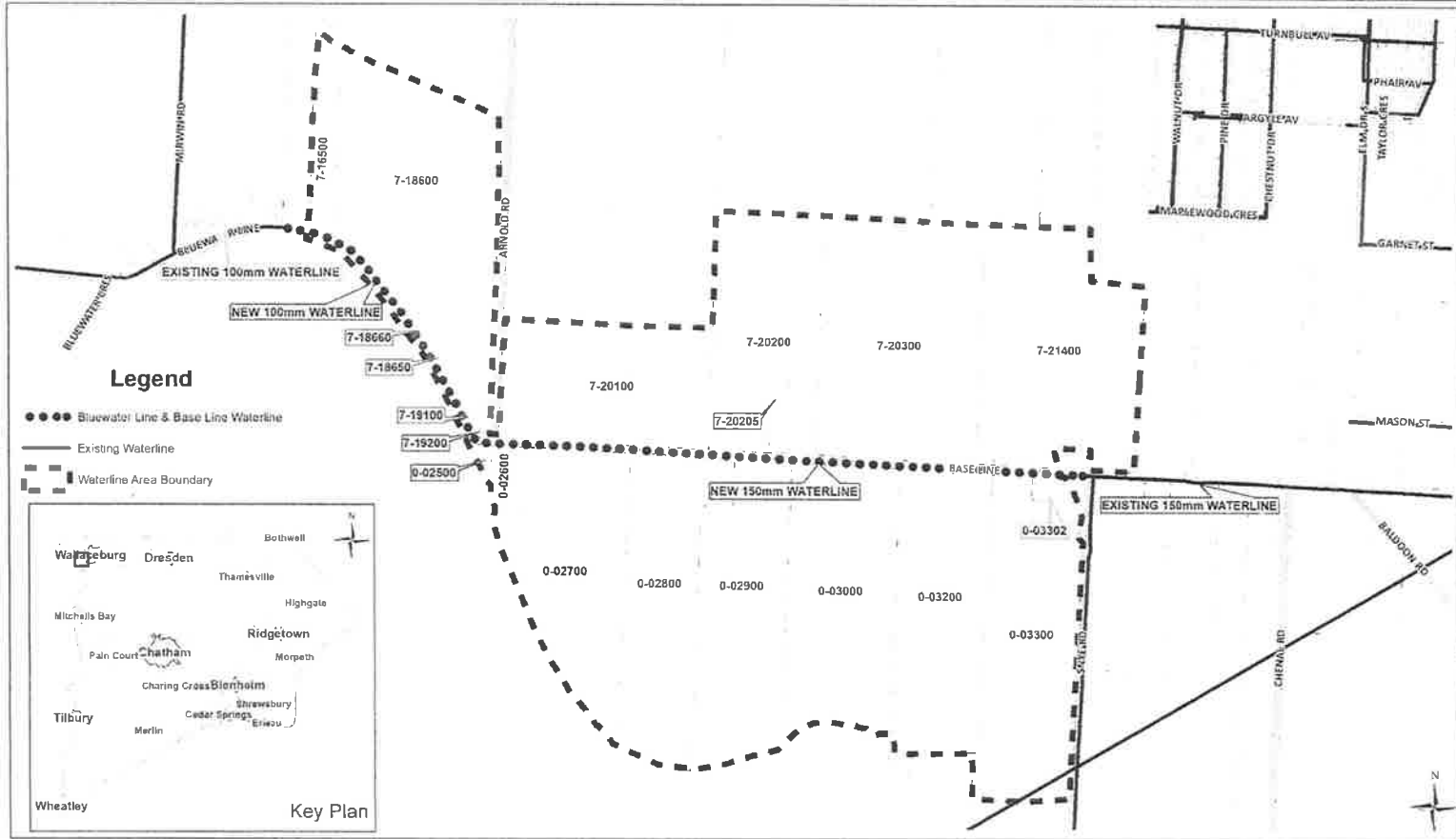
READ A FIRST, SECOND AND THIRD TIME this th day of , 2020

MAYOR – Darrin Canniff

CLERK – Judy Smith

Bluewater Line and Base Line Waterline Extension

February 13, 2020



Bluewater Line and Base Line Road Waterline Project

Schedule A

Schedule B

**Bluewater Line and Base Line Road Waterline Project
Schedule of Preliminary Assessment**

Schedule of Charges:	
Service Size	Project Assessment (does not include DCs)
1 " Service	\$29,409.00
1.5" Service	\$39,113.97
2" Service	\$44,113.50
25% Assessment	\$7,353.00

ROLL NUMBER	911	STREET	ZONING ASSESSMENT	ASSESSMENT CHARGE	2019 PART XII CHARGE	GROSS PUC ASSESSMENT	DEFERRED ASSESSMENT (DCs NOT INCLUDED)
365041000716500	6033	BLUEWATER LINE	1	\$29,409.00	\$2,775	\$32,184.00	N/A
365041000718600	6043	BLUEWATER LINE	0.25	\$7,353.00		\$7,353.00	N/A
365041000718660	6045	BLUEWATER LINE	1	\$29,409.00	\$2,775	\$32,184.00	N/A
365041000718650	6085	BLUEWATER LINE	1	\$29,409.00	\$2,775	\$32,184.00	N/A
365041000719100	6153	BLUEWATER LINE	1	\$29,409.00	\$2,775	\$32,184.00	N/A
365041000719200	6165	BLUEWATER LINE	1	\$29,409.00	\$2,775	\$32,184.00	N/A
365048001002500	6168	BASE LINE	1	\$29,409.00	\$2,775	\$32,184.00	N/A
365048001002600	6170	BASE LINE	1		USE CURRENT	DEFERRED	\$35,000
365041000720100	6217	BASE LINE	1	\$29,409.00	\$2,775	\$32,184.00	N/A
365048001002700	6228	BASE LINE	1	\$29,409.00	\$2,775	\$32,184.00	N/A
365048001002800	6294	BASE LINE	1	\$29,409.00	\$2,775	\$32,184.00	N/A
365041000720200		BASE LINE	0.25		USE CURRENT	DEFERRED	\$35,000
365041000720205	6305	BASE LINE	1		USE CURRENT	DEFERRED	\$35,000
365048001002900 365048001003000	6370	BASE LINE	1		USE CURRENT	DEFERRED	\$35,000
365041000720300	6359	BASE LINE	1	\$29,409.00	\$2,775	\$32,184.00	N/A
365048001003200		BASE LINE	0.25		USE CURRENT	DEFERRED	\$35,000
365041000721400	6447	BASE LINE	0.25		USE CURRENT	DEFERRED	\$35,000
365048001003300		BASE LINE	1	\$29,409.00	\$2,775	\$32,184.00	N/A
365048001003302	6460	BASE LINE	1	\$29,409.00	\$2,775	\$32,184.00	N/A

▲
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Municipality Of Chatham-Kent

Public Utilities Commission

To: Mayor and Members of Council

From: Tim Sunderland
General Manager
Chatham-Kent Public Utilities Commission

Date: February 13, 2020

Subject: Amendment to By-Law 102-2018 for Base Line Road, Chenal Road, Snye Road, Seys Line and Island View Road Waterline Project (Community of Chatham Township)

Recommendation

It is recommended that:

1. By-law Number 102-2018 which is a by-law to authorize the construction of a water works and the imposition of a water charge for the payment of the capital cost of the construction of such water works known as the Base Line Road, Chenal Road, Snye Road, Seys Line and Island View Road Waterline be amended.

Background

Chatham-Kent Council passed By-Law #102-2018 at the regular meeting on July 16, 2018 to authorize the construction of a water works and the imposition of a water rate for the payment of the capital cost of the construction of the water works known as the Base Line Road, Chenal Road, Snye Road, Seys Line and Island View Road Waterline Project. The Engineer's estimate of costs and assessment for this project was included in the authorized by-law as Schedule B.

Comments

The Base Line Road, Chenal Road, Snye Road, Seys Line and Island View Road Waterline Project has been tendered, awarded, constructed and commissioned.

The estimated cost per connection presented to the property owners was \$23,937.17 (\$25,571.27 including 2017 Part XII Charge of \$1,634.10). The actual connection cost that will be assessed is \$21,852.93 (\$23,487.03 including 2017 Part XII Charge). The total Assessment Cost that will be assessed is \$600,955.59, not including the total Part XII Charges of \$40,852.50.

The project costs are summarized in the following table:

Base Line Road, Chenal Road, Snye Road, Seys Line and Island View Road Waterline Project Summary of Project Costs	
Project Costs (included approvals)	\$570,380.13
Engineering Cost	\$98,606.71
Interest Cost	\$16,715.44
Total Cost	\$685,702.28
PUC Oversizing Cost (minus)	\$84,746.69
Assessment Cost	\$600,955.59
Residential Connection Cost (not including Part 12 Charges)	\$21,852.93

Consequently, an amendment to By-Law 102-2018 for the Base Line Road, Chenal Road, Snye Road, Seys Line and Island View Road Waterline Project is required to complete the assessment procedure and accurately reflect the cost of the project.

It is recommended that Council approve the amended Base Line Road, Chenal Road, Snye Road, Seys Line and Island View Road Waterline Project By-law as outlined in Schedule "A" and Schedule "B" attached.

Areas of Strategic Focus and Critical Success Factors

The recommendation in this report supports the following areas of strategic focus:

Economic Prosperity:

Chatham-Kent is an innovative and thriving community with a diversified economy

A Healthy and Safe Community:

Chatham-Kent is a healthy and safe community with sustainable population growth

People and Culture:

Chatham-Kent is recognized as a culturally vibrant, dynamic, and creative community

Environmental Sustainability:

Chatham-Kent is a community that is environmentally sustainable and promotes stewardship of our natural resources

The recommendation in this report supports the following critical success factors:

Financial Sustainability:

The Corporation of the Municipality of Chatham-Kent is financially sustainable

Open, Transparent and Effective Governance:

The Corporation of the Municipality of Chatham-Kent is open, transparent and effectively governed with efficient and bold, visionary leadership

Has the potential to support all areas of strategic focus & critical success factors

Neutral issues (does not support negatively or positively)

Consultation

The Municipal Engineering and Transportation Division and the CK PUC prepared the final assessment list and summary of costs. Financial Services confirmed the project costs.

Financial Implications

All costs associated with the project will be recovered through assessment and future connections, with the exception of the oversizing costs for the CK PUC.

The oversizing cost of \$84,746.69 associated with the project will be allocated to CK PUC and has been accounted for in the 2019 budget.


The total Part 12 charges that will be collected is \$40,852.50.

Prepared by:

Reviewed by:




Jasen Pidlisnyj, CET
Engineering Technologist
Chatham-Kent PUC



Rob Bernardi, P. Eng.
Director, Engineering & Compliance
Chatham-Kent PUC

Reviewed by:



Tim Sunderland
General Manager
Chatham-Kent PUC

Base Line Road, Chenal Road, Snye Road, Seys Line and Island View Road
Waterline Project – Amending By-law Report

4

Attachment: Base Line Road, Chenal Road, Snye Road, Seys Line and Island View
Road Waterline Project – Amending By-Law

P:\RTC\Water&WasteWater (PUC)\2020\Islandview

BY-LAW NUMBER

OF THE CORPORATION OF THE MUNICIPALITY OF CHATHAM-KENT

A By-Law to amend By-Law Number 102-2018, passed on the 16th day of July, 2018

Being a By-Law to authorize the construction of a water works and the imposition of a water rate for the payment of the capital cost of the construction of such water works; (Base Line Road to Island View Road Waterline Project) (Community of Wallaceburg)

FINALLY PASSED the day of , 2020.

WHEREAS By-Law Number 102-2018 was passed on 16 July, 2018 to authorize the construction of a water works and the imposition of a water rate for the payment of the capital costs of the construction of such water works related to the Base Line Road to Island View Road Waterline Project in the Community of Wallaceburg;

AND WHEREAS the final costs for the Water Works project have now been determined and the Corporation of the Municipality of Chatham-Kent deems it expedient to amend certain provisions of By-Law Number 102-2018 accordingly;

NOW THEREFORE the Municipal Council of The Corporation of the Municipality of Chatham-Kent enacts as follows:

1. By-Law Number 102-2018 is hereby amended by replacing Schedules A and B to By-Law Number 102-2018 with the revised Schedules A and B attached hereto.
2. By-Law Number 102-2018 is hereby amended by the addition of the following clause:

FINANCING

14. Council hereby authorizes the borrowing of monies for completion of the Water Works by the issuance and sale of debentures. Pending the sale of the debentures, Council hereby authorizes the Mayor and Treasurer to undertake such temporary borrowing as may be required in order to pay any amounts that become due and payable as a result of proceeding with the Water Works project.

3. Said By-law 102-2018 of The Corporation of The Municipality of Chatham-Kent as heretofore amended remains in full force and effect in all respects save and except as amended hereby.

THIS By-law come into full force and effect upon the final passing thereof.

READ A FIRST, SECOND AND THIRD TIME this th day of , 2020

MAYOR – Darrin Canniff

CLERK – Judy Smith

Schedule B

Base Line Road to Island View Road Waterline Project

Final Assessment List

Schedule of Charges:	
Service Size	Project Assessment (does not include DCs)
1" Service	\$21,852.93
1.5" Service	\$29,064.40
2" Service	\$32,779.40
Vacant Ag. Land	\$5,463.23

Roll Number	911 NUMBER	ROAD NAME	ZONING ASSESSMENT	WATERLINE ASSESSMENT	2017 Part XII CHARGE	GROSS PUC ASSESSMENT
3650 480 010 04504	28696	ISLAND VIEW RD	1	\$21,852.93	\$1,634.10	\$22,720.26
3650 480 010 04503	28702	ISLAND VIEW RD	1	\$21,852.93	\$1,634.10	\$22,720.26
3650 480 010 04502	28708	ISLAND VIEW RD	1	\$21,852.93	\$1,634.10	\$22,720.26
3650 480 010 04501	28710	ISLAND VIEW RD	1	\$21,852.93	\$1,634.10	\$22,720.26
3650 480 010 04500	28716	ISLAND VIEW RD	1	\$21,852.93	\$1,634.10	\$22,720.26
3650 480 010 04400	28720	ISLAND VIEW RD	1	\$21,852.93	\$1,634.10	\$22,720.26
3650 480 010 04300	28726	ISLAND VIEW RD	1	\$21,852.93	\$1,634.10	\$22,720.26
3650 480 010 04200	28732	ISLAND VIEW RD	1	\$21,852.93	\$1,634.10	\$22,720.26
3650 480 010 04000	28740	ISLAND VIEW RD	1	\$21,852.93	\$1,634.10	\$22,720.26
3650 480 010 03900	28746	ISLAND VIEW RD	1	\$21,852.93	\$1,634.10	\$22,720.26
3650 480 010 03800	28750	ISLAND VIEW RD	1	\$21,852.93	\$1,634.10	\$22,720.26
3650 480 010 03600	6399	SEYS LINE	1	\$21,852.93	CK PUC PROPERTY	\$21,086.16
3650 480 010 03510	6401	SEYS LINE	1	\$21,852.93	\$1,634.10	\$22,720.26
3650 480 010 03500	6403	SEYS LINE	1	\$21,852.93	\$1,634.10	\$22,720.26
3650 480 010 03480	6417	SEYS LINE	1	\$21,852.93	\$1,634.10	\$22,720.26
3650 480 010 03100	6419	SEYS LINE	1	\$21,852.93	\$1,634.10	\$22,720.26
3650 480 010 06100	6473	SEYS LINE	1	\$21,852.93	\$1,634.10	\$22,720.26
3650 480 010 03700		SEYS LINE	0.25	\$5,463.23		\$5,271.54
3650 480 010 06150		SEYS LINE	0.25	\$5,463.23		\$5,271.54
3650 480 010 06300		SNYE RD	0.25	\$5,463.23		\$5,271.54
3650 4800 100 6200	28721	SNYE RD	0.25	\$5,463.23		\$5,271.54
3650 480 010 06400	28941	SNYE RD	1	\$21,852.93	\$1,634.10	\$22,720.26
3650 480 010 07500	28990	CHENAL RD	1	\$21,852.93	\$1,634.10	\$22,720.26
3650 480 010 03400	6482	BASE LINE	1	\$21,852.93	\$1,634.10	\$22,720.26
3650 480 010 06500	6520	BASE LINE	1	\$21,852.93	\$1,634.10	\$22,720.26
3650 480 010 06600	6528	BASE LINE	1	\$21,852.93	\$1,634.10	\$22,720.26
3650 480 010 06700	6560	BASE LINE	1	\$21,852.93	\$1,634.10	\$22,720.26
3650 442 007 25300	6590	BASE LINE	1	\$21,852.93	\$1,634.10	\$22,720.26
3650 410 007 21400	6469	BASE LINE	1	\$21,852.93	\$1,634.10	\$22,720.26
3650 442 008 10500	6750	BASE LINE	1.5	\$32,779.40	CK PUC PROPERTY	\$32,779.40

Municipality Of Chatham-Kent

Community Development

Fire & Emergency Services

To: Mayor and Members of Council

From: Chris Case, Fire Chief

Date: February 18, 2020

Subject: Master Fire Plan

Recommendations

It is recommended that:

1. The Corporation of the Municipality of Chatham-Kent releases a Request for Proposal (RFP) for the services of a professional Fire Services Consultant to provide research, make recommendations and co-ordinate development of a Master Fire Plan for the Municipality.
2. The Mayor and Clerk be authorized to sign the necessary agreements.

Background

In 2007, the Corporation of the Municipality of Chatham-Kent retained T.L. Powell & Associates Ltd. (TLP) in partnership with Cyril Hare & Associates Inc. and Marshall Macklin Monaghan to deliver the municipalities first Master Fire Plan and Station Location Study. The plan included a comprehensive review of the fire department operations and input from all stakeholders. A copy of the 2007 report has been included as Appendix A.

Comments

Similar to other municipal strategic and master plans, it is recommended that the Master Fire Plan be reviewed and updated after ten years to ensure that it accurately reflects the current state of the municipality and encompasses the interest of the recognized stakeholders.

The Master Fire Plan project will include the development of a fire plan steering committee for consultant selection, as well as continue to work with the successful consultant on the completion and analysis of the activities in the following areas:

- Fire Prevention
- Community Safety
- Station Locations and Response Polygon areas
- Staffing requirements, in both Volunteer and Full-time sectors
- Water Supplies
- Administration
- Training and Professional Development
- Fire Operations and Response, including level of service provided
- Communications
- Apparatus and Equipment
- Maintenance program

The evaluation and analysis will be based upon the accepted standards and benchmarking of the Ontario Fire Marshal (OFM) and National Fire Protection Association (NFPA).

The fire plan steering committee shall be a committee of administration and will consist of the following roles to ensure engagement from recognized stakeholders:

- Fire Chief, Fire and Emergency Services
- General Manager, Community Development
- Assistant Fire Chief, Fire and Emergency Services
- Community Emergency Management Coordinator (CEMC)
- President, Chatham-Kent Professional Firefighters Association (CKPFFA)
- Volunteer Station Chief, Fire and Emergency Services
- Municipal Budget Analyst, Budget and Performance Services
- Executive Assistant, Fire and Emergency Services

The consulting firm's proposal, including specific projected timing for each step of the work program has a proposed completion date of December 31, 2020. The specific project timing will be presented to Council during the award of the RFP. A draft copy of the RFP has been included as Appendix B.

Areas of Strategic Focus and Critical Success Factors

The recommendations in this report support the following areas of strategic focus:

- Economic Prosperity:

Chatham-Kent is an innovative and thriving community with a diversified economy

- A Healthy and Safe Community:

Chatham-Kent is a healthy and safe community with sustainable population growth

- People and Culture:

Chatham-Kent is recognized as a culturally vibrant, dynamic, and creative community

Environmental Sustainability:

Chatham-Kent is a community that is environmentally sustainable and promotes stewardship of our natural resources

The recommendations in this report support the following critical success factors:

Financial Sustainability:

The Corporation of the Municipality of Chatham-Kent is financially sustainable

Open, Transparent and Effective Governance:

The Corporation of the Municipality of Chatham-Kent is open, transparent and effectively governed with efficient and bold, visionary leadership

Has the potential to support all areas of strategic focus & critical success factors

Neutral issues (does not support negatively or positively)

Consultation

None

Financial Implications

During the 2020 budget deliberations, Council approved the supplementary budget request for the Master Fire Plan and for it to be funded from Strategic Reserves. Results from the RFP for the Professional Fire Services Consultant will be brought back to Council for approval as per the municipal purchasing by-law.

Prepared by:

Reviewed by:

Adam Walters
Assistant Chief, FES

Chris Case
Fire Chief, FES

Reviewed by:

John Norton
General Manager
Community Development

Attachment(s):

Appendix A – 2007 Master Fire Plan and Station Location Study

Appendix B – Master Fire Plan RFP, draft copy

\\chatham-kent.ca\Common\.Corporate\General\FireADM\Master Fire Plan\2020\RTC -
Master Fire Plan.doc

**T L. Powell & Associates Ltd
Emergency Services Consultant**

**MUNICIPALITY
OF
CHATHAM-KENT
FIRE MASTER PLAN**

June 2007



CYRIL HARE & ASSOCIATES INC.
Fire and Life Safety Consultants

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Acronyms and Abbreviations

CAD	Computer Aided Dispatch
CAO	Chief Administrative Officer
CAFS	Compressed Air Foam System
CBRNE	Chemical Biological Radiation Nuclear Explosive
CKFD	Chatham-Kent Fire Department
CKPFFA	Chatham-Kent Professional Fire Fighters Association
CSA	Canadian Standards Association
EMS	Emergency Medical Service
FPO	Fire Prevention Officer
FPPA	Fire Protection and Prevention Act
FUS	Fire Underwriters Survey
GIS	Geographic Information System
GPM	Gallons (Imperial) Per Minute
IFSTA	International Fire Service Training Association
LAN	Local Area Network
LPM	Liters Per Minute
OBC	Ontario Building Code

OFC	Ontario Fire Code
OFM	Office of the Fire Marshal
OHSA	Occupational Health and Safety Act
NFPA	National Fire Protection Association
OHSA	Occupational Health & Safety Act
PPV	Positive Pressure Ventilation
PUC	Public Utilities Commission
RPD	Response Protocol Document
RIT	Rapid Intervention Team
SCBA	Self Contained Breathing Apparatus
SOG	Standard Operating Guideline
TIC	Thermal Imaging Camera
TLP	T L Powell & Associates Ltd
WHMIS	Workplace Hazardous Materials Information System
ULC	Underwriters Laboratory of Canada

Introduction

T L. Powell & Associates Ltd (TLP) in partnership with Cyril Hare & Associates Inc and. Marshall Macklin Monaghan are pleased to deliver the Master Fire Plan and Station Location Study for the Municipality of Chatham-Kent. The plan includes a comprehensive review of the Fire Department operations and the inputs from all of the stakeholders.

In 1998, 23 municipalities in the County of Kent amalgamated into the Municipality of Chatham-Kent. Among the challenges involved in this process were bringing together several full-time and volunteer fire services. The Chatham-Kent Fire Department works from 19 fire Stations, with approximately 60 pieces of fire apparatus, staffed by 67 full-time career firefighters and 350 paid part-time volunteer Fire Fighters.

The consultants wish to thank the Steering Committee for their assistance and guidance through the process of developing the Fire Master Plan and Station Location Study.

Fire Master Plan, Steering Committee

- Robert Crawford, Fire Chief
- Rick Arnel, Assistant Chief
- Brian King, Councilor
- Gerry Wolting, Acting Chief Administrative Officer
- Shawn Mifflin, President Local CKPFFA
- Janet Berry, Administrative Assistant 1
- Al Devillaer, Emergency/EMS Manager
- Scott Campbell, Station Chief Harwich
- Jim McNamara, Budget Analyst

Executive Summary

The consultant has conducted an evaluation and analysis of the performance of the fire protection services, using the generally accepted standards and benchmarking of the Canadian Fire Services. Consultation has played an integral part of the process, including meetings with all recognized stakeholders, and coordination of the final report with the Steering Committee.

Meetings have taken place with the stakeholders, including, all of the elected members of Council, the former Mayor of the Municipality, senior staff and other members of the staff of the municipality, all of the excluded senior members of the fire service, the Chatham-Kent Professional Fire Fighters Association (CKPFFA) executive, full time members of the Fire Department, all of the volunteer Station Chiefs and Deputies, Volunteer members attended two open meetings with the consultants, The supervisor of the Police Department Communications Division and several other stakeholders.

The consultants have reviewed and analyzed current Fire Department levels relative to existing financial and human resource allocations and reviewed and analyzed relevant documents, statistical data and reports and the Canada census regarding population growth in the Municipality of Chatham-Kent for the next ten years.

The project included an analysis of the Fire Department activities in the following areas:

- Fire prevention and public education
- Station locations and response polygon areas
- Staffing requirements, in both volunteer and full-time sectors
- Water supplies
- Administration
- Training and professional development
- Fire operations and response, including level of service provided
- Communications
- Apparatus and equipment
- Maintenance program

We have developed recommendations on all aspects of the fire protection program that we believe will provide a viable plan for the municipality to implement over the next ten years. The Fire Master Plan recommendations found following each subject matter are reproduced here for the convenience of staff.

Complete List of Recommendations

Stations

1. It is recommended that the following volunteer fire Stations be considered for reconstruction:
 - a) 2008 Station 17 (Merlin) (Volunteer)
 - b) 2009 Station 5 (Chatham North) (Volunteer)
 - c) 2010 Station 19 (Tilbury) (Volunteer)
 - d) 2011 Station 14 (Erieau) (Volunteer)
2. It is recommended that Station #2 be relocated south of the railway tracks in proximity to Lecroix Street and Indian Creek Road West.
 - a) It is further recommended that the new Station be a minimum of two double bays drive through configuration and contain office and accommodations for two crews the Fire Prevention Office and a Platoon Chief.
3. It is recommended that the Station response polygons/zones be realigned in accordance with new emergency response zone map shown in this plan.
4. It is recommended that a response protocol be developed by the Fire Department for the use of the communications dispatch that indicates the first, second and third alarm response to every location within the municipality based on the concept of closest and quickest Station response.
 - a) It is further recommended that the protocol include the response of the two closest Stations either or both full time and volunteer for all rural areas requiring a Tanker shuttle and for all special fire or life risks such as, chemical or flammable liquid facilities, large manufacturing facilities and nursing homes.

5. It is recommended that a fire Station building audit and space needs study be conducted to establish the state of repair and space needs of each fire Station with consideration that Stations #2, #3, #5, #14, #17 and #19 that should all be replaced before the end of the next decade.

Operational Review, Volunteer and Full-Time Sectors

6. It is recommended that the municipality introduce a false alarm by-law that provides for fines after three responses to any one location within a year. The by-law should also provide for the Fire Chief to refund a portion of the fine if the building owner takes actions to reduce the number of false alarms. Such as providing proof of performing maintenance or providing some form of security to prevent abuse of the alarm system.
 - a) It is further recommended that the false alarm statistics be analysed to determine the most frequent locations of these types of calls and appropriate action be taken to reduce the numbers of calls to that address.
7. It is recommended that the negotiating team of the Municipality and the Fire Fighters executive meet to discuss the changes needed to the collective agreement and the Letter of Understanding to give priority to public safety in the municipality. In particular remove any perceived or actual restrictions of the volunteers that may be in or attached to the collective agreement that prevents them from responding into the Station #1, #2 and #3 areas on the first, second or third alarm and remove the restrictions on the volunteers to drive and/or operate equipment to the scene and during emergency incidents.
 - a) It is further recommended that in the event of a stalemate in the discussions the matter should be processed through the grievance/arbitration procedures to a third party.
 - b) It is further recommended that a Fire Department policy be established immediately in Station #3 to respond the Wallaceburg volunteer Fire Fighters on all first alarms excluding EMS calls.
8. It is recommended that the full time compliment of Fire Fighters in the Station #1 and Station #2 response zones be increased to provide a minimum of a combined Station total of 10 Fire Fighters including officers 24/7 to respond to all first alarms excluding EMS and vehicle fires.

9. It is recommended that for all areas of the municipality that are not serviced with hydrants, the first alarm to reported fires other than vehicle accidents/fires, should include the primary Station plus a Tanker with a minimum of two Fire Fighters from the adjacent Station for a back up water supply.
10. It is recommended that the Fire Department establish a task force to survey the Municipality and establish a list of special life and property risks that require the response of more than one Station. Upon completing the list the task force will develop a response protocol outlining the number and types of vehicles and Fire Fighters to be responded for the communications to use when an alarm or emergency is announced for that building or property.
11. It is recommended that the Fire Department establish a task force of volunteer members to evaluate the platooning of Fire Fighters for Rural and Urban responses, EMS responses, and any other forms of platooning that may be used by the volunteers across the Municipality. The task force should make a recommendation to the Fire Chief on the task force findings.
12. It is recommended that the Municipality establish a task force of stakeholders to evaluate the specialty rescue teams and meet with representatives of the Canadian Coast Guard and other stakeholders to determine the level of rescue services the municipality should be delivering to the residents.
 - a) The task force should evaluate the High Angle Rescue team value to the Municipality, and
 - b) Evaluate the Dive Team and it's necessity for rescue purposes in the municipality, and
 - c) Shore based and off shore water and ice rescue and determine the level of service in the Municipality, and
 - d) The task force should consider the value of establishing a Haz-Mat team in the Fire Department to be trained and equipped to the operations level of NFPA 472.
 - e) The task force will make recommendation to the Council for their consideration in establishing the level of rescue services for the Municipality.

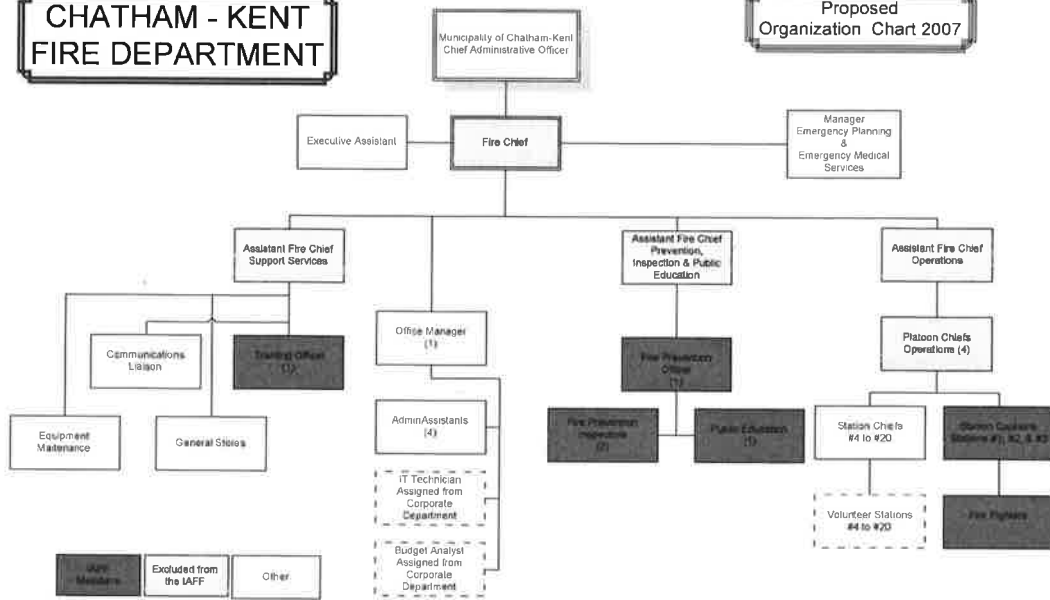
13. It is recommended that the Tiered response program be revisited to include the concept of response of the Fire Department when it is known that the Ambulance can arrive on scene before the full time Stations (within 8 minutes) and the volunteer Stations (within 12 minutes) of the call for emergency Medical Assistance.

Administration and Organization

14. It is recommended that four Platoon Chiefs be added to the Station #1 and that the position of Senior Captain be reclassified to Captain effective January 2008.
15. It is recommended that four Fire Fighters be added to the Station #2 compliment effective January 2009.
16. It is recommended that four Fire Fighters be added to the Station #2 compliment effective January 2010.
17. It is recommended the Emergency Management Program be assigned to the Fire Department
18. It is recommended that the EMS Manager and program be assigned to the Fire Chief
19. It is recommended that a position of Office Manager be established in the Fire Department effective January 2008
20. It is recommended that two (2) new clerical administrative positions be approved for the Fire Department, one to be assigned to the Training Division duties and the second one to be assigned to the Fire Prevention Division duties.
21. It is recommended that in accordance with the Fire Prevention and Protection Act the Fire Chief report to the Chief Administrative Officer (CAO) for all administrative matters and directly to Council for all matters of public safety.
22. It is recommended that the following organization chart be adopted by Council for the Fire Department

CHATHAM - KENT FIRE DEPARTMENT

Proposed Organization Chart 2007



23. It is recommended that the following rank markings be adopted by the Fire Department:

RANK	CREST	STRIPING	BUTTONS	CAP	EXPANSION BAND	EPAULETTES
Fire Chief	Gold	Gold – 5 stripes	Gold	Officer – double row stars	Gold	Gold – 5 stripes
Assistant Fire Chief	Gold	Gold – 4 stripes	Gold	Officer – single row stars	Gold	Gold – 4 stripes
Platoon Chief	Gold	Gold – 3 stripes	Gold	Officer	Gold	Gold – 3 stripes
Station Chief	Gold	Gold – 2 stripes	Gold	Officer	Gold	Gold – 2 stripes
Captain	Gold	Gold – 1 stripe	Gold	Officer	Gold	Gold – 1 stripe
Acting Captain	Silver	Silver – 1 stripe <i>(CAFC style)</i>	Silver	Firefighter	Black Band	Silver – 1 stripe <i>(CAFC style)</i>
Firefighter	Silver		Silver	Firefighter	Black Band	
Fire Prevention Officer	Gold	Gold – 1 stripe	Gold	Officer	Gold	Gold – 1 stripe
Fire Inspector	Gold		Gold	Officer	Gold	
Public Education Officer	Gold		Gold	Officer	Gold	

Fire Prevention and Public Education

24. It is recommended that an additional Fire Prevention Inspector be added to the Chatham Kent Fire Department in the 2008 budget.
 - a). It is further recommended that the minimum qualifications based upon the Ontario Fire Service Standards for Fire Prevention Officers be required of all applicants for the position.
 - b). It is further recommended that a Certified Building Official under the requirements of the Building Code be considered as a positive asset for the position.
25. It is recommended that a Fire Fighter inspection program be developed and implemented. It is further recommended that the Station 1, 2 and 3 Fire Fighters be trained and certified to conduct basic Fire Code inspections.
26. It is recommended that the interested volunteer Fire Fighters receive training and certification to enable them to conduct Fire Code inspections of light industry, commercial and multi-residential properties in their response district.
27. It is recommended that the involvement of the Fire Department in the Building Permit process continue.
28. It is recommended that the department's fire prevention SOG's be updated.
29. It is recommended that the volunteer Fire Fighters continue to receive training in the delivery of fire safety programs and participate in public education events.
30. It is recommended that A Fire Safety Plans Box Bylaw be drafted and presented to Council.
31. It is recommended that Opportunities for fund raising be investigated with public service clubs and community organizations.

32. It is recommended that a Home Fire Safety Program be developed and delivered by the full time and volunteer fire fighting crews.

Pre-Fire Planning

33. It is recommended that a pre-incident planning program be developed using NFPA 1620 “Recommended Practice for Pre-Incident Planning” as a template. All high life risk, institutional properties, large commercial properties, public assembly properties and industrial properties should be pre-planned.
 - a) It is recommended that the pre-fire plans be prepared by the fire fighters (fulltime and volunteer).
 - b) It is recommended that training program be implemented to teach the fire fighters how to prepare pre-fire plans.
 - c) It is recommended that the pre-plans be stored electronically using a “Tough Books” laptop in the emergency vehicles and that printers be provided to print hard copies.

Fire Fighter Training and Education

34. It is recommended that a qualified Master Training Facilitator be hired and appointed as the Fire Department Training Officer.
35. It is recommended that all training lessons, sessions or practical training be followed by an evaluation or testing of the participants and the results documented and retained in an appropriate retrievable format.
36. It is recommended that all training records be recorded in digital form to enable easier production of statistical data.
37. It is recommended that a training facility be constructed for practical and theoretical training in a central location to allow all members of the Fire Department to use the facility days, evenings and weekends.
 - a. It is further recommended that the facility be constructed in a location that will allow for open burning and smoke generation that will not impact residential, commercial or Industrial buildings.

- b. It is further recommended that the facility consist of a 4 floor training tower, a fire building with pitched roof, open pit burning area, underground water tank suitable for training on pump operations including drafting and an area for extrication training from crashed vehicles. The main building should have a minimum of theoretical training classrooms, lockers and washrooms Male and female and office space for the training officer.

Communications and Equipment

38. It is recommended that the municipality develop an RFP to attract a qualified company to undertake a comprehensive radio signal coverage study and feasibility study to evaluate the current radio coverage and identify any dead spots.
39. It is recommended that the Fire Department consider providing additional portable radios where they can be justified.
40. It is recommended that the Fire Department investigate the financial implication and operational advantages of having a second mobile repeater available on the Rescue Truck.

Vehicles and Equipment Maintenance

41. It is recommended that Pumper Rescues be provided in the volunteer stations in lieu of providing a Pumper and Heavy Rescue in each of these stations.
42. It is further recommended that a personnel carrier (van 12 seat) be provided to transport additional fire fighters in volunteer stations where Pumper Rescues are provided.
43. It is recommended that an appropriate number of additional spare Pumpers and Tankers be retained in the fleet. These vehicles should be taken from the existing fleet as vehicles are replaced. The best vehicles should be retained and the oldest vehicles retired. A minimum of 3 spare Pumpers and Tankers should be retained.

44. It is recommended that the Vehicle Purchasing Committee develop a standard specification for all types of emergency vehicles.
- a) It is further recommended that Tanker specifications should meet NFPA and ULC standards and be based upon a conventional 2 door chassis with a 11350 litre (2500 gal.) tank with rear and side quick dumps. The vehicle should be equipped with a pump, Class A foam system, 45 mm (1 ¾ in) pre-connects, hose bed, ground ladders, and storage compartments. The vehicle should have a porta-tank that has a capacity equal to the tank size. It should carry a portable pump (minimum size 2250 lpm (500 gpm) and 9 meters (30 ft) of hard suction for the pump and the portable.
 - b) It is further recommended that Rescue Pumper specifications should meet NFPA and ULC standards and be based upon a conventional 4 door chassis with a pump/rescue style body with a minimum 2250 litre (500 gal.) tank and a minimum 5000 Lpm (1050 gpm) pump with a front suction. The vehicle should be equipped with a CAFS or Class A foam system, pre-piped removable deluge, 45 mm (1 ¾ in.) and 65 mm (2 ½ in.) pre-connects, hose bed, front bumper mounted 45 mm (1 ¾ in.) pre-connect, storage compartments, ground ladders, and 9 meters 9 (30 ft) of hard suction.
 - c) It is further recommended that Aerial/Quint specifications should meet NFPA and ULC standards and be based upon a custom or conventional 4 door chassis with a minimum 2250 litre (500 gal.) tank and a minimum 1050 gpm (5000 Lpm) pump with a front suction. The vehicle should be equipped with a CAFS or Class A foam system, pre-piped ladder deluge, ground ladders, 45 mm (1 ¾ in.) and 65 mm (2 ½ in.) pre-connects, hose bed, storage compartments, and 9 meters 9 (30 ft) of hard suction. When new Aerials are purchased the height of the Aerials should be based upon the height of the buildings that are to be protected.
 - d) It is further recommended that personnel carriers be designed with a weight carrying capacity capable of seating 12 personnel with personal protective clothing. The vehicles should be equipped with a tow hitch for pulling specialty equipment trailers.
45. It is recommended that the fleet maintenance review that is currently underway, consider having Fire Department vehicle maintenance conducted in-house by qualified technicians.
- a) It is further recommended that all vehicles be maintained in compliance with NFPA 1915 or its replacement standard.

- b) It is further recommended that all pumps and Aerials be tested annually by a qualified technician.
 - c) It is further recommended that all vehicles be subjected to an annual safety inspection.
46. It is recommended that the equipment compliment for each class of fire truck in the fleet be standardized. Equipment such as SCBA, hose, nozzles, appliances, tools, etc. should be standardized and specified for each new vehicle.
47. It is recommended that a small tools and equipment maintenance and repair program be established that it can be carried out by on duty fire fighters.
- a) It is further recommended that a tracking and accountability program be put in place for the maintenance of this equipment.
48. It is recommended that a central stores be established to maintain a stock of consumables and critical equipment to ensure that emergency operations are not negatively impacted.
49. Thermal imaging cameras should be provided for every station and all personnel should be trained in their use.
50. Traffic light pre-emption system should be installed on the traffic lights in the Chatham and Wallaceburg urban areas.

Water Supplies for Fire Fighting

51. It is recommended that a survey be conducted of the municipality by the Fire Department to identify all static and impounded water sources. A program should be instituted to install dry hydrants at strategic locations to facilitate water drafting by the fire department.
52. It is recommended that the ongoing life cycle review of the water system continue and that the program for water main replacement include minimum fire protection water supplies in the overall evaluation.
53. It is recommended that the fire hydrants on municipal and private water systems be

colour coded to indicate fire flow with a minimum residual pressure of 150 kPa. If the water main size is required to be shown, it should be stenciled on the hydrant.

54. It is recommended that the municipality consider the installation of impounded water supplies (ponds, cisterns or reservoirs) be provided in urban areas that are not protected with water mains and fire hydrants.
55. It is recommended that a maintenance program be developed for the inspection and maintenance of dry hydrants and underground water tanks.

Stations

Analysis of Existing Fire Station Response Times and Gap Areas

The Municipality of Chatham-Kent has 19 existing fire Stations. These comprise two full-time, one composite and sixteen volunteer fire Stations, as follows:

- a. Station 1 (Chatham City South) (Full-Time)
- b. Station 2 (Chatham City North) (Full-Time)
- c. Station 3 (Wallaceburg) (Composite)
- d. Station 4 (Dover) (Volunteer)
- e. Station 5 (Chatham North) (Volunteer)
- f. Station 6 (Dresden) (Volunteer)
- g. Station 7 (Chatham South) (Volunteer)
- h. Station 8 (Thamesville) (Volunteer)
- i. Station 9 (Bothwell) (Volunteer)
- j. Station 10 (Orford) (Volunteer)
- k. Station 11 (Ridgetown) (Volunteer)
- l. Station 12 (Harwich South) (Volunteer)
- m. Station 14 (Erieau) (Volunteer)
- n. Station 15 (Raleigh North) (Volunteer)
- o. Station 16 (Raleigh South) (Volunteer)
- p. Station 17 (Merlin) (Volunteer)
- q. Station 18 (Blenheim) (Volunteer)
- r. Station 19 (Tilbury) (Volunteer)
- s. Station 20 (Wheatley) (Volunteer)

One of the most critical factors in the provision of fire suppression services is the geographic area that can be covered by fire vehicles within acceptable response times. This is one of the primary criteria in determining whether additional Stations are required and whether any existing Stations are redundant or should be relocated. If there are a substantial number of well-populated or high-risk areas which are not covered within these acceptable response times, additional Stations may be required. Secondly, if there are areas which are covered by more than one fire Station (and where the demand and land use activity does not warrant the overlap in coverage), it may be possible to close a Station, allowing those resources to be re-allocated elsewhere in the system.

The number of Stations is important not just for first response, but also for provision of back-up when the vehicles of another Station are responding to an incident, and for second response to multiple-alarm incidents. This type of coverage back-up is important in ensuring that sufficient resources are available across the Municipality at all times.

Station #1 (Chatham (City) South), Station #2 (Chatham (City) North) are the two full-time fire Stations. Station #1 and Station #2 are located in the former City of Chatham and Station #3 (Wallaceburg) is the composite (full time and volunteer) Station 3 it is located in the former Town of Wallaceburg.

A Geographic Information Systems (GIS) based simulation model was created using Arc MAP 9.2 and its Network Analyst extension to plot and analyze the travel time contours for the existing Stations. The analysis process used to model coverage from existing Stations can be summarized as follows:

- GIS-based network analysis, to simulate travel time on all roads in the Municipality;
- Network speeds, wherever applicable were adjusted to reflect travel time delays due to traffic calming measures;
- A turn delay of 6 seconds was assigned to both left and right turns at intersections to account for time lost due to traffic, geometry of intersection, etc.;
- The network was coded to reflect one-way travel. For example, Highway 401 is represented with two links in the network, one for each direction. Thus the links have to be coded for one-way traffic flow to avoid the fire trucks from traveling in the opposite direction and providing coverage to areas that would otherwise not be possible; and
- Coverage provided to community facilities such as nursing homes and other critical facilities has been taken into account.

Existing Geographic Coverage

The coverage from the existing Stations has been analyzed in relation to travel time. The area covered by the existing Stations is shown in the 8-minute travel time contour. The 8 minute travel time objective was used for the analysis of the coverage provided by the existing Stations because this the generally accepted response times in Ontario for urban risk areas. Additionally, the coverage was also analyzed at an intermediate time-interval of 12 minutes. The results are shown following the 8 minute contour map. The analysis of the response from the existing Stations is summarized as follows:

8 Minute Response Contour (Existing Stations)

- t. The 8 minute response contours provide approximately 66 percent coverage to the Municipality of Chatham-Kent;
- u. All the major industrial areas close to the Station #1 area, are provided coverage;
- v. The Stations provide 100 percent coverage to the 42 critical facilities analyzed for protection by the fire department. The critical facilities included amenities for fuel supplies, emergency services, government and food storage;
- w. The Stations provide 100 percent coverage to the 18 health care facilities in the Municipality;
- x. A majority of the gap areas in the Municipality are rural in nature;

The downtown core of the former municipality of Chatham has significant overlap in coverage by the two full time fire Stations (Station #1 and Station #2) and two volunteer fire Stations (Station #15 and Station #12). The two full time fire Stations are strategically located the south and north of the Thames River, respectively. This location pattern was established when few fixed bridges provided the coverage to the residential part of the community, which is to the north of the River by Station # 2 and to the heavy industrial areas in the south by Station #1. In addition, Station #1 can be assisted by the two volunteer fire Stations, Station #15 and Station #12 in case of a serious emergency at the industrial plants or along Highway # 401. Station #2 can be assisted by Station #4 and Station #7.

12 Minute Response Contour (Existing Stations)

- Under the 12 minute response contour, virtually the entire Municipality is covered, except for a couple of gaps along the western part of the Municipality; and
- The 12 minute response contour provides approximately 96 percent spatial coverage to the Municipality.

The rail lines are a major impediment to combining of Stations #1 and #2. The river was the original reason for having two Stations in Chatham as it constituted an impediment to the response as there was the possibility of having the bridges lifted removing road access across the river. This is no longer an issue and instead the railway lines have now created the impediment and are the only reason why two Stations are still necessary in the urban area of Chatham one station north and one station south of the railway lines.

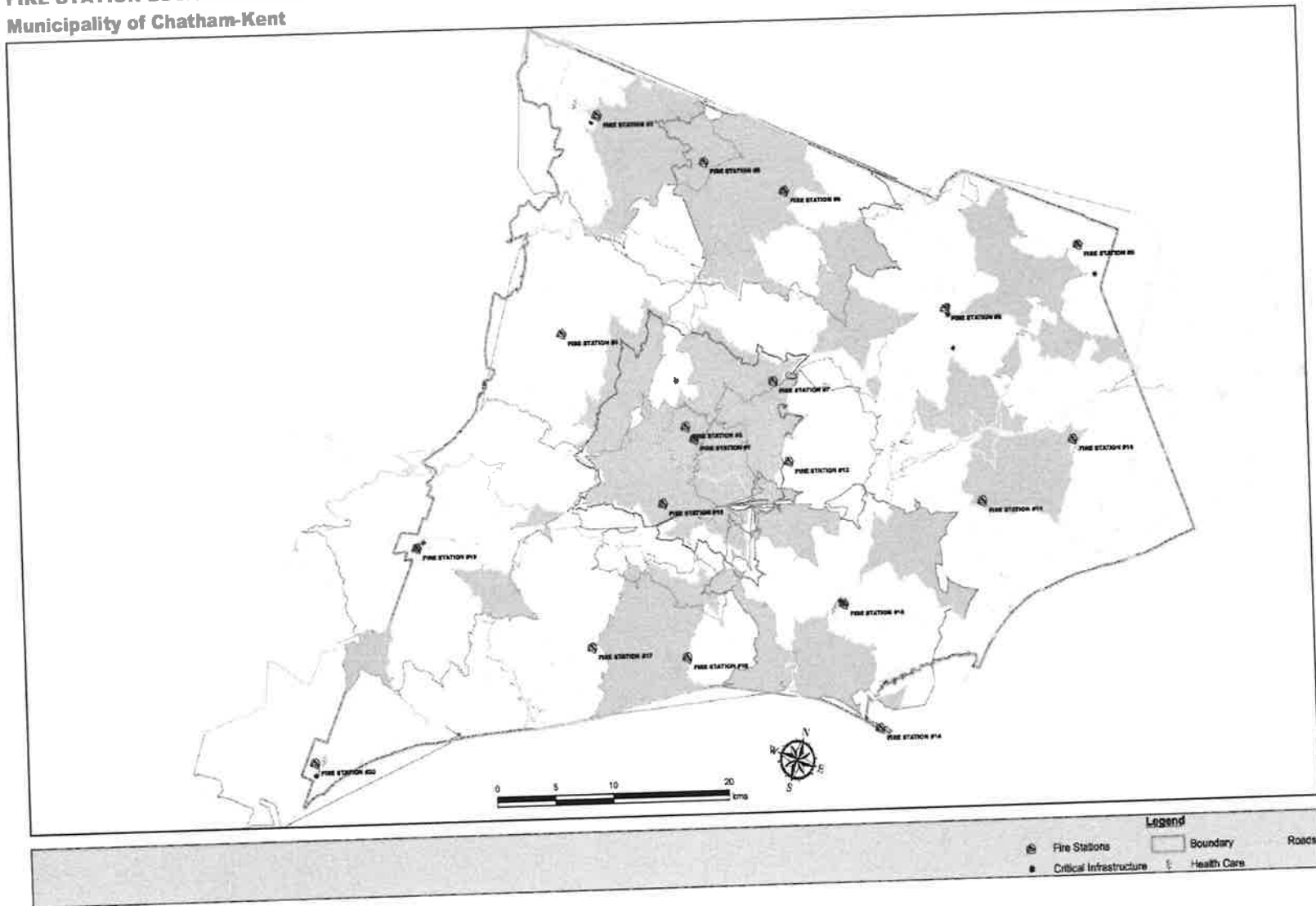
The following contour maps are first the 8 minute then the current response areas followed by the 10.5 minute response contours that were used to develop the fourth map of proposed emergency response zones for the Municipality and the fifth contour map is the Station #1 and #2 proposed response zones. The current border between Station #1 and #2 for single response emergencies will remain in place until such time as Station #2 is moved to the new proposed location.



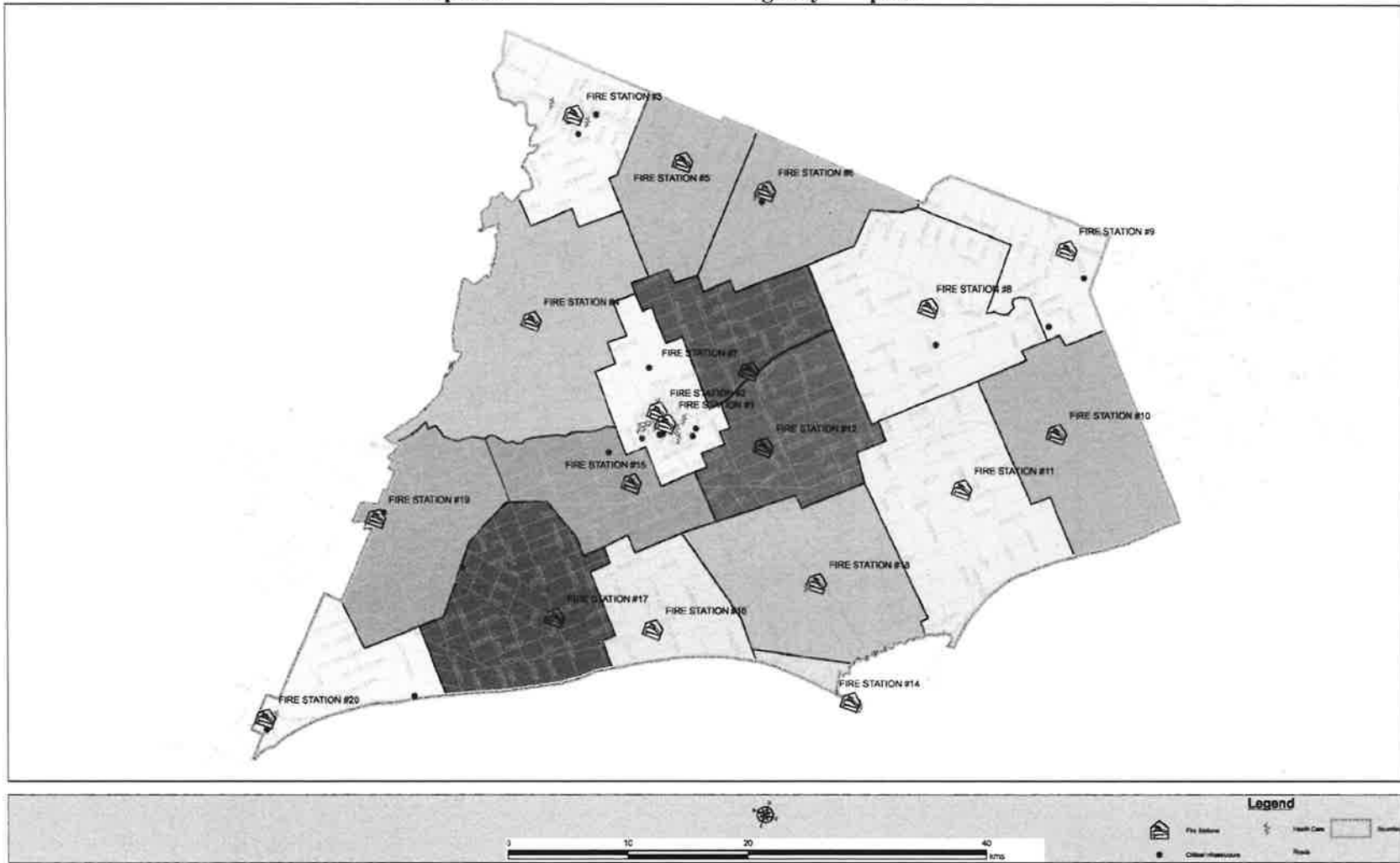
Insert Existing Emergency Response Zones Contours

FIRE STATION LOCATION STUDY
Municipality of Chatham-Kent

Existing Stations
10.5 Minute Travel Time Contours



Proposed New Fire Station Emergency Response Zones



Insert Station #1 and #2 Proposed response zones contour

The contour maps shown above indicate the travel time distances using the criteria described earlier. The muster time or gathering time at the Fire Trucks was determined as being 90 seconds for the full time crews who are in the station and 4 minutes for the volunteers who travel from their homes or place of business to the station. When determining the emergency response zones the closest Station in terms of muster time and road travel time was used.

The volunteer boundaries have some marginal changes to the boundaries in the rural areas of the response zones, the major changes will occur around the full time stations that will include a larger area of the semi rural and rural properties around the built up communities of Chatham and Wallaceburg. Given the different tax rates of the full time and volunteer response zones there would be a impact on the property owners who will be protected by the full time crews. The Municipality will want to consider all of the options for the tax rate for rural properties that will now be protected by a full time emergency response crew.

Maintenance and Design of Fire Stations

There are two full time Stations, one composite Station and 16 volunteer Stations.

Appendix 'A' provides a brief description of each Station along with the major apparatus in each Station. There are a number of common concerns with the fire Stations.

The department has a number of female Fire Fighters, both full time and volunteer. There are no female washrooms, change rooms, or showers in the Stations. Common washrooms can often serve the purpose provided they have a lock on the door. It is not practical to reconstruct the fire Stations to accommodate female members however modifications could be made to ensure their privacy.

With the exception of Station #3, none of the fire Stations is equipped with a vehicle exhaust system. Diesel and gasoline engine exhaust fill the Stations every time a vehicle is started. Exhaust particulate can migrate throughout the buildings. This is a particular concern in Stations #1 and #2, since these Stations contain dormitories. Budget funds have been allocated in the 2007 budget to install a vehicle exhaust system in Station #1.

Station equipment maintenance is carried out by the Building Maintenance Division. Prior to amalgamation the regular maintenance of the volunteer fire Stations was done by the volunteers. Under the present organization, the fire fighters do no maintenance. It is reported by the stakeholders that it takes considerable time to have basic repairs completed. A number of the volunteer members indicated that they would be happy to carryout some of the basic maintenance if they were provided with the proper materials and permits.

There are several Stations that are old and in need of repair or replacement. A number of the Stations are too small to accommodate the apparatus. At Station #5 vehicles are stored in rented facilities. At Stations #14 and #17, the vehicles are jammed into the Station so tightly that they have to be pulled out of the Station in order to carryout the routine checks. Custom trucks have to be specified in order for them to fit into some of the Stations. Some of the older Stations have outlived their usefulness and are in need of replacement.

Station #1

The two main line freight railway lines (CN and CP) cross the Station #1 response area, the frequency of the trains blocking all of the north-south roads presents unpredictable delays in emergency response south of the tracks. The number and frequency of the delays varies from day to day the main lines are linked through the Cities of Windsor and Sarnia to the USA and through Southern Ontario to the two major shunting yards in Toronto and Mississauga for the east and west of Canada.

There are also passenger trains on the lines connecting to Windsor, Sarnia and Toronto for all points of the compass travel across Canada and the USA. The data collection on the delays to emergency traffic was not available. It is clear however that the tracks do constitute a serious potential for delays in emergency response to the south of the Station #1 area.

During the Stations visits it was observed that there is no space provided for training in Station #1 and the Fire Prevention office is located in a cramped converted office space that was originally designed as a communications room above the Captains office. The Station is at capacity for full time staffing there is no space to accommodate any additional staff that will be needed in the future on this Station. Workrooms to maintain fire equipment and SCBA test bench and repair facility are located on the ground floor area.

None of the full time Stations #1, #2 and #3 are large enough to accommodate additional personnel. The Captain's office in Station #2 is in the main entrance and there is no adequate training area. Station #3 has no front apron and the apparatus cannot be parked outside and there is limited room for the apparatus in the Station.

Many of the older volunteer Stations are not insulated and have poor weather stripping around the doors and windows. These facilities are expensive to heat. Station #4 (Dover) does not have a training area and must conduct training in the vehicle storage area. Station #17 (Merlin) does not have a training area and uses an adjacent municipal building for training and equipment repair. Access to the offices and weight room in Station #19 (Tilbury) is through the furnace room.

The consultants were advised by the stakeholders that in some cases the volunteers have become so frustrated with the delay in building repairs that they have asked to be given the required materials so that they can do the repairs or construction themselves. Where there is a qualified volunteer who can do the repairs, this would speed up the repairs and allow municipal staff to do work in other facilities. Where new construction must be carried out, building permits are required. If qualified volunteers were allowed to do the work, the building permit process must still be followed.

Two of the Stations have experienced vandalism or burglaries. Station #11 is equipped with an intrusion alarm. Stations #1 and #3 have fire alarms systems connected to the larger buildings that they are attached to. None of the other Stations have intrusion alarms or fire alarms. The volunteer fire Stations are unattended buildings and a fire or burglary will not be discovered until it is too late. Every year there are a number of fire Stations in Canada that burn down or are burglarized. A fire/intrusion alarm connected to the communications centre would ensure that any emergency was reported and investigated immediately.

Conclusions

The volunteer fire Station locations became established in the local communities before the amalgamation to provide fire protection to the developing hamlets and villages. In doing so the original response boundaries were established by the political boundaries served by the elected officials of those various communities. Over the years some changes have evolved due to geographical impacts on the ability of the local Fire Department to respond. Amalgamation has seen some more changes to boundaries in recent years but the original political boundaries are in general terms currently used as the response area for the local Stations.

The amalgamation of the 19 Stations in 1998 into the Chatham-Kent Fire Department now provides the opportunity to impact the emergency response zones in a positive manner to provide for the closest and quickest response to the emergency. In order to determine the closest and quickest responding vehicle a Geographic Information System (GIS) program was utilized together with a criteria to ensure that all of the impediments that can be met by responding vehicles could be evaluated.

A very important aspect of the criteria is the time it takes for the Fire Fighters to assemble and respond from the Stations, full time staffed Stations have a different assembly time than the volunteer Fire Fighters who respond from their homes or places of business.

The full time Stations were given 90 seconds to assemble in the Station bay, dress start the Engines and leave the Stations. Volunteer Fire Fighters have been allowed 4 minutes to assemble at the Station, dress, start the Engine and exit the Station. The road travel time for both is calculated with identical criteria.

Using this method has provided the consultants with an understanding of the points in all of the Stations full time and volunteer that the Engines will arrive at together or areas that are provided with overlap protection. This is the point that the response zone boundary should be established.

The GIS program has clearly identified that both Station #1 and Station #2 overlap each others response zone almost identically. Given that the location of Station #2 was driven by the lack of suitable fixed bridges across the river this is no longer a concern, what is now a concern is the railway tracks that cross the city within a block or two of each other. The response of both Station #1 and #2 is impaired when the freight trains pass through the municipality and particularly when shunting takes place on either track.

Station #2 has space needs for a training room and Captains office as well the Fire Prevention Officers are in need of suitable office space from their cramped quarters at Station #1. It appears that moving Station #2 to a new location on the south side of both of the tracks could answer a number of operational and space needs of the Fire Department.

The current response polygons or emergency response districts are not designed to allow the closest and quickest Station to respond to the emergency, as stated earlier the response district was originally designed by the local municipality or political boundaries. With the amalgamation of all of the Stations within Chatham-Kent into one service delivery system or Fire Department it is important that the delivery of emergency services be rationalized and delivered in a consistent manner across the municipality.

The consultants are aware of the use of the terminology “Mutual Aid” that is still being used by many of the Station Chiefs. In fact the amalgamation of the Stations has eliminated all of the Mutual Aid Agreements and calling for support or back up or a second alarm is more appropriate terminology to be used. The Fire Department does not have a response protocol for second alarms or fill in of Stations for use by the communications operators.

The quality and conditions of the volunteer fire Stations was the subject of the consultants assessment. Many issues were discovered during the visits to the Stations including the lack of female facilities, lack of vehicles exhaust system installations and in many of the Stations lack of suitable insulation and defective windows. The most obvious issue found was the lack of suitable space for the storage of the vehicles, as well as the lack of training rooms, offices and work areas.

There is a need for a comprehensive building audit of all of the fire Stations and an aggressive program to bring all of the Stations up to a reasonable standard. Several of the volunteer Stations should be replaced with new facilities as soon as is reasonably possible.

Recommendations

1. It is recommended that the following volunteer fire Stations be considered for reconstruction:
 - 2008 Station 17 (Merlin) (Volunteer)
 - 2009 Station 5 (Chatham North) (Volunteer)
 - 2010 Station 19 (Tilbury) (Volunteer)
 - 2011 Station 14 (Erieau) (Volunteer)

2. It is recommended that Station #2 be relocated south of the railway tracks in proximity to Lecroix Street and Indian Creek Road West.
 - a. It is further recommended that the new Station be a minimum of two double bays drive through configuration and contain office and accommodations for two crews the Fire Prevention Office and a Platoon Chief.

3. It is recommended that the Station response polygons/zones be realigned in accordance with new emergency response zone map shown in this plan.

4. It is recommended that a response protocol be developed by the Fire Department for the use of the communications dispatch that indicates the first, second and third alarm response to every location within the municipality based on the concept of closest and quickest Station response.
 - a) It is further recommended that the protocol include the response of the two closest Stations either or both full time and volunteer for all rural areas requiring a Tanker shuttle and for all special fire or life risks such as, chemical or flammable liquid facilities, large manufacturing facilities and nursing homes.

5. It is recommended that a fire Station building audit and space needs study be conducted to establish the state of repair and space needs of each fire Station with consideration that Stations #2, #3, #5, #14, #17 and #19 that should all be replaced before the end of the next decade.

Operational Review, Volunteer and Full-Time Sectors

The Chatham-Kent Fire Department operates a composite Fire Department of 67 full time and approximately 350 part time volunteer Fire Fighters (FF). The Fire Stations could be described as Urban (full time & composite) and Rural (Volunteer). There are 3 Urban Stations and 16 Volunteer Stations.

The staffing review takes into consideration The Fire Protection and Prevention Act (FPPA), the National Fire Protection Association (NFPA) 1710 and 1720, Ontario Fire Marshal's (OFM) Provincial guidelines and any other standards, guidelines or policies that are appropriate to the Municipality of Chatham - Kent and within the fiscal capabilities of the municipality.

The following Standards and Guidelines for Operational Staffing were reviewed to evaluate the current level of staffing and if appropriate be discussed further in both the Administrative Review and the Fire Master Plan.

<ul style="list-style-type: none"> • OFM 10 in 10 	OFM Comprehensive Fire Safety Effectiveness Model
<ul style="list-style-type: none"> • NFPA 1710 	Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations and Special Operations to the Public by Career Fire Departments
<ul style="list-style-type: none"> • NFPA 1720 	Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations and Special Operations to the Public by Volunteer Fire Departments
<ul style="list-style-type: none"> • IAFC NFPA 1710 - A Decision Guide 	International Association of Fire Chiefs
<ul style="list-style-type: none"> • IAFF Internatio nal Associati on of Fire Fighters 	Safe Fire fighting Staffing, Critical Decisions

Statistical Analysis

The statistical analysis indicates the demand for fire emergency services in the municipality. The total number of calls from 2002 to 2006, indicate that there is a considerable increase in the numbers of calls from 2027 to 2714. It is not just the number of calls but the type of calls and time of day of the calls that can also give one a clear picture of the direction of the demand for services.

CHATHAM-KENT EMERGENCY RESPONSES 2002 TO 2006							
Station	2002	2003	2004	2005	2006		
Chatham #1	403	463	576	589	744		
Chatham #2	358	440	485	537	501		
Chatham south	41	53	74	53	67		
Chatham North	24	41	28	39	31		
Wheatley	57	87	79	85	77		
Raleigh North	37	55	71	69	65		
Raleigh South	36	41	55	48	44		
Eireau	22	34	32	33	30		
Wallaceburg	319	364	297	352	327		
Dresden	66	61	81	54	75		
Tilbury	144	128	145	218	168		

Orford		50	47	37	52	35
Dover		49	55	56	91	82
Bothwell		43	51	40	44	46
Thamesville		36	61	56	63	58
Merlin		26	25	32	36	32
Blenheim		167	121	134	189	163
Ridgetown		105	125	196	163	116
Harwich North		44	47	50	59	53
TOTAL		2027	2299	2524	2774	2714

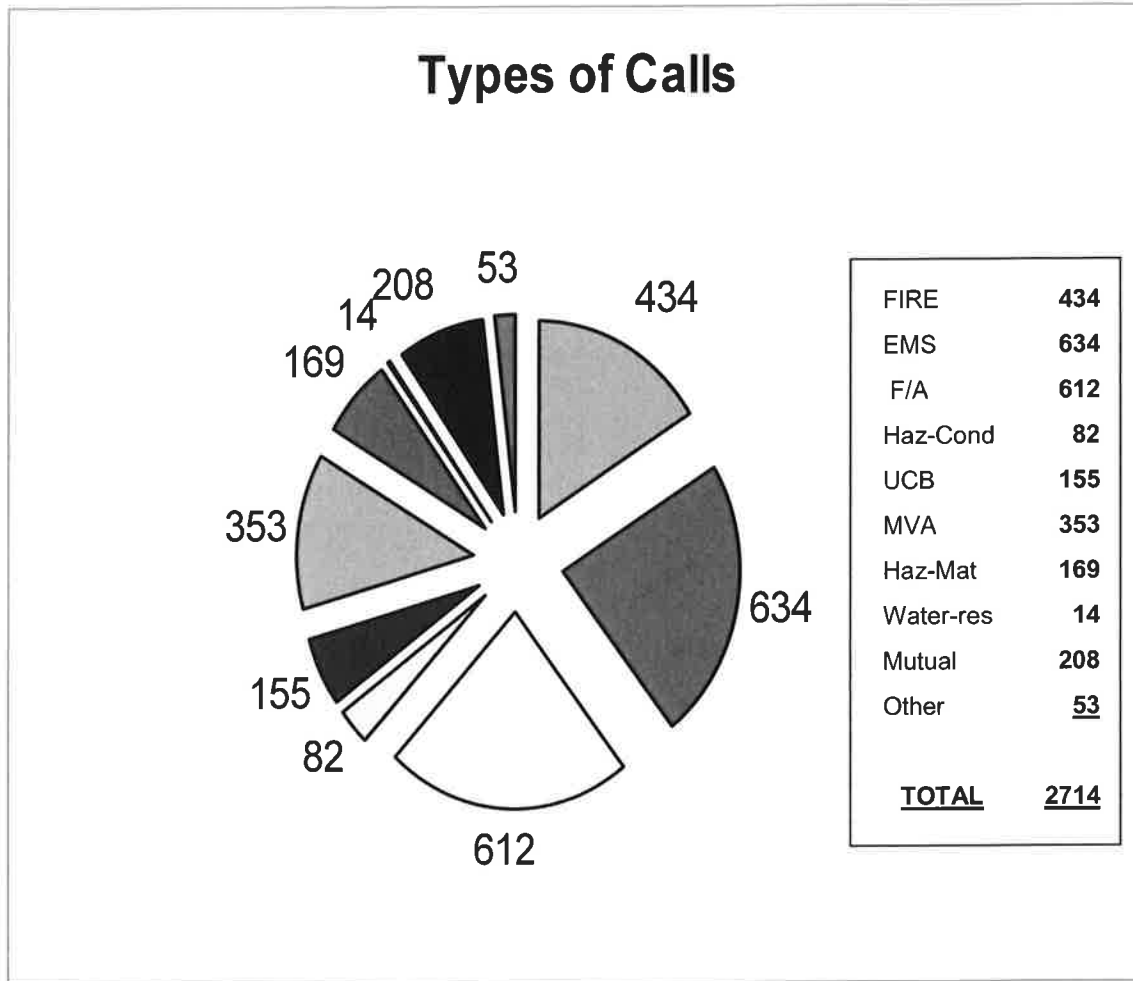
The following chart indicates the types of emergencies that each Station in the Fire Department responded to in 2006. The most number of calls are for emergency medical responses, the second most often response it to false alarms and the third being to fire calls.

- EMS 634
- False Alarms 612
- Fires 434

Together they account for 1,680 of the calls or 62% of all of the emergency responses.

Chatham-Kent Fire Master Plan and Station Location Study

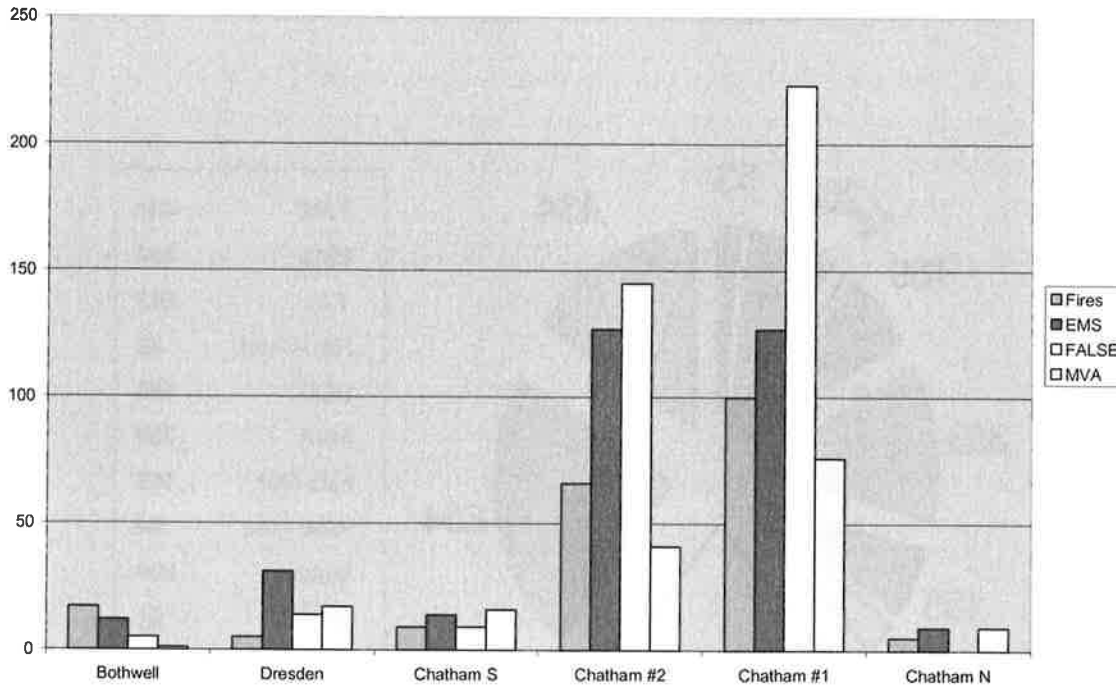
CHATHAM-KENT EMERGENCY RESPONSE STATISTICS BY TYPE AND STATION																				
2006																				
	#1	#2	#3	#4	#5	#6	#7	#8	#9	#10	#11	#12	#14	#15	#16	#17	#18	#19	#20	Total
Fires	100	66	52	12	5	5	9	13	17	13	23	10	3	14	6	6	29	40	11	434
EMS	127	127	70	22	9	31	14	16	15	4	41	6	7	10	13	8	56	21	37	634
False Alarm	223	145	71	11		14	9	7	5	6	18	7	7	6	12	3	26	36	6	612
Hazardous Condition	18	4	13	3	3	1	5		3	1	2	2	4	1	4		3	7	8	82
Unauthorised Controlled Burning	43	22	31	2	1	6	6	3	1		7	1	2	5	1	3	9	6	6	155
Motor Vehicle Accident	76	41	20	24	9	17	16	12	1	7	19	25	1	25	4	9	21	23	3	353
Hazardous Materials Incident	50	38	20	2	3			5	2	1	6	1		1	2	3	12	20	3	169
Water Rescue		2	1	3	0							1	4					2	1	14
Mutual Aid	91	45	45	2	1			1	2	2			1	2	1		5	10		208
Other	16	11	4	1		1	8	1		1			1	1	1		2	3	2	53
																				0
TOTAL	744	501	327	82	31	75	67	58	46	35	116	53	30	65	44	32	163	168	77	2714



The statistics indicate two areas were that can be targeted by the Fire Department to reduce the frequency of calls through a public awareness program. False Alarms and Fire data can be influenced by a comprehensive and focused program aimed at the root cause of both of the types of call. For example by identifying the frequency of false alarm to specific locations can benefit with making the building owner and/or the occupant aware of the problem and providing them with ways to reduce the frequency of calls, such as a maintenance program or relocation of a particular sensor.

The types and frequency of any particular type of fire can be monitored and featured as a public awareness program to address a targeted fire type.

Most prevalent type of calls



Reflection of the data in different forms of presentation such as shown above in column format clearly identifies visually the problem areas in the community. The four most common areas of response are demonstrated in the communities and differ considerably in each area. This provides the Fire Department with the areas that should be targeted to reduce or provide additional services for certain types of responses.

Ontario Fire Marshal's Comprehensive Fire Model

The Ontario Fire Marshal's (OFM) office addressed this issue through the comprehensive fire model and produced a table of tasks that must be undertaken in the initial fire attack scenario. The tasks are as follows:

- The fire department must define, in advance, how both the initial group and total complement will be assembled and managed according to local conditions, resources and circumstances.
- The department must develop operational guidelines necessary to achieve this objective and train firefighters in their execution.
- To provide effective, efficient and safe fire protection services, the delivery system chosen must ensure a virtually simultaneous arrival of a minimum of four firefighters.
- The OFM recommends, where practical, a minimum of four persons be dispatched on the initial apparatus.
- Where it is not practical for four firefighters to respond as a team on the initial apparatus, options must be considered which will ensure the four firefighters are assembled on the fire ground in a coordinated, rapid and consistent manner prior to flashover.
- A total complement of no less than ten firefighters, including supervisor(s) and if possible, a minimum of two vehicles one of which is a triple combination Pumper, must assemble at the fire ground.
- Time is crucial. Rescue becomes a virtual impossibility in the room of origin after flashover occurs. After flashover, the opportunity for successful rescue from other areas in the structure rapidly diminishes. In addition, there is an increased fire fighting demand if intervention does not take place prior to flashover.
- Preliminary analysis of existing literature indicates that it may be preferable to dispatch fewer vehicles with more firefighters rather than vice versa. In addition, although a limited number of key tasks can begin at the site with an initial crew comprising as few as three firefighters, a fire in a single family dwelling requires a simultaneous assembly of a single crew of at least four firefighters and a total fire ground complement reaching a minimum of 10 fire suppression personnel including supervisor(s). The total fire ground staffing must be assembled within a time frame that ensures the safe carrying out of all fire ground operations. Where possible, a minimum of two vehicles including at least one of which is a triple combination Pumper are to be dispatched to provide for a complete list of fire ground activities performed by the complement including incident command and supervision as required.

The following table is produced by the Ontario Fire Marshal's office and is designed to demonstrate the tasks that may be attempted when 10 Fire Fighters arrive at the scene almost simultaneously at a location where hydrants are present.

Fire Ground Fire Suppression Staffing

COMPLEX RESCUE AND SUBSEQUENT FIRE CONTROL	FIRE FIGHTER FUNCTIONS	NUMBER OF STAFF
ESTABLISH WATER SUPPLY	Water supply hook-up to hydrant	1
	Pump operator / driver	1
SIZE UP	Supervisor - Command and Control	1
RESCUE	Search & Rescue	2*
	Back-up, 60m of pre-connect 38mm hose	2*
EXPOSURES	60m of Pre-connect 38 mm hose. Water supply person assists when water supply is secured	1 (2)**
VENTILATION	Raise 7m ladder plus equipment	2
CONFINEMENT	Sequential, rescue back-up team begins confinement when rescue operation is complete	-
EXTINGUISHMENT/SALVAGE & OVERHAUL	Sequential, other staff assigned when earlier duties completed	-
TOTAL		10***

- * Interior operations will require supervision
- ** Shared staff, the Fire Fighter making the hydrant hook-up joins up with the Fire Fighter assigned to exposure protection to form a team of two
- *** Applies to hydrant hook-up operation

When Tanker shuttle is required additional numbers of vehicles and Fire Fighters is necessary depending upon the severity of the incident.

NFPA 1710. Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations and Special Operations to the Public by Career Fire Departments

The staffing of fire apparatus has been the subject of many articles and interpretations of the above named standard the following is a synopsis of the three most prominent organizations.

- International Association of Fire Chiefs (IAFC) NFPA 1710: Decision Guide
- IAFF Safe Fire Fighter Staffing Critical Considerations
- Office of the Fire Marshal, "Shaping the Future" Fire Ground Staffing and Delivery Systems within a Comprehensive Fire Safety Effectiveness Model

It should be stated that the NFPA 1710 standard is not a mandatory standard in Canada; it is however the standard that Fire Departments are generally using as a guideline for the delivery system. The NFPA codes are used on occasions by Lawyers who represent the Plaintiffs against municipalities when claiming negligence actions or lack of actions by the Fire Department.

The 1710 standard states:

5.2.2 Operating Units Fire company staffing requirements shall be based on minimum levels for emergency operations for safety, effectiveness and efficiency.

5.2.2.1 Fire companies whose primary function is to pump and deliver water and perform basic firefighting at fires, including search and rescue shall be known as Engine companies.

5.2.2.1.1 These companies shall be staffed with a minimum of four on duty personnel.

5.2.3.1.1 The fire department's fire suppression resources shall be deployed to allow for the arrival of and Engine company within a 4 minute response time and/or the initial full alarm assignment within an 8 minute response time to 90% of the incidents as established in chapter 4.

NFPA 1710, speaks to full time operations obviously the implementation of a minimum four person crew 24/7 in Station #2 is not realistic from a financial point of view. The Chatham-Kent Fire Department is categorized as a composite Fire Department which means it is a combination full time, volunteer and/or part time Fire Fighters.

NFPA 1720 Standard for the Organization and Deployment of Fire Suppression Operations Emergency Medical Operations and Special Operations to the Public by Volunteer Fire Departments

Origin and Development of NFPA 1720

The development of this technical standard is a result of a considerable amount of hard work by the Technical Committee members and the organizations they represent. In the case of this standard, their work is the first organized approach to defining deployment capabilities for those “substantially” Volunteer Fire Departments.

The uniqueness of the volunteer fire service, the different services they provide, and how they deploy and respond are left to the authority having jurisdiction (AHJ) (in this case the Municipality of Chatham-Kent) to determine.

The work done by the committee will provide the user a template for developing an implementation plan on the standard. Most importantly, it will provide the body politic and the citizens a true picture of what the risks are in their community, and the Fire Department's capabilities to respond to and manage those risks.

Extract from Chapter Four of NFPA 1720

This is to demonstrate that the standard recommends four members be present before initiating any interior attack or rescue at the scene of a fire.

4.2.2.2 Initial attack operations shall be organized to ensure that at least four members shall be assembled before initiating interior fire suppression operations at a working structural fire.

4.2.2.3 Initial attack operations shall be organized to ensure that if, upon arrival at the emergency scene, initial attack personnel find an imminent life-threatening situation where immediate action could prevent the loss of life or serious injury, such action shall be permitted with less than four personnel when conducted in accordance with NFPA 1500, Standard on Fire Department Occupational Safety and Health Program.

The International Association of Fire Chiefs (IAFC) believes that NFPA 1710 does not require four people on every piece of apparatus. This statement is supported with a report containing facts and interpretations of the intent of the standard supporting the concept that several pieces of apparatus could be dispatched to ensure that 14 or 15 personnel arrive on the scene within the standard's allowable 8 minute response for a full initial assignment.

On the other hand the IAFF produced a comprehensive report on the subject matter complete with statistical analysis, photographs and the position that there should be 5 Fire

Fighters on every Engine and Truck Company.

The conclusions that can be drawn from these reports is that the fire ground staffing must be assembled within 4 minutes for the initial response and 8 minutes for a full first alarm response assignment. The NFPA and the IAFC believe that number to be 14 to 15 personnel.

There are different levels of staffing in the municipality that came out of the amalgamation of the municipalities in 1998. Stations #1, #2 and #3 have full time Fire Fighters on duty. The rationale for full time staffing fire Stations usually includes but is not limited to four factors;

1. Demand for service being in excess of 350 calls annually.
2. Difficulty in retaining and responding volunteers particularly during day time hours.
3. Lack of volunteers to staff the Station.
4. Special fire and life risks to be protected in the response area.

The 24/7 minimum full time staffing of the three full time Chatham-Kent Fire Stations is as follows:

Station #1	Engine (Unit 1-11)	1 Senior Captain 2 Fire Fighters
	Aerial Platform (Unit 1-14)	2 Fire Fighters
Station #2	Engine (Unit 2-11)	1 Captain 2 Fire Fighters
Station #3	Engine (Unit 3-11)	1 Captain 3 Fire Fighters

In Chatham-Kent the Ontario Fire Marshal's Comprehensive Fire Model is most often quoted guideline related to staffing when meeting with the stakeholders. In particular the aspect of the model that speaks to the ten in ten (10 in 10) related to ten Fire Fighters on the scene in ten minutes.

The OFM model is much more complex than this single issue, notwithstanding this fact we

will endeavour to speak directly to the 10 in 10 guideline in this chapter.

The numbers that should be assembled on the scene of a fire before inside operations and rescue can take place is suggested by Ontario Fire Marshal as ten (10) Fire Fighters. The Chatham-Kent Fire Department responds two fire trucks and a minimum of eight (8) Fire Fighters to all emergency calls in Station #1 and #2 area that is reported as a structure fire.

The statistical analysis indicates that the response is achieved within the ten minute guideline 90% of the time, however the Fire Department is not in compliance with the Fire Marshal's guideline for the urban portion of the former municipality due to there being only 8 FF responding.

In the case of Station #3 (Wallaceburg) the first alarm is 1 fire truck with a crew of 4 Fire Fighters, which falls far below the guideline. The consultant was informed that upon arrival on the scene of the incident the Captain will then determine if additional support is required to complete the first alarm assignment. The stakeholders were inconsistent with what actions take place next once the Captain determines additional support is needed. Three scenarios were offered to the consultants from different groups of Fire Department staff.

- The first scenario being that 8 off duty full time Fire Fighters are paged to respond to the Station and pick up the Aerial Platform and/or the Tanker and respond to the scene. Depending upon how many off duty members respond this would provide up to an additional 8 Fire Fighters on the scene.
- The second scenario being that upon arrival at the scene the Captain will page out the volunteers and the full time off duty members, the full time members respond to the Station to pick up the Aerial Platform and or the Tanker and the volunteers respond directly to the scene in their own vehicles. This scenario would provide for up to 8 full time Fire Fighters and 11 or 12 volunteers depending upon the establishment of strength and the availability of the volunteers at that time.
- The third scenario offered up is that the Captain pages out the volunteers as soon as the first alarm is received. This scenario was not supported by several others in the group of Fire Fighters that we were meeting with at that time. But it did appear to be a logical scenario consistent with the department policy on all of the volunteer Fire Stations.

Obviously there is some disagreement as to how the emergency responses are carried out at Station #3 Wallaceburg. The Fire Fighters collective agreement contains a written staffing guideline that was identified to the consultants (Attached as Appendix "A"). This is a Letter

of Understanding attached to the Collective Agreement and speaks to "Use of Volunteer Fire Fighters".

Article 4 in the letter of understanding states as follows:

4. The Incident Commander will make all requests for additional help through central dispatch as follows:

- a) A second alarm if requested will comprise of one officer (A/C) and three firefighters from the full time compliment.*
- b) A Third alarm if requested at Station #3 will be comprised of up to ten (10) volunteer firefighters.*
- c) General alarm occurs when all additional full time captains and firefighters are required.*
- d) Once all full time staff has been called then additional help may be called in from other Stations within Chatham-Kent.*
- e) All additional personnel will report to the Incident Commander upon arrival.*

The letter of Understanding goes on to describe how the apparatus will be dispatched as follows:

5. The Incident Commander will make all requests for the additional apparatus through the central dispatch and will be staffed as follows.

Once all equipment resources from the full time Stations have been exhausted, then additional equipment from outside of the full time sector may be called into service. The Incident Commander will have the responsibility of overseeing the additional personnel for this equipment. He will be in charge of these units to oversee their responses to the full time area. If a Captain is not available an Acting Captain will be in charge of these units and oversees the responsibilities within the full time area.

Every attempt will be made to have reserve apparatus available at the full time area.

This document is very clear as to how the full time staffing is carried out at Station #3

(Wallaceburg). The first alarm is 1 Captain and 3 Fire Fighters who respond upon being given the call at the Station. The second call is to the off duty full time Fire Fighters for 1 Captain and 3 Fire Fighters. The third alarm is for ten (10) volunteer Fire Fighters who are assigned to the Station.

It is of interest to note that this procedure will not meet any of the response guidelines or standards due to the length of time it takes to go through this process. It is in line with NFPA staffing model for a first truck but the delay in calling for a second Truck in this procedure will in most cases increase the response time of the full time off duty Fire Fighters.

The letter of understanding also eliminates all of the volunteer Fire Fighters of the Chatham-Kent Fire Department from entering full time Station response areas until after a General Alarm has been called which will be late into the fire operations. The adjacent Station #5 of old Chatham North (Tupperville), Station #4 (Dover), and Station # 6 (Dresden) are all located closer to Wallaceburg than either of the full time Stations #1 or #2.

The table shown below indicates that the Station #5 Tupperville is clearly the closest and the fastest Station even with the increased assembly time for the volunteers in relation to the full time Station. The road distance and travel time from the full time Stations #1 and #2 are far in excess of any of the standards and guidelines for a first or second alarm assignment.

WALLACEBURG RESPONSE TRAVEL TIME AND DISTANCE								
ST N #	LOCATION	ADDRESS	TO	STN #	LOCATION	ADDRESS	km	Road Travel Time
1	Station #1 CHATHAM	5 Second Street, Chatham		3	WALLACEBURG	786 Dufferin Ave, Wallaceburg	27.4	27MIN
2	Station #2 CHATHAM	270 Sandys Street, Chatham		3	WALLACEBURG	786 Dufferin Ave, Wallaceburg	26.4	25MIN
4	Station #4 DOVER	7112 St. Philippe Line, Grande Point		3	WALLACEBURG	786 Dufferin Ave, Wallaceburg	22.8	20min
5	Station #5 CHATHAM NORTH	3 John Park Line, Tupperville		3	WALLACEBURG	786 Dufferin Ave, Wallaceburg	11.7	11MIN
6	Station #6 DRESDEN	175 Lindsley Street E, Dresden		3	WALLACEBURG	786 Dufferin Ave, Wallaceburg	18.7	25MIN
7	Station #7 CHATHAM SOUTH	10133 Longwoods Rd		3	WALLACEBURG	786 Dufferin Ave, Wallaceburg	27.8	26MIN

The response policy to fulfill this procedure requires the Pumper from Station #1 with the Senior Captain and 3 Fire Fighters on board to respond to Wallaceburg. At the same time the Pumper from Station #2 which is 1km closer to Wallaceburg is required to respond to Station #1 to provide cover for the Chatham urban area. In effect these two Pumpers pass each other with this policy.

The consultants have also been made aware of the practice of the rural Stations around Stations #1, #2 and #3 when fires occur in the volunteer response zones. It is reported that they request other volunteer Stations to respond to incidents within their areas rather than a faster and closer Station that is a full time staffed Station.

We are of the opinion that all of these types of incidents are not being dealt with in the best interests of public safety, but rather appear to be in the interests of either the full time staff or the volunteer force and must be addressed in this plan with the objective of what is in the best interest of public safety.

On the subject of staffing of the full time vehicles all of the standards and guidelines recommend a minimum of four (4) Fire Fighters with one of them being either a Captain or Acting Captain when responding to a single family household.

The Ontario Fire Marshal's Comprehensive Fire Model speaks to the staffing needs on a first response stating that " The OFM recommends, where practical, a minimum of four persons be dispatched on the initial apparatus" as follows:

Delivery Systems/Time Considerations:

“The fire department must define, in advance, how both the initial group and total complement will be assembled and managed according to local conditions, resources and circumstances.

The department must develop operational guidelines necessary to achieve this objective and train fire fighters in their execution.

To provide effective, efficient and safe fire protection services the delivery system chosen must ensure a virtually simultaneous arrival of a minimum of four fire fighters.”

“The OFM recommends, where practical, a minimum of four persons be dispatched on the initial apparatus.”

“Where it is not practical for four fire fighters to respond as a team on the initial apparatus, options must be considered which will ensure the four fire fighters are assembled on the fire ground in a coordinated, rapid and consistent manner prior to flashover.

A total complement of no less than ten fire fighters, including supervisor(s), and, if possible, a minimum of two vehicles one of which is a triple combination Pumper, must assemble at the fire ground.

Time is crucial. Rescue becomes a virtual impossibility in the room of origin after flashover occurs. After flashover, the opportunity for successful rescue from other areas in the structure rapidly diminishes. In addition, there is an increased fire fighting demand if intervention does not take place prior to flashover.

Preliminary analysis of existing literature indicates that it may be preferable to dispatch fewer vehicles with more fire fighters rather than the vice versa. In addition, although a limited number of key tasks can begin at the site with an initial crew of as few as three fire fighters, a fire in a single family dwelling requires the virtually simultaneous assembly of a single crew of at least four fire fighters and a total fire ground complement reaching a minimum of 10 fire suppression personnel including supervisor(s). The total fire ground staffing must be assembled within a time frame that ensures the safe carrying out of all fire ground operations and where possible, a minimum of two vehicles at least one of which is a triple combination Pumper are to be dispatched.”

“Escalating fires in single family dwellings, as well as fires in larger structures such as industrial or institutional occupancies, high rise, etc. may require additional resources.”

Station #1 & #2, Chatham

The Chatham-Kent Fire Department does not meet the recommendations in two important areas. The first response vehicle in Station #1 is staffed with a minimum of 1 Senior Captain and 2 Fire Fighters and the first response vehicle at Station #2 is also staffed with a minimum of 1 Captain or Acting Captain and 2 Fire Fighters.

Secondly even with all of the Fire Fighters who staff the vehicles during minimum staffing occasions can not meet the OFM guideline of 10 Fire Fighters on the scene for the first response team.

The options that could be considered to meet the minimum staffing of 10 in 10 in Station #1 and #2 has advantages and disadvantages. We have outline some of the more obvious advantages and disadvantages in the following options.

Option one. The municipality hire 10 full time Fire Fighters and assign 5 to Station #1 to ensure that the minimum staffing of the Engine is 1 Captain and 3 Fire Fighters and 2 Fire fighters on the Aerial. Assign the other 5 Fire Fighters to Station #2 to maintain a minimum of 1 Captain and 3 Fire Fighters.

Option one has a financial impact to the tax payers in the urban area that now pays the premium tax rate for full time Fire Fighters. This appears to be the obvious disadvantage to this option. The advantages include immediate response of 10 Fire Fighters to all alarms within the area. This will meet the Ontario Fire Marshal's guideline and the NFPA 1710 standard of 4 Fire Fighters on a truck.

Option two. The municipality transfer 10 of the full time Fire Fighters from Wallaceburg as follows, 5 Fire Fighters to Station #1 and 5 Fire Fighters to Station #2. Increase the number of volunteer Fire Fighters in Wallaceburg as there is no requirement for off duty Fire Fighters to carry a pager and remain available for a first alarm response. The volunteer Fire Fighters would be paged for all emergency responses in Station #3 response zone.

Option two will be subject to negotiations with the Chatham Kent Professional Fire Fighters Association (CKPFFA) possibly under the contracting out clause as it applies to Wallaceburg. This option could be seen by the general public as a reduction in services and may cause concerns to the tax payers and in the business sector.

The tax payers will see a reduction in staff and will expect a corresponding reduction in the tax rate for the Wallaceburg district. It is possible that the public would rather pay the extra rate to retain the full time crew on the Wallaceburg Station.

Option three. The municipality provides pagers for 5 of the off duty full time Fire Fighters at Stations #1 and #2 to respond directly to the scene on the first alarm in either of the Station response areas. The Fire Fighters would have to live in the immediate area of the fire Stations and be available 24/7 for emergency response.

Option three will be subject to negotiations with the Chatham Kent Professional Fire Fighters Association (CKPFFA) as there is no requirement for off duty Fire Fighters to carry a pager and remain available for a first alarm response.

The number of calls responded to by Stations #1 and #2 in 2006 is recorded as 1,244. This will mean that on approximately 1,244 occasions in 2007, 5 Fire Fighters will be paid a minimum of four hours overtime pay per call or a total of 24,880 hours overtime annually. A Fire Fighter assigned to a 42 hour work week schedule equates to 2,184 hours per year for one full time equivalent. The corporation needs to consider the cost of overtime versus the cost of employing full time equivalents.

Option four. Introduce volunteer Fire Fighters to both Station one and Station two.

This option was suggested by several stakeholders is not a very practical option. The fact is that the collective agreement will prevent this option from being successful due to the no contracting out clause in the agreement. The possibility of successfully arguing a change to this provision of the collective agreement before an arbitrator is unlikely. The fact that the purpose would be to reduce the job security of the full time members is the sole reason the clause is in the agreement.

Secondly, the number of calls in the urban area is far in excess of successfully operating a volunteer Fire Fighting force. Volunteers would have to dedicate a tremendous amount of their time to attending and being on call for emergencies in the response zone, so much so that recruiting and retaining qualified volunteers under these conditions would be virtually impossible.

We do not believe that there would be any value in spending any time studying this option.

Station #3, Wallaceburg

The options that could be considered to meet the minimum staffing of 10 in 10 in Station #3 (Wallaceburg) has advantages and disadvantages.

Option one. The municipality hire an additional number of staff to provide an additional 5 FF and a Captain for each Shift, which we know translates into 7 Fire Fighters and one Captain for each shift because of the approved leaves of absence for Fire Fighters throughout the year, (Vacation, sick days, etc.). The total number of new Fire Fighters that would be needed to provide 10 and 10 is 32 full time positions for Wallaceburg.

The primary disadvantage with this option is the financial impact this would have in the municipality and specifically to the residents of the urban areas that pay for the full time Fire Fighters. The advantage is of course the increase in the level of service to meet the OFM guideline and the NFPA standards for full time Stations.

Option Two. Retain the full time four person crew at the Station and supplement the crew with off duty full time Fire Fighters for a first alarm. The municipality would provide pagers for the off duty full time Fire Fighters at Station #3. The Fire Fighters would be paged and respond directly to the scene on the first alarm.

The location of the residences of the full time members and the effect this will have on the travel time has not been investigated in any depth. Some of the full time Fire Fighters do reside within the current response boundaries, however many do not.

The overtime cost factor will need to be evaluated and monitored to establish the additional cost of calling a minimum of six full time Fire Fighters. Given that the collective agreement stipulates that a minimum of four hours will be paid for every call.

Option Three. Upon receipt of an emergency call for Wallaceburg respond the 4 full time Fire Fighters and supplement the alarm with the volunteer Fire Fighters.

Station #3 (Wallaceburg) is a composite Station, meaning that there are full time and volunteer Fire Fighters assigned to the Station. The current numbers of volunteers may need to be increased to a minimum of 15 or 20 to ensure that at least 6 respond to fill the first alarm assignment. The statistics indicate that in most cases the number of volunteers who respond to the volunteer Stations for emergencies differs with the time of day and the time of year.

This option will need to be the subject of negotiations and/or arbitration to resolve the issue. It will be necessary to change the letter of understanding to allow the volunteer Fire Fighters to respond with a vehicle from the Station and operate the pumps on the vehicles.

The concept of closest and/or fastest truck **has not** been practiced in Chatham-Kent in either of the full time or volunteer response areas. Neither has the concept of two or more Stations response to high life, property or hazardous materials incidents. In the Station #1 & #2 areas this is the practice and has proved to be very successful. In all of the volunteer Stations this single Station response has resulted in the old political boundaries being retained for emergency response. This clearly does not provide the best level of fire protection for the public.

There is an anomaly that is practiced in one of the volunteer Station (former Fire Department) areas referred to as platooning of the Fire Fighters to respond to different areas within the boundaries of the Station. The rationale for this practice has evolved from the former County and urban areas and the consultant has been advised this concept appeared to work well prior to amalgamation. However the level of service in Chatham-Kent must be delivered to all of the residents of the municipality in a consistent and efficient manner, having several methods of response and delivery systems is not compatible with that concept.

In the rural Station areas the consultants have been advised and the annual statistics support the comments that often during the working week day there are not always ten volunteer Fire Fighters responding to every call. This presents a potentially serious problem that needs to be addressed.

Recruitment and Retention of Volunteers

Many of the Station Chiefs indicated that they were having problems maintaining the authorized staffing levels in their Stations. They raised a number of concerns regarding the difficulties of recruiting qualified members and retaining members.

Common concerns were:

- Time demands for training and emergency response
- Members who work away from the Station and are not available during the day
- Employers who will not let them leave work to attend fires
- Fewer blue collar workers in the area
- Personal/family commitments
- Difficulty in attracting younger members
- Training standards and mandatory training
- There are fewer fires
- The membership is ageing

In order to deal with the problems of recruiting and retention each of the above concerns must be addressed.

The time commitment required should be reviewed. Recruiting should be directed towards persons who will be available at most times in the day and who may have an interest in emergency response. Shift workers or self employed individuals are often able to attend calls during the day and at night. Trades persons, truck drivers, agricultural workers or production workers often make good Fire Fighters as they are usually persons who have practical skills. Employees of the municipality who have these skills should be encouraged to become volunteers. The Fire Department may want to consider a recruitment drive within the Works and Parks Divisions of the municipality. When recruiting for positions the members of the Works or Parks Divisions should be canvassed.

An often untapped resource is the other 50% of the population the female members of society. When the children are packed off to school for the day or they have grown and no longer need the attention of their mother the women of this world often seek to continue their working life back in the job market. Some choose to remain at home and could be a valuable resource to a volunteer Fire Department during the day time hours when other

volunteers may be working away from their community. When developing a recruiting strategy the female population should be one of the major targets of the program.

A Junior Fire Fighter program is often a way to raise the profile in the community. This type of program is an opportunity to develop interest in teenagers who may become the next generation of Fire Fighters.

In the current economic climate it should be recognized that there is a cost of being a volunteer Fire Fighter. Ruined clothing, missed appointments, travel expenses, personal equipment and in some cases loss of income impact on the pocket book of many volunteers. Chatham-Kent provides compensation. It is not appropriate to turn volunteering into a part time job, however all member do get some compensation for out of pocket expenses.

Since there are fewer fires it is important that Fire Fighters receive adequate training. Pride in belonging to the organization comes from a job well done. It should be considered a mark of accomplishment to receive certification as a Fire Fighter. Adequate hands on training makes the work more interesting and prepares the Fire Fighters for the time when they will need to react instinctively to save a life or property. A major factor in recruiting and retention of Fire Fighters is pride and recognition in the community and amongst their peers.

The Ontario Fire Marshal's web site has several documents and suggestions that will help in developing a comprehensive recruitment and retention plan.

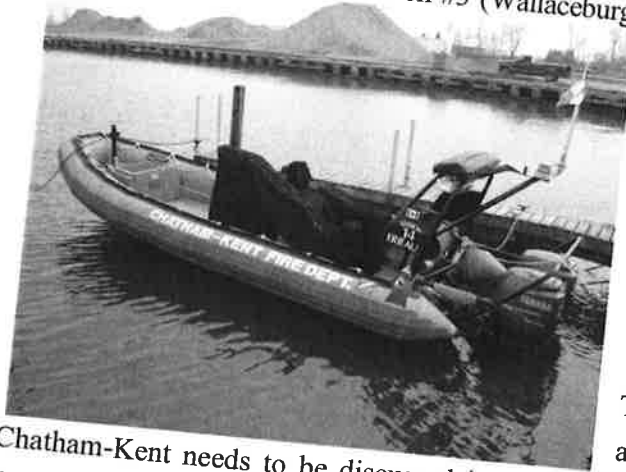
Special Services and Specialty Teams

Fire Departments in Ontario including the Chatham-Kent Fire Department provide services to the public that are not mandatory services. The only mandatory services that a Municipality must provide are fire prevention and public education programs. However the FPPA states that a municipality that has a Fire Department must continue to deliver the services it was delivering prior to the establishment of the FPPA. In other words fire and rescue services.

The Chatham-Kent Fire Department trains and equips a professional Dive Team, the team members all come from the full time staff and are dedicated to the program training and equipment maintenance tasks that must be undertaken. However dive teams take time to organize and get into the water usually resulting in the task being not of a rescue scenario but more of searching for victims who may have drowned.

Water rescue and in particular off shore rescue in the lakes is the responsibility of the Canadian Coast Guard. Fire Departments across Ontario have become involved in water rescue because of the strategic location of Fire Stations and the local population's reliance on the Fire Fighters to be available and willing to assist when some one is in danger and in need of rescue.

There are Zodiac boats at Station #3 (Wallaceburg) and Station # 14 (Erieau) for water rescue.



The Station # 14 boat is docked at the local marina. The Station # 3 boat is towed on a trailer to the location where it is needed. The dive team responds from Station #3 in a van. The other Stations conduct shore based rescue only. The area protected by Station #4 (Dover) includes Lake St. Clair and the adjacent islands.

The question of where and how water and Ice Rescue is to be performed in Chatham-Kent needs to be discussed in conjunction with the Canadian Coast Guard and determined as to the level of service to be provided and the type of service to be provided by the municipality. At this time services are being provided from shore based in some areas and rescue boat in others and the Dive Team service delivery needs to be evaluated. The question of how the financial resources for water rescue should be deployed for the benefit

of all of the residents of Chatham-Kent should be the subject of further consideration.

There are a number of industrial and agricultural sites that handle hazardous materials. The City of Windsor operates a Provincial Chemical, Biological, Radiation, Nuclear, Explosives (CBRNE) team. This team will respond to chemical emergencies in Chatham-Kent under the Provincial Emergency Response Plans. There is a Hazardous Materials Squad vehicle located at Station #1 but there are no qualified Haz-Mat operators trained by the CKFD. The level of training given in the municipality to the Fire Fighters is what is known as "Awareness Level" the most basic level of training under NFPA 472, (the standard used for Hazardous Materials across North America).

The new NFPA 472 standard has been revised and will now require all members of Fire Departments to be trained to the Operations level the revised standard is currently going through the approval process and will be in place in the very near future. Under the Occupational Health and Safety Act employers are responsible for training and equipping employees, the section 21 committee is responsible for developing guidance notes for the Fire Service. The following extract is from the current guidance notes. It is anticipated that the section 21 committee will adopt the revised NFPA 472 once it is approved.

Section 21 Committee

The Section 21 Committee consists of members from the following organizations

- | | |
|--------|--|
| AMO. | Association of Municipalities of Ontario |
| O AFC. | Ontario Association of Fire Chief |
| OPFFA. | Ontario Professional Fire Fighters Association |
| FFAO. | Fire Fighters Association of Ontario |

The committee has produced a Guidance Manual containing guidance notes that comply with the intent and provisions outlined in the Occupational Health and Safety Act. The employer, under the OHSA, shall instruct and acquaint a worker with any hazards, and maintain equipment in good condition. (ref to S25 (1) & (2))

Fire Fighters Guidance Note #6-9 (26)

Issue: Hazardous Materials Response

Fire departments providing hazardous materials (Haz-Mat) response should meet the requirements of NFPA 472 2002 edition.

Extract:

T L Powell & Associates Ltd – Cyril Hare & Associates Inc
Fire Master Plan June 2007

Fire Fighters required to perform at either operations or Technician level of Haz-Mat should be trained and equipped to these levels as per NFPA 472 2002.

Fire departments should provide appropriate supervision, resources, and the required equipment that corresponds to the required level of response, as determined by the municipality's establishing and Regulating By-Law, and in accordance with NFPA 472 2002.

The 472 "Awareness" level qualification only allows the Fire Department to recognize that the substance is a hazardous product it does not allow the Fire Fighters to take any other actions to mitigate the situation other than to establish a hot zone that can not be entered by the public. Fire Fighters are most often the first emergency service to arrive on the scene of hazardous materials incidents with training to the 472 "Operations" level they could take action to reduce the spread of the incident and risk to the community.

CKFD has a qualified High Angle Rescue Team in the volunteer sector the team was trained and equipped prior to amalgamation. The team is underutilized by the Fire Department partly for the reasons that there are not a lot of emergency calls requiring the service and secondly it has not been a practice of the other Stations to call upon the team. The question to be asked is what service level is needed in the municipality for a High Angle Rescue Team. Once this question is answered then the best method of delivering the service can be determined.

Tiered Emergency Medical Response

Until the beginning of 1998 the Ministry of Health and Long-Term Care fully funded and directed the operations of all land ambulance services in Ontario.

Beginning January 1, 1998, the province commenced the process of transferring the responsibility for the proper provision of land ambulance services to upper tier municipalities and designated delivery agents. By January 1, 2001, the transition was completed to the upper-tier municipalities and delivery agents. The ministry also provides financial assistance to the municipalities and delivery agents by providing a cost-sharing grant to fund one-half of the approved cost of land ambulance service. Additionally, the ministry sets standards for the delivery of land ambulance services and monitors and ensures compliance with those standards.

In 2004, the current government began to change the ratio of provincial and municipal cost sharing for public health from 50:50 to 75:25. In February 2006, the Premier announced the Province would pay its entire 50% share of ambulance services, resulting in an additional \$150 million a year for municipalities by 2008.

Ambulance service in Ontario is a seamless program that responds to requests for service and transports patients cross municipal boundaries without reference to residence or other demographic factors. Central Ambulance Communications Centers, (CACCs) facilitate this seamless approach by coordinating, directing and deploying the movement of all ambulances and emergency response vehicles within large geographic areas. Computer-assisted wide area central dispatching helps the dispatcher in assigning the closest available and most appropriate ambulance to each emergency. Emerging technologies such as Automatic Vehicle Location (AVL) and Global Positioning Systems (GPS) also assists CACC communications staff by identifying the location of the closest vehicle for response and helping the dispatcher direct the ambulance to the call scene.

A request for Chatham Kent Fire Department assistance at a medical incident, or a motor vehicle accident, normally originates through 911 to the CACC located in Wallaceburg. Under a policy or protocol agreed to with the municipality the CACC responds the Fire Fighters to the Medical Emergency.

Medical research promoted the concept of fire fighter response to sudden cardiac arrests because of the strategic location of fire Stations and the fact that when the Stations are staffed with full time Fire Fighters they can respond in their response zones considerably faster than the Ambulance services. This fact was the catalyst for tiered response agreements in the late 1980s and lead to an increased incidence of fire fighter response to all types of medical calls.

APPENDIX 'A'
CHATHAM KENT

LETTER OF UNDERSTANDING . Use of Volunteer Fire Fighters

Recommendations

51. It is recommended that a survey be conducted of the municipality by the Fire Department to identify all static and impounded water sources. A program should be instituted to install dry hydrants at strategic locations to facilitate water drafting by the fire department.
52. It is recommended that the ongoing life cycle review of the water system continue and that the program for water main replacement include minimum fire protection water supplies in the overall evaluation.
53. It is recommended that the fire hydrants on municipal and private water systems be colour coded to indicate fire flow with a minimum residual pressure of 150 kPa. If the water main size is required to be shown, it should be stenciled on the hydrant.
54. It is recommended that the municipality consider the installation of impounded water supplies (ponds, cisterns or reservoirs) be provided in urban areas that are not protected with water mains and fire hydrants.
55. It is recommended that a maintenance program be developed for the inspection and maintenance of dry hydrants and underground water tanks.

Conclusions

Water supplies are an important component of any fire department response. A number of the population centers in Chatham-Kent have water mains and fire hydrants for fire protection. Fire water storage cisterns are used in Highgate to provide a water supply for fire fighting. There are a number of areas that do not have fire hydrants and must rely on Tanker shuttles or impounded water supplies for fire protection.

The P.U.C. is conducting a water supply study to determine the current status of all of the water supply systems. A life cycle program has been developed and water main replacement program is in place. Fire hydrants are operated twice per year.

Fire hydrants are installed at the concession intersections on the trunk mains that interconnect the individual water systems. These hydrants are used to fill Tankers. With proper training the fire fighters could use these hydrants for pumped water supplies.

Municipalities have a responsibility under the OBC to ensure that an adequate water supply for fire fighting is provided for large buildings and new developments.

There are static and impounded water supplies that could be used for fire fighting in many parts of the municipality. Dry hydrants could be used to improve access to fire fighting water in many areas of the municipality. A Tanker shuttle study has been approved by FUS for Chatham-Kent.

Fire hydrants are not colour coded to identify the available water flow.

Municipalities may have a civil liability if an adequate supply for fire fighting is not provided for those buildings identified in the Building Code as requiring a water supply for fire fighting.

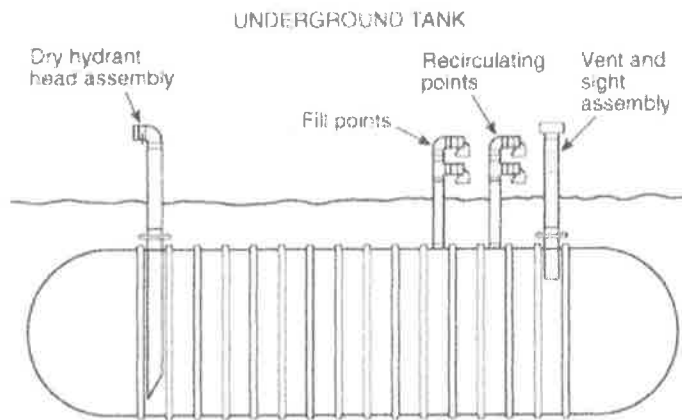
coordinating a Tanker shuttle difficult. The current configuration on some of the Fire Department's Pumpers and Tankers affects the efficiency of Tanker shuttle operations. These issues are discussed in the Equipment and Apparatus Section.

The Fire Department does not have a Pre-incident Plan program for all areas of the municipality. Pre-plans should identify the locations of all fire hydrants that may be used for fire fighting at a facility. Information regarding fire hydrant locations and flows are not immediately available to Fire Fighters when responding in the residential areas. The P.U.C. has a Geographic Information System (GIS) that identifies the location of all of the municipal services including water mains and fire hydrants. Each PUC vehicle carries a lap top computer that contains all of the utilities information. This information can be made available to the Fire Department. The Fire Department would need to install lap tops in the Pumpers and implement a training program for the Fire Fighters.

Failure to provide an adequate supply for fire fighting can lead to civil litigation if there is a fire and it can be proven that the municipality did not ensure that a required water supply was provided. There have been claims against a number of Canadian municipalities for failure to provide an adequate water supply for fire fighting. The best defense in these cases is to show that due diligence had been exercised in the design, operation and maintenance of the water system or other water supplies.



Highgate Cistern Storage Tank



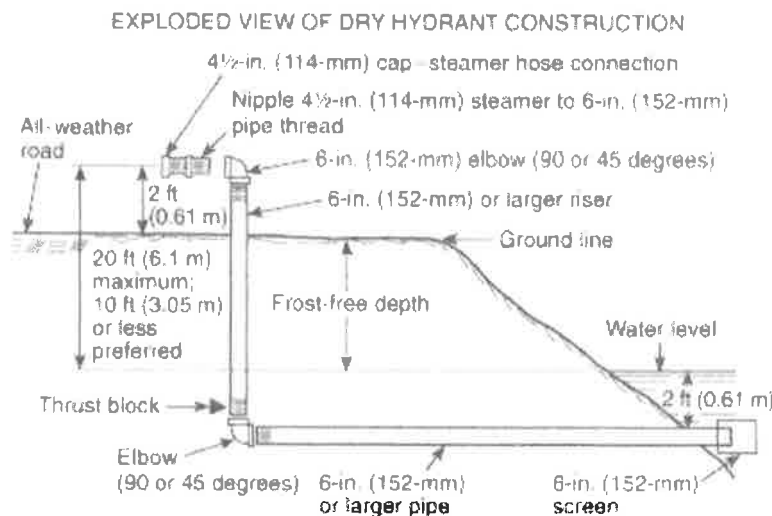
Fire Fighting Water Cistern

In those locations where there are no fire hydrants or static water sources, Fire Department Tanker shuttles must be used. The FUS has recognized Tanker shuttle programs that can maintain 2,000 lpm (440 gpm) for a duration of one hour. This is equivalent to the minimum acceptable flow for a water main and fire hydrant system. There are a number of areas in the municipality where the Fire Department could operate a Tanker shuttle to maintain this minimum flow. Those properties that are within the maximum distances allowed in a Tanker shuttle evaluation could receive a reduction in their fire insurance costs. In order to qualify for this insurance savings the FUS must conduct a study in which the Fire Departments demonstrate that they can achieve the minimum flows and duration within a specified distance to a reliable water source. A FUS Tanker shuttle study has been conducted for Chatham Kent.

Tanker shuttles present several logistical challenges. The narrow rural roads with no shoulders make



Dry Hydrant



Ponds and cisterns can also be used for fire protection. Underground storage tanks are provided in various locations in the hamlet of Highgate. Each storage tank has a 50 mm (2 in.) connection from the municipal water system for refilling. The fill rate is less than 600 lpm (130 gpm). The capacity and maintenance of these reservoirs was not reviewed as part of this study. Properties that can be protected from these static and impounded sources can receive a reduction in fire insurance. Suburban areas with limited static water supplies could benefit from the installation of reservoirs with dry hydrants. NFPA 1142 "Standard on Water Supplies for Rural and Suburban Fire Fighting" can be used for guidance in designing these types of water supplies. The maximum travel distance to a fire water reservoir should not exceed 300 m (1000 ft.).

occupancy, building construction, contents and processes. Large industrial facilities can have water supply demands in excess of 23000 lpm (5000 gpm). Each existing facility should be assessed as part of a Fire Department Pre-Fire Planning Program. New facilities are required to be assessed in compliance with the OBC.

Emergency power for pumps is provided at all pumping Stations and treatment plants. In addition the PUC has a number of portable generators that can be used to operate facilities if the standby power systems are not operating.

The fire hydrants in most areas are not identified for the available flow with a residual pressure of 150 kPa (20 psi). Subsection 6.6.6. of the Fire Code requires that fire hydrants be colour coded in compliance with NFPA 291 “Recommended Practice for Fire Flow Testing and Marking of Hydrants”. The following lists the ratings assigned to fire hydrant based upon a residual pressure of 150 kPa:

NFPA 291 “Recommended Practice for Fire Flow Testing and Marking of Hydrants”.		
Colour	Class	
Blue	AA	Over 5700 lpm (1,250 gpm)
Green	A	3780 lpm (840 gpm) to 5 700 lpm (1250 gpm)
Orange	B	1920 lpm (420 gpm) to 3780 lpm (840 gpm)
Red	C	Below 1920 lpm (420 gpm)
(lpm = liters per minute; gpm = gallons per minute)		

The other areas of the municipality do not have a water main and hydrant system and must rely on static sources or tanked water for fire fighting.

There are a number of lakes, ponds, rivers and public drains throughout the municipality that can be used for water sources for fire fighting. Easy fire vehicle access is not available in many areas. In some cases it may be necessary to clean an area of the waterway to allow for a reservoir of water for fire department use. Dry hydrants can be used to provide quick drafting access for fire department vehicles.

Although the hydrants on the trunk mains are used for tank filling only, this may be an inefficient method of providing water for fire fighting. Pumper relays could be used for distances up to 800 m (2600 ft.). Where the fire hydrant is more than 90 m (300 ft.) from the property, a Pumper relay is required in order to deliver the capacity of the fire pump to the fire. The new Pumpers in the fleet have a pumping capacity of 5000 liters per minute (1050 gpm). The standard supply hose used by the fire department is 100 mm (4 in.). A relay pumping set up with Pumpers every 170 m (550 ft.) can deliver 5000 lpm (1050 gpm) to the fire. Where the required fire flow is 4000 lpm (840 gpm), the distance between Pumpers can be increased to 210 m (700 ft.). Since the hydrants are approximately 1.6 Km (1 mile) apart, up to five pumping vehicles could be required at a rural fire where large volumes of water are required and a fire hydrant is available. If fire hydrants were located 300 m (1000 ft.) apart or strategic fire hydrants were installed where buildings are a long distance from a fire hydrant, the number of pumping vehicles could be reduced to two or three. The capital cost of installing a fire hydrant is approximately \$4,000.00. The capital costs could be paid through a levy for those properties that would receive a benefit by having fire hydrant coverage.

Fire hydrants are maintained by the PUC and all hydrants are flushed twice per year.

The PUC has developed a life cycle program for the replacement of the older water mains. A system study is underway to review the existing water system and the water quality, quantity and pressure available throughout the water system. This program will identify areas that require upgrading and the available water supplies for new development. The water system review should include compliance with the FUS guide “Water Supply for Public Fire Protection”. Water flow tests are normally conducted when any new development takes place to ensure that an adequate water supply for fire fighting is available. The size of elevated tanks and reservoirs are based upon the expected domestic demand plus a minimum fire protection demand for one to 9.5 hours depending on the risk. The minimum fire flow from fire hydrants that is recognized by FUS is 1000 liters per minute (lpm) (220 gpm) for a duration of two hours or 2000 lpm (440 gpm) for a duration of one hour.

The recommended water flow for a typical 200 m² (2150 ft²) combustible construction house is 4667 lpm (1027 gpm). When exposure protection is added, this requirement could increase to 7000 lpm (1540 gpm). Chatham Kent has a number of large residential properties that are 500 m² (5382 ft²) or more. The required fire flow for a 500 m² combustible construction house is 7379 lpm (1620 gpm) plus exposure protection. Water for exposures could increase the required flow to 11000 lpm (2420 gpm). Where there are areas containing these large properties, water supply calculations and water flow tests should be conducted to ensure that there is adequate protection.

The water supply requirements for industrial and commercial structures are determined by the type of

Water Supplies for Fire Fighting

Water supply constitutes 30% of the evaluation criteria used by the Fire Underwriters Survey (FUS) for insurance ratings of municipal fire services. Water supplies can be provided by water mains and fire hydrants, water courses, impounded water supplies (ponds and reservoirs), and fire department Tanker shuttles.

The Ontario Building Code (OBC) is the standard for new building construction. Article 3.2.5.7. "Water Supply" states "*An adequate water supply for fire fighting shall be provided for every building.*" This provision applies to all public assembly, institutional and large buildings. Where there is not an adequate water supply from water mains and fire hydrants; the owner must provide an on site water supply.

The requirements for the provision of an adequate water supply are enforced by the Building Inspection Services in each municipality. Appendix A of the OBC contains guidance on what constitutes an adequate water supply. Guidance can also be found in various NFPA standards and Insurance Industry Guides such as the Fire Underwriters Survey (FUS) Guide "Water Supply for Public Fire Protection".

The Fire Departments must rely on various water sources to fight fires in both rural and urban settings. There are a variety of water sources in the municipality that are available to the Fire Department.

Water systems with fire hydrants are provided in the urbanized centres such as Tilbury, Wheatley, Ridgetown, Blenheim, Chatham, Wallaceburg, Thamesville, Dresden, Tupperville, Merlin and Bothwell. Highgate has a water system without hydrants that supplies potable water to the residents. The water systems in Ridgetown and Highgate are supplied by wells. Bothwell shares its water system with adjacent municipalities in Elgin County. The other water systems are supplied from water purification systems that take their water from Lake Erie and Lake St. Clair. These systems are fed from pumped reservoirs and elevated reservoirs. Most of the systems are interconnected by an extensive system of trunk mains that are run between the populated areas through the rural areas. (See Appendix 'D') Fire hydrants are provided on these trunk mains at intersections with concession roads. Hydrants are spaced approximately 1600 m (1 mile) apart on these trunk mains. At present these fire hydrants are to be used for direct filling of fire department Tankers and are not used for pumping. A training program has been delivered to

senior members of each volunteer Station on the use of the trunk main hydrants. There is concern regarding the possibility of an accident causing water hammer or cavitations when these hydrants are used.

46. It is recommended that the fleet maintenance review that is currently underway, consider having Fire Department vehicle maintenance conducted in-house by qualified technicians.
- a.) It is further recommended that all vehicles be maintained in compliance with NFPA 1915 or its replacement standard.
 - b.) It is further recommended that all pumps and Aerials be tested annually by a qualified technician.
 - c.) It is further recommended that all vehicles be subjected to an annual safety inspection.
47. It is recommended that the equipment compliment for each class of fire truck in the fleet be standardized. Equipment such as SCBA, hose, nozzles, appliances, tools, etc. should be standardized and specified for each new vehicle.
48. It is recommended that a small tools and equipment maintenance and repair program be established that it can be carried out by on duty fire fighters.
- a.) It is further recommended that a tracking and accountability program be put in place for the maintenance of this equipment.
49. It is recommended that a central stores be established to maintain a stock of consumables and critical equipment to ensure that emergency operations are not negatively impacted.
50. It is recommended that a traffic light pre-emption system should be installed on the traffic lights in the Chatham and Wallaceburg urban areas.

Recommendations

44. It is recommended that Pumper Rescues be provided in the volunteer stations in lieu of providing a Pumper and Heavy Rescue in each of these stations.
 - a.) It is further recommended that a personnel carrier (van 12 seat) be provided to transport additional fire fighters in volunteer stations where Pumper Rescues are provided.
45. It is recommended that an appropriate number of additional spare Pumpers and Tankers be retained in the fleet. These vehicles should be taken from the existing fleet as vehicles are replaced. The best vehicles should be retained and the oldest vehicles retired. A minimum of 3 spare Pumpers and Tankers should be retained.
46. It is recommended that the Vehicle Purchasing Committee develop a standard specification for all types of emergency vehicles.
 - a.) It is further recommended that Tanker specifications should meet NFPA and ULC standards and be based upon a conventional 2 door chassis with a 11350 litre (2500 gal.) tank with rear and side quick dumps. The vehicle should be equipped with a pump, Class A foam system, 45 mm (1 ¾ in) pre-connects, hose bed, ground ladders, and storage compartments. The vehicle should have a porta-tank that has a capacity equal to the tank size. It should carry a portable pump (minimum size 2250 lpm (500 gpm) and 9 metres (30 ft) of hard suction for the pump and the portable.
 - b.) It is further recommended that Rescue Pumper specifications should meet NFPA and ULC standards and be based upon a conventional 4 door chassis with a pump/rescue style body with a minimum 2250 litre (500 gal.) tank and a minimum 5000 Lpm (1050 gpm) pump with a front suction. The vehicle should be equipped with a CAFS or Class A foam system, pre-piped removable deluge, 45 mm (1 ¾ in.) and 65 mm (2 ½ in.) pre-connects, hose bed, front bumper mounted 45 mm (1 ¾ in.) pre-connect, storage compartments, ground ladders, and 9 metres 9 (30 ft) of hard suction.
 - c.) It is further recommended that Aerial/Quint specifications should meet NFPA and ULC standards and be based upon a custom or conventional 4 door chassis with a minimum 2250 litre (500 gal.) tank and a minimum 1050 gpm (5000 Lpm) pump with a front suction. The vehicle should be equipped with a CAFS or Class A foam system, pre-piped ladder deluge, ground ladders, 45 mm (1 ¾ in.) and 65 mm (2 ½ in.) pre-connects, hose bed, storage compartments, and 9 metres 9 (30 ft) of hard suction. When new Aerials are purchased the height of the Aerials should be based upon the height of the buildings that are to be protected.
 - d.) It is further recommended that personnel carriers be designed with a weight carrying capacity capable of seating 12 personnel with personal protective clothing. The vehicles should be equipped with a tow hitch for pulling specialty equipment trailers.
 - e.)

Conclusions

The safety of the Fire Fighter and the public is dependent on the emergency equipment including vehicles being kept in working order. The Fire Department members were not supportive of the current fleet maintenance program. Much of the major repair work is contracted out to businesses in Chatham-Kent. We have been advised that there are suitable municipal facilities that could be used for Fire Department vehicle maintenance. There is a need to review the Fire Department vehicle maintenance within the corporate fleet maintenance review that is currently underway.

There is a limited number of spare vehicles in the Fire Department and we are informed by the stakeholders that when vehicles are out of service there may not always be a replacement. This will result in a reduction of service.

Traffic light pre-emption is provided for some intersections in the municipality. The pre-emption system facilitates a faster response and fire fighter safety in the congested urban areas. Extending the program to other traffic lights in the community will have a positive impact on the response times of the Fire Department.

The existing aerial/Telesquirt coverage is adequate for the current risks in the municipality. In order to provide more flexibility to the Fire Commanders as Telesquirts are replaced the new vehicles should be aerial/quints. When purchasing new aerial devices the height of the ladder should be determined based upon the height of buildings in the response district.

The Fire Departments would benefit from using standard vehicle specifications for all purchases. With standardized specifications inter-operability with multiple stations will be improved.. A purchasing committee is used to establish the specifications for the fleet.

Thermal imaging (TI) cameras are not provided for all stations. TI cameras are one of the most important devices available to Fire Fighters for safe operation in fires. They allow the Fire Fighter to see through the smoke to find victims and to see where the fire is located;

There is an opportunity for the Fire Department in developing standard specifications and rationalizing the deployment of vehicles and equipment. The use of Rescue Pumpers would reduce the number of large vehicles and reduce the fleet maintenance load.

The maintenance of small tools, specialty equipment and SCBA is not well organized or tracked. In addition there is no central stores of commonly used equipment such as protective clothing, gloves, boots, spare tools, etc.

Thermal imaging cameras (TIC) have not been provided in every fire Station. TIC cameras are provided in Stations 1, 2, 3, 6, 8, 11, 18, and 19. The Fire Fighters in Station #8 (Thamesville) have purchased their own TIC and pay to insure and maintain it. These devices allow fire fighters to see through smoke using infrared imaging technology. Utilizing a TIC, fire fighters can easily find victims who have collapsed in smoke. The technology also allows fire fighters to see the fire through the smoke, thereby gaining quick access to the seat of the fire and effecting its extinguishment.

The imaging cameras allow the fire fighters to safely find their way through a burning building. It aids the fire fighters' ability to see the heat signatures of holes in floors and weakened roofs, to ensure that they avoid being trapped in the event of a structural collapse. TICs enhance fire fighter and public safety.

A thermal imaging camera should be carried on every first line Pumper. The value of this piece of equipment has proved to be exceptional during initial fire attack and overhaul of buildings after the main fire has been extinguished.

The department does not have an assigned Quarter Master. Numerous comments were made by members of the volunteer Stations that they could not get basic equipment repaired or replaced in a timely manner. Protective clothing and small tools must be ordered from the suppliers each time a replacement is required. There is no central stores where they can access consumables for the Stations and get replacement equipment. The full time Fire Fighters are responsible for some of the coordination of repairs, however there is little supervision and accountability. There is not adequate storage space at Station #1 to store materials and equipment. Old equipment was found piled in a spare bay in Station #4. Complaints were made that the volunteers' equipment was not getting immediate attention when it was sent in for repair or maintenance. Damaged equipment was observed that had not been repaired after repairs were requested. The consultants were informed that there is no central stores that could provide this service for all of the municipal departments. Maximum/minimum inventories of consumable materials and spare equipment cannot be established since there is no person assigned to ensure that the equipment is repaired or replaced in a timely manner.

The vehicle maintenance programs should comply with the requirements of this NFPA standard. The standard will be replaced in 2007 with NFPA 1911 "In-Service Apparatus Inspection, Maintenance and Testing". This new standard will replace NFPA 1915 along with the current NFPA 1911 and NFPA 1914. When this standard is published the current maintenance program should be reviewed for compliance.

The Fire Department has a fleet of over 60 vehicles. Each Station carries out a regular vehicle check program. Fleet Maintenance is responsible for the maintenance and repair of all vehicles. Private contractors are contracted to carry out all major repairs, safety checks, pump maintenance and annual testing. All Aerial devices are tested annually by a contractor. There were numerous complaints regarding the delays in having vehicles repaired. Foam systems were observed that have not operated for some time. Many of the vehicles are aging and require repairs. Corroded vehicles that require body work and/or painting were observed in a number of Stations. There is no spare parts stock for specialty equipment on the vehicles. One Pumper was found that could not hold air for the air brakes and does not have an air pressure maintenance system. The vehicle had to be run in the fire Station until the compressor built up sufficient air for the truck to move. In general the fleet maintenance and repair program requires review. The municipality is currently conducting a fleet maintenance program review. The maintenance of the Fire Department fleet is part of the review. There are a number of municipal facilities that could be used for fire apparatus repair. If the municipality moves the maintenance and repair of the fire apparatus in house, it will be necessary to have mechanics trained in the maintenance and repair of the specialized systems such as aerials and pumps on fire apparatus. There are manufacturer's training programs available to train the mechanics. In municipalities where fire apparatus maintenance is carried out in a central municipal garage, scheduling is often an issue. Fire apparatus must take priority over the lawn tractors and other non-essential equipment. This is particularly an issue where there are no replacement vehicles.

Fire fighter line of duty death statistics kept by NFPA show that over 25% of all line of duty deaths are a result of vehicle accidents. Driver error and vehicle maintenance are often cited as the causes of the accidents. It is critical that all vehicles be properly maintained and that they pass a vehicle safety inspection. The current maintenance program is not serving the Fire Department's needs. There is a need to have reliable spare vehicles to replace front line vehicles when they are out of service for maintenance or repair.

SCBA, hose, nozzles and small tools are sent to Station #1 for repair and testing by the full time fire fighters. The SCBA were not reviewed for compliance with CSA Standard Z94.4-93 "Selection Use and Care of Respirators". The maintenance records for SCBA were not reviewed. It is important that all SCBA's and cylinders be tracked for maintenance and testing.

SCBA air compressors are located at Stations 1, 2, 3, 6, 8, 11, 18, and 19. None of these compressor systems is connected to emergency power. The air quality records were not reviewed for all of the air compressors for SCBA. Test certificates were posted in some Stations. All breathing air is required to be checked and tested in compliance with CSA standards. Cascades and fill Stations are not provided on the Rescues. A new Rescue/command post is being specified that will have an air fill Station.

Records for small tools, hose, nozzles and ladders were not reviewed. All hose and ladders should also be tested in compliance with the applicable NFPA standards.

The standardization of the vehicles and the equipment allows for fire fighters who respond to multiple Station calls to know the capabilities of various apparatus from other Stations. Standardized equipment also improves emergency scene efficiency because it allows fire fighters to know where equipment is located on every apparatus. Standardizing hose, nozzles and equipment on vehicles will make it easier for Stations to work together when they are called to multiple alarm fires. In addition, it will be easier to maintain an inventory of repair materials if all Stations use the same equipment. The department participates with the Fleet Management Division in the development of standardized vehicle specifications. It is important that the personnel who will be using the equipment, have some input into the vehicle design.

The number of vehicles and their deployment has some deficiencies. There are not enough spare vehicles for the volunteer service. There is one spare Pumper, one spare Rescue and one spare Tanker. These vehicles are old and should be replaced by newer vehicles that are being retired from regular service. There is a need for more spare units. Comments were made by a number of Fire Fighters that vehicles were out of service and there was no spare unit on a number of occasions. Complete statistics were not available since this data is not tracked.

Station # 1 apparatus is equipped with traffic light pre-emption (Opticom). Selected intersections are equipped with pre-emption controls. This system changes the traffic signal to green as the fire apparatus proceeds along the road. The system provides for faster responses and safety at intersections since the apparatus always has a "green light". In the rural areas traffic light pre-emption is not necessary. Traffic light pre-emption should continue to be added in the Chatham and Wallaceburg areas of the municipality. All new traffic lights that are installed should be equipped with the Opticom system.

There are Underwriters Laboratories of Canada (ULC) standards that apply to the construction and acceptance of fire apparatus. The National Fire Protection Association (NFPA) standards are also used as the minimum standard for the design and construction of emergency vehicles and should be used where there is no comparable Canadian standard. NFPA 1901 "Standard for Automotive Fire Apparatus" and ULC S-515 "Standard on Automobile Fire Fighting Apparatus" are the common standards used by manufacturers for the specification of fire apparatus. Although NFPA standards do not apply in Canada, they are often used as guidelines and referenced in litigation issues that may arise from time to time in Canadian jurisdictions. Both ULC and NFPA standards should be reference in the specifications for fire apparatus.

NFPA 1915 "Standard for Fire Apparatus Preventative Maintenance Program" is the standard for maintenance of fire apparatus, which states:

"This standard defines the minimum requirements for establishing a preventive maintenance program for fire apparatus. These requirements shall apply to public or private organizations utilizing fire apparatus. The standard identifies the systems and items to be inspected, frequency of servicing and maintenance, and requirements for testing. This standard is not intended to supersede any instructions, specifications, or practices defined or required by the fire apparatus manufacturer, component manufacturer, equipment manufacturer, or the authority having jurisdiction".

of being struck by a vehicle during emergency operations. The pre-connected hose lines on the volunteer Pumpers are mid-ship mounted and often must be pulled off with vehicles passing the Pumper. Front mounted pre-connect hose lines can be deployed without having to step into the oncoming traffic.

Fires in areas not served by hydrants will require a Tanker shuttle. The narrow rural roads with no shoulders make coordinating a Tanker shuttle difficult. The current configuration of the Pumpers and Tankers affects the efficiency of Tanker shuttle operations. The Fire Department has 17 Tankers. The tank sizes range from 5500 L (1200 gal.) to 13600 L (3000 gal.) The smaller Tankers are faster and more maneuverable, whereas the larger Tankers provide a larger quantity of water on arrival. The maximum size of Tanker on a single rear axle must be limited to approximately 8200 L (1800 gal.).

Tankers with greater water loads require tandem rear axles. The optimum tank size would be approximately 11400 L (2500 gal). The current method of unloading is limited to rear dump valves. Side dump valves add versatility to a Tanker operation. The NFPA standard for Tankers requires that the Tanker be able to dump its water on both sides and at the rear. The Tankers carry porta-tanks to hold dumped water at the emergency site.



Tanker with Side and Rear Dump Valves

The Pumpers are not equipped with rear or front mounted suctions. Front or rear mounted suctions allow the Fire Department to set up the porta-tanks and draft Pumper in one lane of the road, leaving the other lane open to Tanker movement. Front mounted pump suctions also allow easier access to dry hydrants and static water supplies.

Side dump valves allow for a faster off loading of the Tanker's water and eliminate the need to back up to the porta-tank. Backing up vehicles at a crowded emergency scene is a dangerous activity.



Front Mounted Suction

The current deployment of Aerial devices is adequate. Where Telesquirts/Aerials/Quints are replaced, it may not be necessary to have a 30 m (100 ft) ladder. Aerials are more useful for roof access and rescue than a Telesquirt. Aerials should be purchased when the Telesquirts are replaced. The selection of the size



and type of Aerial device should be based upon the risks in the Station's first response area. An Aerial/Quint could be equipped with a ladder from 17 m (55 ft) to 30 m (100 ft) depending on the height of the buildings and the availability of access.

The short Aerials are smaller and more maneuverable and can be used for quick access to the roof of agricultural/industrial/commercial buildings and low rise residential structures. It also provides a quick deployment of an elevated master stream to control fires that have broken through the roof of a building and begin to threaten the surrounding structures.

The department operates 16 Rescue apparatus from the volunteer Stations. These vehicles are designed to carry specialty equipment for technical and heavy Rescues. New heavy rescues have been provide in Stations 10 and 20. The other stations have converted cube vans for rescue vehicles. Hydraulic tools designed for auto extrication are carried on the Pumpers in the fulltime Stations. The majority of rescues involve vehicle accidents.

In the event of a vehicle rescue the first responding fire fighters must decide which vehicle should respond first. When there is a limited response by volunteers or in the limited staffed fulltime Stations, the fire fighters have to choose which vehicle should respond based upon the information provided by the dispatcher. A Rescue Pumper can perform the same operations as a Pumper as well as basic auto extrication and technical rescues. Where there are limited vehicles it is often advantageous to combine functions where ever possible.

With the current vehicle deployment a Rescue and a Pumper must respond to every vehicle accident. The first crew leaving the Fire Station must decide if a Rescue or Pumper should be the first to respond. This is a particular problem if responding personnel are delayed and the second vehicle may be several minutes behind the first vehicle. This may result in a delay in rescue until the scene can be secured from a fire.

The introduction of rescue Pumpers would reduce the number of large vehicles in the fleet. A rescue Pumper takes the place of a Pumper and heavy rescue. By going to a rescue Pumper concept the fleet replacement program should be accelerated since there will be fewer large vehicles. In stations where the rescue Pumper is provided there will continue to be a need for transportation of personnel. A 12 passenger van can service this purpose and will eliminate the current practice of transporting personnel standing in the light rescues/cube vans. In addition a smaller fleet of large vehicles would reduce the vehicle maintenance requirements for the Fire Department.

The department responds to numerous vehicle fires and accidents on the municipal roads and provincial highways including Highway 401. A major risk to fire fighters in operating at these accidents is the possibility

Vehicles and Equipment Maintenance

The Fire Department is involved in the specification and purchasing of vehicles in conjunction with the Fleet Maintenance Department. The general maintenance and repair of the vehicles is the responsibility of Fleet Maintenance. Major maintenance and repairs are carried out by outside contractors. Appendix 'B' contains a listing of the major apparatus in the Fire Department fleet.

Some vehicles are equipped with Class A foam systems. There is no supply of Class B foam. The Class A foam systems on some vehicles were not working at the time of the Station visits. The staff indicated that there have been problems with some of the foam systems and that they have not been repaired. There are a number of universal foams available that can be used for Class A and Class B fires. These foams allow fire fighting for all types of fires without the need for different foams and the problems that arise from maintaining an adequate inventory.

There is a small portable Snuffer Compressed Air Foam System (CAFS) on Pumper 15-11. None of the other vehicles is equipped with CAFS. CAFS is at the leading edge of current fire fighting technology. CAFS provides a more effective use of water and foam in extinguishing fires and providing exposure protection to buildings. It is also very effective in fighting wildland fires (brush and field). As pumping vehicles are replaced, CAFS should be considered as part of the new vehicle specification.

The vehicle replacement program is behind schedule. Appendix 'C' contains the current vehicle replacement schedule. Volunteer vehicles should have a life expectancy of 20 years in front line service with the best replaced vehicles being retained as reserve or auxiliary units for up to 5 years. In busy Stations such as the fulltime Stations, vehicle replacement should be considered at 15 years. There are a number of vehicles that exceed the 20 year age limit. When vehicles reach this age it is often difficult or impossible to source specialty replacement parts. In addition, regardless of the number of miles on the vehicle, the reliability of the vehicle becomes questionable. Many fire trucks have limited mileage, but have considerable hours on the engine. The vehicle replacement program has identified the need to replace a number of these vehicles. The cost of replacing all of the old vehicles prohibits the immediate replacement of all of the vehicles in one year. There is a long term replacement plan to catch up to the proposed schedule of 20 years.

The fire department has 7 Aerial devices. Stations #1 and #3 have Aerial platforms. Station #2 and #18 have 23 m (75 ft) Aerials. Stations #6 and #11 have 17 m (55 ft) Telesquirt. Station # 19 has a 23 m (75 ft) Telesquirt. All of the vehicles are equipped with a pump. Vehicles equipped with an Aerial device and having the ability to pump water are called Quints. Quints can operate as independent units and do not require a Pumper to supply the elevated stream on the ladder or platform.

Recommendations

41. It is recommended that the municipality develop an RFP to attract a qualified company to undertake a comprehensive radio signal coverage study and feasibility study to evaluate the current radio coverage and identify any dead spots.
42. It is recommended that the Fire Department consider providing additional portable radios where they can be justified.
43. It is recommended that the Fire Department investigate the financial implication and operational advantages of having a second mobile repeater available on the Rescue Truck.

		May Be Used As Talk Around Non Emergency Channel May Be Used To Monitor The Common Paging Channel
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Conclusions

The Fire Dispatching from the Police Department is carried out in a professional manner there was no evidence provided to the consultants to support some of the stakeholders concerns that there are delays in dispatching fire vehicles to emergency incidents.

The radio system is operating well with a VHF back up system, the concerns about dead spots where the radios do not transmit can be verified or dispelled with an evaluation the signal strength of the radio system in all areas of the municipality a comprehensive design signal strength study will need to be conducted by a qualified company. The study would determine the strengths and weaknesses of the current system and the accuracy of the current locations of the repeaters to provide the maximum coverage.

The Mobile repeaters are working well the only concern raised was that during cold weather the Pumper is normally returned to the station first to prevent freeze up. This results in the loss of the repeater to the crews left on the scene doing overhaul, investigation or fire watch.

The advantages of a voting repeater system can only be taken when the repeaters are sited correctly. A design signal strength study will identify the optimum locations for repeaters in a similar fashion to the location of Fire Stations.

consultants visited the communications centre and discussed the Fire dispatch with the Police Supervisor.

The consultant was advised that when a fire call occurs a designated communications operator is assigned to the incident. The Computer Aided Dispatch system is provided by Intergraph Systems, the software is both Police and Fire compatible.

During the meetings with the Fire Fighters the radio system was discussed. One of the issues raised was the coverage of the radio system and the occurrences of what was termed dead spots by the Fire Fighters. The current radio system could benefit from a comprehensive review to ensure that the most suitable locations are being used for all of the repeaters on the system and the signal strength meets the 95% coverage required in a fire radio system.

The general consensus appears to be that the mobile repeaters are a positive asset. The location of the repeaters being on the Pumper was raised as an issue as the practice in cold weather is to return the Pumper to the Station at the earliest opportunity to prevent freeze up. The Rescue Truck is normally maintained on the scene mainly for rehabilitation of the Fire Fighters.

The consultants understand the concerns of the Fire Fighters in this regard however the first vehicle on the scene of fires is normally the Pumper in addition with the Rescue being left at the scene the next call may come with it being tied up and the Pumper will respond from the Station.

Several requests were received for more portable handsets on the Trucks for the use of the crews during emergencies.

CHANNELS – ALL VHF PORTABLE RADIOS

ALPHA NUMERIC	NUMERIC EQUILIVENT	DESCRIPTION
FIRE 1	1	Full-Time Division Operational Default
FIRE 2	2	Full-Time Division Tactical Default
FIRE 3	3	Volunteer Division Operational Default
FIRE 4	4	Volunteer Division Tactical Default
FIRE 5	5	Alternate Tactical Channel Both Divisions
OFM	6	Province-Wide OFM Common Channel
ADMIN	7	Station #1 and 2 Business Channel not for emergency use
SIMPLEX	8	Default For VHF Back Up Operations Both Divisions

Communications and Equipment

The following is taken from the Chatham-Kent Fire Department SOG manual and describes the system and hardware used by the Chatham-Kent Fire Department.

The Chatham-Kent Fire Department dual band radio system will operate via a municipal wide 800MHz digitally trunk EDACS radio system. VHF portable handheld radio communications will be enhanced on the fire ground by a vehicular repeater (VR) which rebroadcasts to and from an Orion EDACS mobile radio throughout the EDACS network as well as to the other portables on the same fire ground. 500M EDACS radios are used in all vehicles not requiring a VR.

All in service Pumpers and other selected vehicles carry an on-board mobile vehicular repeater, connected to an Orion model, cab mounted, mobile radio control head. This is the primary vehicle radio. The microphone of this radio will be in a conspicuous location, accessible to both the front seat passenger and driver.

All other in service vehicles, not mobile repeater equipped, carry a cab mounted M500 model mobile radio. This is the primary radio. The microphone of this radio will be installed in a conspicuous location, accessible to both the front seat passenger and the driver.

All in service vehicles will continue to carry the existing VHF radio equipment, presently installed in each vehicle. This is designated as the backup vehicle radio. The microphone of this radio will be installed in a less conspicuous, but available location in the cab of the vehicle. The microphone should be tagged as VHF ONLY on the face, if possible. The "Fire Simplex" channel is the default for all mobile VHF radios in both Divisions. At the same time, all VHF portable/handheld radios should be changed to the "Fire Simplex" channel.

Should there be a catastrophic failure of the 800MHZ / EDACS system, the backup VHF mobile vehicle radio should be powered up and verified that the "Fire Simplex" channel is selected. VHF radios set to Fire Simplex will allow fire ground simplex communications unit-to-unit as well as to and from Dispatch.

Stakeholder Issues

The most often raised issue on communications is that the dispatch and communications is delivered by the Police Department and that there is, in many of the stakeholders opinion, often a delay in getting a response from the communications operators when they are busy with Police radio traffic. The

Recommendations

- 37 It is recommended that a qualified Master Training Facilitator be hired and appointed as the Fire Department Training Officer.
- 38 It is recommended that all training lessons, sessions or practical training be followed by an evaluation or testing of the participants and the results documented and retained in an appropriate retrievable format.
39. It is recommended that all training records be recorded in digital form to enable easier production of statistical data.
40. It is recommended that a training facility be constructed for practical and theoretical training in a central location to allow all members of the Fire Department to use the facility days, evenings and weekends.
 - c. It is further recommended that the facility be constructed in a location that will allow for open burning and smoke generation that will not impact residential, commercial or Industrial buildings.
 - d. It is further recommended that the practical training facility consist of a 4 floor training tower, a fire building with pitched roof, open pit burning area, underground water tank suitable for training on pump operations including drafting and an area for extrication training from crashed vehicles. The main training building should have a minimum of theoretical training classrooms, lockers and washrooms Male and female and office space for the training officer.

streams inside and out of the buildings.

The consultants visited all of the Stations there is no dedicated training space at Stations #1 and Station #2. Station #3 does have a designated training room with a library of technical manuals, books and magazines. Also, most of the volunteer Stations had limited space for training and use the general purpose meeting rooms some of which have limited training aids and the ability to provide suitable learning environments. One Station does not have a training/meeting room and trains in the vehicle storage garage.

There is a need for a training facility to be constructed in Chatham Kent with the appropriate training classrooms, washrooms, open burning and vehicle extrication area, fire training tower and pump drafting pit. The facility would be suited to an area away from residential properties, commercial and manufacturing business and possibly constructed alongside a fire Station in a reasonably centrally located area in order that all of the Stations full time and volunteer may take advantage of the location. The future construction of a new Station #2 should be on a lot that could also be considered for the training facility.

Conclusions

The restructuring of the Fire Department Senior Management Team will impact the current duties and responsibilities of the Assistant Chief and the Senior Captain position. Given that there are some serious concerns being raised around the current training delivery system by the full time Fire Fighters, consideration should be given to a restructured training program delivery system for the CKFD and establishing a qualified Training Officer dedicated to training the full time and volunteer Fire Fighters.

It is incumbent upon employers to ensure that Fire Fighters are trained to safely perform to a defined level of response as determined by the employer. Safety proficiency is a function of training, experience, internal review of performance and ongoing training based on deficiencies identified by internal review. It is clear that the "internal review" is a major part of the training requirement. Documenting the review and testing process is an essential portion of the training obligations expressed under the OHSA. It is also clear that training is mandatory for the safety and proficiency of the services being provided.

The CKFD currently has an Assistant Chief responsible for the Training and Professional Development program. The delivery of the training program for the department is reported to be carried out by the Senior Captains for the full time Fire Fighters and the volunteer Station Chiefs, Assistant Station Chief or appointed Training Officers in the volunteer Stations.

The CKFD has sent firefighters to Lambton College for live fire training this has proved to be very expensive and therefore it was stated by the Assistant Chief in charge of training that this practice will be discontinued.

Training records are essential for ensuring each Fire Fighter receives all of the training necessary for them to perform to the highest level required and a record is maintained of the evaluation or testing following each lesson. The record system in Chatham-Kent is paper based and only records the names of the Fire Fighters who attend the various training sessions there are no records that indicate the teaching and subsequent learning had occurred as no evaluation or testing records are kept.

There are no training facilities in Chatham-Kent for the Fire Fighters to practice the drills and skills necessary for the Fire Fighters. Firefighting professionals agree that live fire training can: Reduce the number of injuries and deaths of firefighters and civilians; Reduce property damage; Increase fire department efficiency and morale; Improve training capability of fire department; Reduce lost time injuries and compensation claims; and, Reduce property loss and business interruption resulting from fire.

A training facility in Chatham-Kent could be used by all of the Fire Fighters particularly during the evening and at the weekends for the volunteers These buildings are used for creating smoke environments for the firefighters to practice rescue techniques, and for ladder training and hose drills to deliver water

The fire training tower is the most recognizable facility that can be seen at training facilities. These buildings are used for creating smoke environments for the firefighters to practice rescue techniques, and for ladder training and hose drills to deliver water streams inside and out of the buildings. The photograph on the left indicates one type of training tower that is multipurpose. The consultants visited all of the Stations there is no dedicated training space at Stations #1 and Station #2. Station #3 does have a designated training room with a library of technical manuals, books and magazines. Also, most of the volunteer Stations had limited space for training and use the general purpose meeting rooms some of which have limited training aids and the ability to provide suitable learning environments. One Station does not have a training/meeting room and trains in the vehicle storage garage.

During the course of the study the consultants were advised that many of the volunteer Stations use local water sources to practice pump operation and drafting exercises. There are no dedicated training facilities for use by all of the Fire Fighters in the municipality.

There is a need for a training facility to be constructed in Chatham Kent with the appropriate training classrooms, washrooms, open burning and vehicle extrication area, fire training tower and pump drafting pit. The facility would be suited to an area away from residential properties and possibly constructed alongside a fire Station in a reasonably centrally located area in order that all of the Stations full time and volunteer may take advantage of the location.

based training of the remaining full time Fire Fighters was delivered through the Senior Captains.

The CKFD currently has an Assistant Chief responsible for the Training and Professional Development program. The delivery of the training program for the department is carried out by the Senior Captains for the full time Fire Fighters and the volunteer Station Chiefs, Assistant Station Chief or appointed Training Officers in the volunteer Stations.

Training Facilities

The value of live fire training is difficult to calculate because it is impossible to put a value on human life. Saving lives and avoiding injury are the primary reasons why fire departments invest in fire training towers and facilities. There is simply no substitute for live firefighting experience under safe, controlled conditions. Firefighting professionals agree that live fire training can: Reduce the number of injuries and deaths of firefighters and civilians; Reduce property damage; Increase fire department efficiency and morale; Improve training capability of fire department; Reduce lost time injuries and compensation claims; and, Reduce property loss and business interruption resulting from fire.



Extrication training, a term used to describe the practice of rescuing trapped victims from vehicles, is often overlooked and is sometimes not even recognized due to the amount of damage that vehicles often receive in a crash. This type of training is essential for Fire Fighters. They must master the use of hydraulic equipment and techniques in order to be able to safely enter a crashed vehicle and successfully extricate the victim.



Open liquid burning is often associated with training facilities for firefighters in the event that they are called to incidents involving major flowing burning liquid fires. The Fire Fighters must be able to master the control of these situations using foam and in some instances using fog water curtains.

Documenting the review and testing process is also an essential portion of the training obligations expressed under the OHSA. It is also clear that training is mandatory for the safety and proficiency of the services being provided.

Firefighters Guidance note 7-3 (28) speaks to the mandatory requirement of keeping accurate and complete documentation of the training that has been delivered. In many instances, in the CKFD, the method documentation of training is via hard copy format. A modern day fire service typically maintains the training records on a suitable software package and is archived accordingly to meet the intent of the OHSA.



During the discussion with the stakeholders the consultants were advised that the CKFD uses the Ontario Fire Marshal's curriculum for training programs; the OFM curriculum utilizes the IFSTA Essentials manual as the base manual for the training. The Ontario Fire Service Standards shown on the left are the base standards used in Ontario.

The full time Fire Fighters indicated that the training program is **not** meeting their needs, they requested a more structured and formal training program that can be delivered on shift. Currently the Senior Captains are charged with delivering the training program to the Fire Fighters.

The Senior Officer responsible for the program provided the consultants with the following information. On the question of what training standard is in use in the CKFD the Assistant Chief indicated that training is conducted at the volunteer Stations and the one composite Station twice monthly. Training is delivered in the Stations and is based on the Ontario Firefighter Curriculum. Administration provides training videos and photocopied curriculum materials for these Stations.

It was further explained that the volunteer Stations have additional training for Defibrillator and CPR/First Aid when required and if available, the CKFD sends firefighters to Lambton College for live fire training. Training records are only available in hard copy with 408 pages for each year of records.

It was further indicated that the full time training program is the Company Officer Program, and the Prevention Officer Program of the Ontario Fire Marshal. It was further indicated that the curriculum

Fire Fighter Training and Education

Chatham Kent Fire Department training program was the subject of much discussion during the various Fire Fighter meetings. The many comments made indicate the need for a new approach and direction for the training program

Training is a very important aspect in maintaining the health and safety of the firefighters. In Ontario, a Section 21 committee exists to provide guidance papers to management and labour on the intent and provisions outlined in the Occupational Health and Safety Act (OHSA).

The committee is supported by:

The Ontario Association of Fire Chiefs;
The Association of Municipalities of Ontario;
The Ontario Professional Firefighters Association;
Firefighters Association of Ontario;
Ministry of Labour;
Ministry of Public Safety and Security; and,
The committee is provided with a secretariat by the Minister of Labour.

The Section 21 committee has produced a guidance manual containing notes and information that is supported by the Ministry of Labour. The purpose of the guidance manual is to outline recommended equipment, work practices and procedures applicable to the prevention of injury or illness to workers in the fire services profession.

Section #7 of the Guidance Manual is dedicated to Training. Guidance note #7-2 (27) Training Requirements states the following:

"The Employer is responsible to provide information, instruction and supervision to a worker to protect the health and safety of the worker.

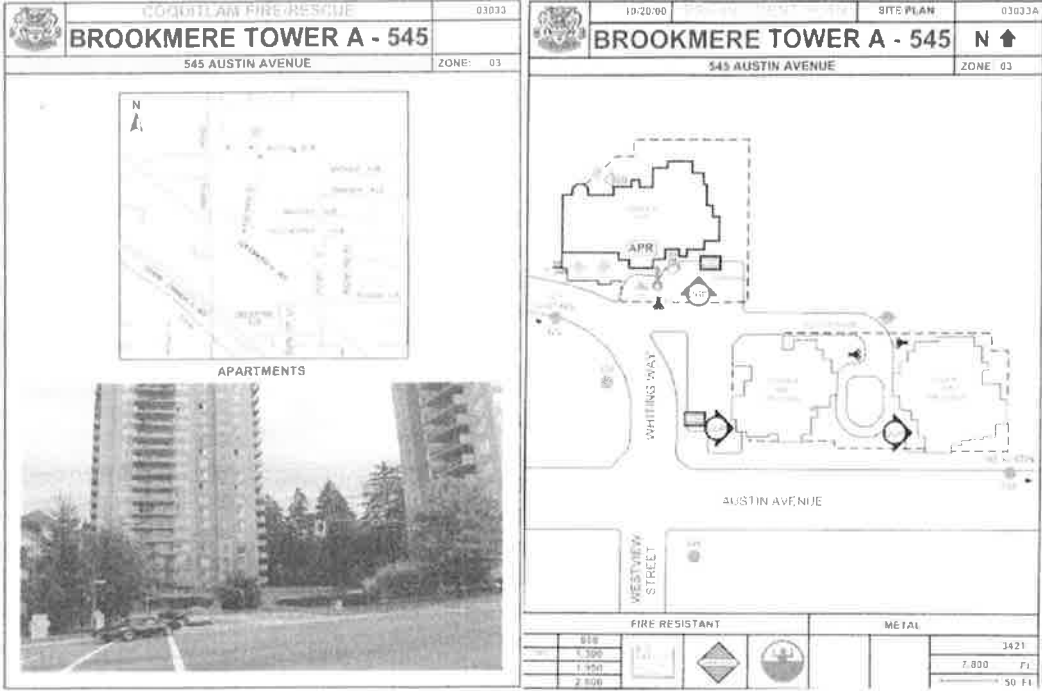
In order to meet the requirements of this section, it is incumbent upon employers to ensure that Fire Fighters are trained to safely perform to a defined level of response as determined by the employer. Safety proficiency is a function of training, experience, internal review of performance and ongoing training based on deficiencies identified by internal review.

It is clear from this description that "internal review" is a major part of the training requirement.

Recommendations

33. It is recommended that a pre-incident planning program be developed using NFPA 1620 “Recommended Practice for Pre-Incident Planning” as a template. All high life risk, institutional properties, large commercial properties, public assembly properties and industrial properties should be pre-planned.
34. It is recommended that the pre-fire plans be prepared by the fire fighters (fulltime and volunteer).
35. It is recommended that training program be implemented to teach the fire fighters how to prepare pre-fire plans.
36. It is recommended that the pre-plans be stored electronically using a “Tough Books” laptop in the emergency vehicles and that printers be provided to print hard copies.

hydrants, fire protection systems, fire department access, hazardous goods, special precautions, structural weakness, concealed risks, and fire fighter safety concerns.



Examples of Pre-Plan Data

Conclusions

The Chatham-Kent Fire Department does not have a formal department wide pre-fire planning program. There are a number of high risk facilities that require pre-plans.

There is extensive information available to the Fire Department for pre-fire plans and water supply systems that is not being utilized.

Due to the size of the municipality it would not be feasible to keep pre-plans in paper form in binders in the vehicles. There are electronic means of storing pre-fire plans that may be more useful to the fire fighting personnel. In the interim, pre-plans could be kept at each property in a Fire Safety Plan/WHMIS Box.

Pre-Fire Planning

The Fire Department does not have a department wide Pre-incident Plan program. Some plans have been prepared by on duty fire crews. The plans include drawings with fire protection and hazard information and are prepared for high life risk facilities, industrial/commercial facilities and high-rises. The Fire Department does not have a Pre-incident Planning policy. Pre-plans have not been prepared for all high life risks or high hazard industrial occupancies.

The plans that have been prepared are kept in paper form on the vehicles. There is no formal pre-planning program for the volunteer areas.

There is extensive information available from the Public Utilities Commission (PUC) through a Geographic Information System (GIS), regarding the water mains and fire hydrants. The GIS data base also contains information on all municipal and private services on the municipal roads. The information is available to the Fire Department, however they have not taken advantage of this opportunity.

Pre-plans provide the fire ground commander with accurate information that he can use to decide on the strategy and tactics for an emergency in a facility. NFPA 1620 “Recommended Practice for Pre-Incident Planning” provides guidance on the preparation of pre-plans. This standard contains information that could be utilized in the development of pre-fire plans.



Truck Mounted Computer for Pre-fire Plans

In a large municipality, pre-fire plans cannot be maintained as paper files in binders in each vehicle. A number of Fire Departments have developed computer based storage systems for their pre-plans utilizing vehicle mounted “Tough Books” laptop computers. The pre-fire plans are loaded into a laptop computer in each fire truck. The Captain can access these plans and can print them out in a printer in the cab ready for use when they arrive at the emergency. The PUC will make all of its data available to the Fire Department however the department must have

lap tops in the vehicles to access the information.

The following are examples of pages from a pre-plan for a high-rise apartment complex. The actual plan is 10 pages. This plan is stored on the lap top computer in the cab shown above. These plans can contain diagrams and photographs of key locations in the facility and information regarding fire hazards, life safety risks, fire alarms, sprinkler systems, standpipe and hose systems, fire department connections, fire

Recommendations

24. It is recommended that an additional Fire Prevention Inspector be added to the Chatham Kent Fire Department in the 2008 budget.
 - a). It is further recommended that the minimum qualifications based upon the Ontario Fire Service Standards for Fire Prevention Officers be required of all applicants for the position.
 - b). It is further recommended that a Certified Building Official under the requirements of the Building Code be considered as a positive asset for the position.
25. It is recommended that a Fire Fighter inspection program be developed and implemented.
 - a). It is further recommended that the Station 1, 2 and 3 Fire Fighters be trained and certified to conduct basic Fire Code inspections.
26. It is recommended that the interested volunteer Fire Fighters receive training and certification to enable them to conduct Fire Code inspections of light industry, commercial and multi-residential properties in their response district.
27. It is recommended that the involvement of the Fire Department in the Building Permit process continue.
28. It is recommended that the department's fire prevention SOG's be updated.
29. It is recommended that the volunteer Fire Fighters continue to receive training in the delivery of fire safety programs and participate in public education events.
30. It is recommended that A Fire Safety Plans Box Bylaw be drafted and presented to Council.
31. It is recommended that Opportunities for fund raising be investigated with public service clubs and community organizations.
32. It is recommended that a Home Fire Safety Program be developed and delivered by the full time and volunteer fire fighting crews.

The hiring of a Public Educator has enhanced the delivery of fire safety education. However a single person cannot deliver all of the required programs. Other members of the department must continue to participate in public education.

The delivery of public education is not using the volunteer Fire Fighters to best advantage. The volunteer Fire Fighters are enthusiastic in providing a public education program, however they do not have public education training and they have limited time since they have personal and employment commitments.

Conclusions

There are a number of deficiencies in the current fire inspection and public education programs provided by the Fire Department. There is not sufficient qualified staff to conduct all of the fire inspection and public education duties.

The existing Fire Prevention staff have not been trained. They have not completed the courses at the Ontario Fire College and have not had training in the enforcement of the Building Code. They have not received any specialized training in hazardous process protection or special extinguishing systems.

A fire inspection program utilizing the on duty Fire Fighters would be a benefit to the department and the public. This would require that the Fire Fighters attend fire prevention training courses. Since these personnel are restricted to operating in the Stations 1, 2 and 3 response areas, their inspections would have to be limited to those area. Prior to amalgamation fire inspections were conducted by members of the volunteer fire departments in their areas. This practice was discontinued. The inclusion of volunteer Fire Fighters in the fire inspection program would pick up some of the work load that the full time staff cannot complete.

The collective agreement restricts the hiring of qualified persons for the position of Fire Inspector, the municipal negotiations team should meet with and discuss methods of ensuring that persons who apply for the position from within the Fire Fighters compliment must have the FPO training and qualification for the position. Once the position has been posted for a set period of time the Fire Chief can then advertise outside of the Fire Department for qualified applicants.

A continued relationship with the Building Department in enforcement of the Building Code has positive benefits. The Fire Department should have input into the construction of new buildings since they will be responsible for responding to fires and other emergencies in these buildings.

Fire Safety Plans, WHMIS information and Pre-Incident Plans may not be available to all crews who may respond to an emergency in a building. A Fire Safety Plan/WHMIS box at each property could fulfill this requirement.

The department does not have complete SOG's for fire prevention and public education. A complete review of the SOG's will enhance the ability of the department to be consistent in the delivery the service to the public.

The department has a set of Standard Operating Guidelines (SOG). These procedures provide operating rules to ensure that all personnel operate in a consistent manner. The SOG's do not cover all fire prevention and public education activities.

There are opportunities to generate revenues for Fire Prevention. Fees may be charged for special requested inspections, fire works permits, fire investigations, file review letters, and the plans review and inspections for new construction under the Building Code.

	Age 9-10 (gr.4-6)	170
	Age 12-13 (gr.7-8)	0
	Age 14-17 (gr.9-12)	1013
	Age 18-35	0
	Age 36-55	85
	Age 56 and over	0
	Various Age Groups	2697

The full time Fire Fighters participate in public education through Station tours and public events. Public education programs in Chatham-Kent are provided by the volunteer Fire Fighters to children visiting the fire Stations and during Fire Prevention Week every October. There does not appear to be any coordinated program between the full time staff and volunteers. The volunteers are not participating in the visits to the Children’s Safety Village. The Fire Fighters, whether full time or volunteer should have an opportunity to attend these presentations. The volunteer participation in public education has been greatly reduced since the introduction of the Public Educator. This may be due to interpretations of provisions in the collective agreement with the full time Fire Fighters. The no contracting out clause of the collective agreement, does not prohibit volunteers from doing any public education programs that they have done in the past. Public education is one of the most effective tools in reducing the incidents of fires and injuries. The introduction of the Public Educator provides the opportunity to develop a coordinated public education program for the municipality.

There is no complete in school program such as “Learn Not To Burn” or “Risk Watch”. These fire safety programs are normally delivered to primary schools. The Children’s Safety Village program is intended to address elementary school students. The Public Educator is developing programs for the students attending the Safety Village. In order to develop a culture of safety it is important to start early in teaching these habits. Another group who would benefit from a fire safety education program is senior citizens. Statistics show us that seniors and children under 10 years of age have a greater risk of death and injury due to fire than the rest of the population.

Volunteer Fire Fighters attend public events to promote fire safety. The Fire Fighters have not received any training in public education and have limited resources for public displays. The department has a fire safety trailer. The trailer was constructed in house. The unit is a semi-trailer and tractor. The vehicle driver must have a class AZ driver’s license. Most Fire Fighters have a Class DZ driver’s license. The trailer was sponsored by a number of groups within the community.

With a coordinated public education program, the department can develop positive partnerships with service clubs and community organizations to financially support the public awareness program capital costs of purchasing demonstration equipment and training materials. The fire safety trailer is an example of this type of cooperation.

Public Education Statistics (January 2002 to November 2006)

Number of Events:		255
	Full-Time Stations	24
	Volunteer Stations	231
Event Number by Age group:		255
	Age 0 -20	127
	Age 20-35	26
	Age 36-55	7
	Age 56 and over	3
	Various Age Groups	89
	Age not given	3
Number of Participants by Age Group:		17382
	Age 0-20	7721
	Age 20-35	458
	Age 36-55	79
	Age 56 and over	630
	Various Age Groups	8494

Records for October 2006:

Number of Events:		66
	Full-Time Stations	31
	Volunteer Stations	21
	Prevention & Pub Ed	14
Event Number by Age group:		66
	Age 0 -5	2
	Age 6-8 (gr.1-3)	35
	Age 9-10 (gr.4-6)	5
	Age 12-13 (gr.7-8)	0
	Age 14-17 (gr.9-12)	9
	Age 18-35	0
	Age 36-55	1
	Age 56 and over	0
	Various Age Groups	14
Number of Participants by Age Group:		5181
	Age 0 -5	38
	Age 6-8 (gr.1-3)	1178

Many municipalities now require property owners to maintain copies of the Fire Safety Plan and WHMIS information in a locked box at the entrance to the building. This ensures that the plan and hazardous materials information is available to any crew that may respond and relieves the department of the responsibility of bringing the Fire Safety Plan or WHMIS information to the building.

NFPA 1620 “Recommended Practice for Pre-Incident Planning” provides guidance in the development of preplanning programs. It is not possible to store paper files on each vehicle for pre-incident plans for every building in the municipality. Preplans can also be stored in a Fire Safety Plan lock box at the building or site main entrance. Some departments have developed computer based preplan files that are kept on “Tough Books” lap top computers in each vehicle. This should be a long term goal of the CKFD.

Section 2 of the FPPA requires that “Every municipality shall establish a program in the municipality which must include public education with respect to fire safety and certain components of fire prevention”. The department has recently hired a person dedicated to public education. Previously these duties were carried out by other personnel.

The Public Educator is currently developing the fire safety program for the Children’s Safety Village. The Educator’s responsibilities include, but are not limited to:

- Develop, coordinate and implement the delivery of a variety of public education programs, including the Chatham-Kent Safety Village, Schools, Seniors’ residences, Businesses and Industries.
- Develop schedules and maintain records in all aspects of public education service delivery.
- Conduct research, collect and analyze data, and produce fire safety statistical reports.
- Assist in maintaining and enhancing the Fire Department’s website as a dynamic source of fire safety information.
- Liaise with department staff, corporate departments, and a wide array of external public safety agencies in order to gather and disseminate information.
- Develop Standard Operating Guidelines (SOG) associated with public education activities.

The annual average number of inspections during this period was 465. At the current rate of inspection, it will take 11.3 years to inspect each building regulated by the Fire Code. It should be noted that there have been very few inspections of industrial properties and that institutional properties (hospitals and nursing homes) are not listed in the statistics. There is a need to add resources to the delivery of the fire inspection program.

The Assistant Chief participates in the new construction projects and conducts reviews for the requirements for fire protection for new construction projects. The Assistant Chief is the only member of the Fire Department who has passed the required qualification examinations for Fire Protection Reviews under the Building Code Act. The Building Code has specific requirements for the provision of fire protection systems including fire department access and an adequate water supply for fire fighting. The Fire Prevention Officer and Fire Inspectors should be trained to carryout the plans review and construction inspections that are the responsibility of the Fire Department.

The current hiring practice to recruit Fire Inspectors from the fulltime Fire Fighter ranks is dictated by the collective agreement. In order to qualify for the position the applicant must be a First Class Fire Fighter. These applicants do not have any specialized training in fire prevention and building inspection. Fire Prevention is a separate discipline from fire fighting. The technical skills required for fire prevention are not learned from being a Fire Fighter. There are specialized college and university courses that an applicant should have passed before being considered for the position of Fire Inspector.

The collective agreement has restrictions on tenure in the Fire Prevention Division. Personnel who transfer into the division have restricted seniority and are locked into the division if they stay longer than 6 months. This situation has created a revolving door transfer system and the department is not able to develop and maintain a competent group of trained staff.

Failure to provide adequate enforcement of the Fire Code and the Building Code has lead to civil actions against many municipalities in Ontario. The best protection against these actions is the proper enforcement of the Fire Code by qualified Fire Prevention Officers and Inspectors.



Fire Safety Plans are submitted to the Fire Department for review and approval. Upon completion of the review the Fire Department must return the plan to the property owner. The owner is required to keep a copy of the Fire Safety Plan on site and available for the Fire Department. In addition to Fire Safety Plans the Workplace Hazardous Materials Information System (WHMIS) regulations of the Occupational Health and Safety Act require that property owners and persons who handle hazardous goods provide the Material Safety Data Sheets (MSDS) to the Fire Department. The Fire Department does not have the ability to maintain current files on the hazardous goods in every occupancy. Often the responding Fire Fighters cannot find

the Fire Safety Plan or WHMIS information.

The common ratio of Fire Inspector to population is one inspector per 15,000 to 20,000 people. Where there are long distances to travel to inspections the ratio tends to the lower number. The Assistant Chief is responsible for the administration of the Fire Prevention and Public Education Division.

Every new building adds to the inspection load of the department. Although the Building Department is no longer involved in a building once it is completed, The Fire Department will conduct regular inspections of these buildings until they are demolished. As the municipality continues to grow the inspection load will increase.

Prior to the amalgamation of Chatham-Kent the City of Chatham had 3 fire prevention staff. The Town of Wallaceburg utilized an operations officer to conduct fire prevention. Each volunteer fire department had the responsibility for fire prevention and public education in its response district. At the time of amalgamation the fire prevention duties were transferred to the full time fire prevention staff. There was no increase in the number of full time fire prevention staff although the work load was doubled. There are a number of volunteers who are prepared to participate in an inspection program. They could be utilized to reduce the work load for the full time staff by conducting inspections of light industry, commercial properties and multi-residential properties in their response district. They would require training since the volunteers have not had any fire prevention training since amalgamation.

There are full time Fire Fighters assigned to Stations 1, 2 and 3. The Fire Fighters have not been trained to conduct fire inspections. The Fire Fighters do not conduct fire inspections. Many fire departments have an in-company inspection program that utilizes on duty fire fighters to conduct inspections of light industry, commercial properties and small multi-residential properties. The full time fire fighters participate in a residential smoke alarm awareness program. There is no home fire safety inspection program.

The current inspection practice is to conduct inspections on a complaint or request basis. There is no regular fire inspection program. The number of inspections that are being conducted do not approach the minimum recommended by the Office of the Fire Marshal. The minimum number of annual inspections required to meet the OFM guidelines is 3971. This does not include re-inspections, follow ups, complaints, requested inspections or prosecutions. The following chart shows the number of inspections that have been conducted during the period January 1, 2002 to November 22, 2006.

Occupancy Classification	Number of Inspections
Not Identified	28
Assembly	683
Business & Personal Service	41
Industrial	54
Mercantile	273
Miscellaneous	1126
Vehicles	3
Total	2275

Group C	(Nursing & Retirement Homes, Hospitals) Residential (Multi-unit Residential/Hotels/Motels)	Annual
Group D	Business & Personal Service (Banks, Offices)	Bi-annual
Group E	Mercantile (Stores, Malls)	Bi-annual
Group F	Industrial (Warehouses, Manufacturing, Processing)	Bi-annual

Chatham-Kent Building Stock (2003)		
Group A	Public Assembly (Schools, Restaurants, Halls, Arenas)	553
Group B	Institutional (Nursing & Retirement Homes, Hospitals)	28
Group C	Residential	
	Single & Semi-detached Houses	32924
	Rooming, Boarding & Lodging	19
	Multi-unit 2-6 units	1040
	Multi-unit Over 7 units	718
	Dual Purpose Dwelling /Business	305
	Mobile Homes	685
	Hotels/Motels	19
	Campground	19
	Institutional Residence	2
	Seasonal	753
Group D	Business & Personal Service (Banks, Offices)	518
Group E	Mercantile (Stores, Malls)	920
Group F	Industrial (Warehouses, Manufacturing, Processing)	1137

The Assistant Chief, Fire Prevention Officer and 2 Fire Inspectors conduct fire inspections as well as the other duties assigned to the division. Some personnel performing fire prevention duties have not attended or passed the fire prevention courses at the Ontario Fire College. They do not have the specialized training in the Building Code that would allow them to qualify with the provincial standards for Building Officials. The number of staff and the number of inspections makes it impossible to complete fire inspections in compliance with the Fire Marshal's recommended schedule.

The Office of the Fire Marshal recommends that the minimum fire prevention program consist of:

- A recognized smoke alarms and home evacuation program.
- Fire inspections on complaint or request.
- A public education program.
- Completion of a Simplified Risk Assessment to determine the risks in the community and the level of fire prevention and emergency response required for the community.

The Fire Department has not completed the Simplified Risk Assessment. A Fire Prevention Effectiveness Model was completed in 2003. The recommendations that were contained in that report were not implemented.

The Fire Code is a regulation under the FPPA and has a number of retroactive requirements for various classes of buildings in Ontario. Part 9 “Retrofit” has established compliance dates that apply to a number of buildings in Chatham-Kent.

The following is a summary of Sections of the Fire Code and the building classifications that are required to comply with the retrofit requirements of the Fire Code. The properties covered by these regulations were required to be in compliance in 1996.

Section	Property Class
9.2	Public Assembly Buildings
9.3	Boarding, Lodging and Rooming Houses
9.4	Health Care Facilities
9.5	Residential Buildings Up To Six Storey
9.6	Residential Buildings Over Six Storey
9.8	Two Unit Residential Occupancies

The fire department has a responsibility under these regulations to ensure that the owners are in compliance and to review and approve certain existing conditions that are allowed under the regulation with the Chief Fire Official’s approval.

The Office of the Fire Marshal has published recommended periods of inspection for certain classes of buildings. Chatham Kent is not meeting the recommended inspection periods.

Building Group	Inspection Frequency
Group A Public Assembly (Schools, Restaurants, Halls, Arenas)	Annual
Group B Institutional	Annual

Fire Prevention and Public Education

The Fire Department is expected to perform a number of fire prevention functions.

The duties include:

- Participation in plans review and site inspections for compliance with the Building code
- Enforcement of the Fire Protection and Prevention Act (FPPA) and related regulations
- Fire inspections
- Retrofit inspections
- Fire investigations
- Business licensing inspections
- Complaints
- Plans review and acceptance of equivalencies under the Fire Code
- Special projects
- Public education
- Data and records maintenance

The Assistant Fire Chief, Fire Prevention Officer and Fire Inspectors are appointed as Assistants to the Fire Marshal under the Fire Protection and Prevention Act. Prior to the creation of the municipality of Chatham-Kent, each of the individual fire departments had a member who was responsible for fire prevention and was appointed as an Assistant to the Fire Marshal. These appointments were not continued after amalgamation.

Section 2. (1) of the Fire Protection and Prevention Act requires that:

2.(1) Every Municipality shall,

- (a) establish a program in the municipality which must include public education with respect to fire safety and certain components of fire prevention, and*
- (b) provide such other fire protection services as it determines may be necessary in accordance with its needs and circumstances.*

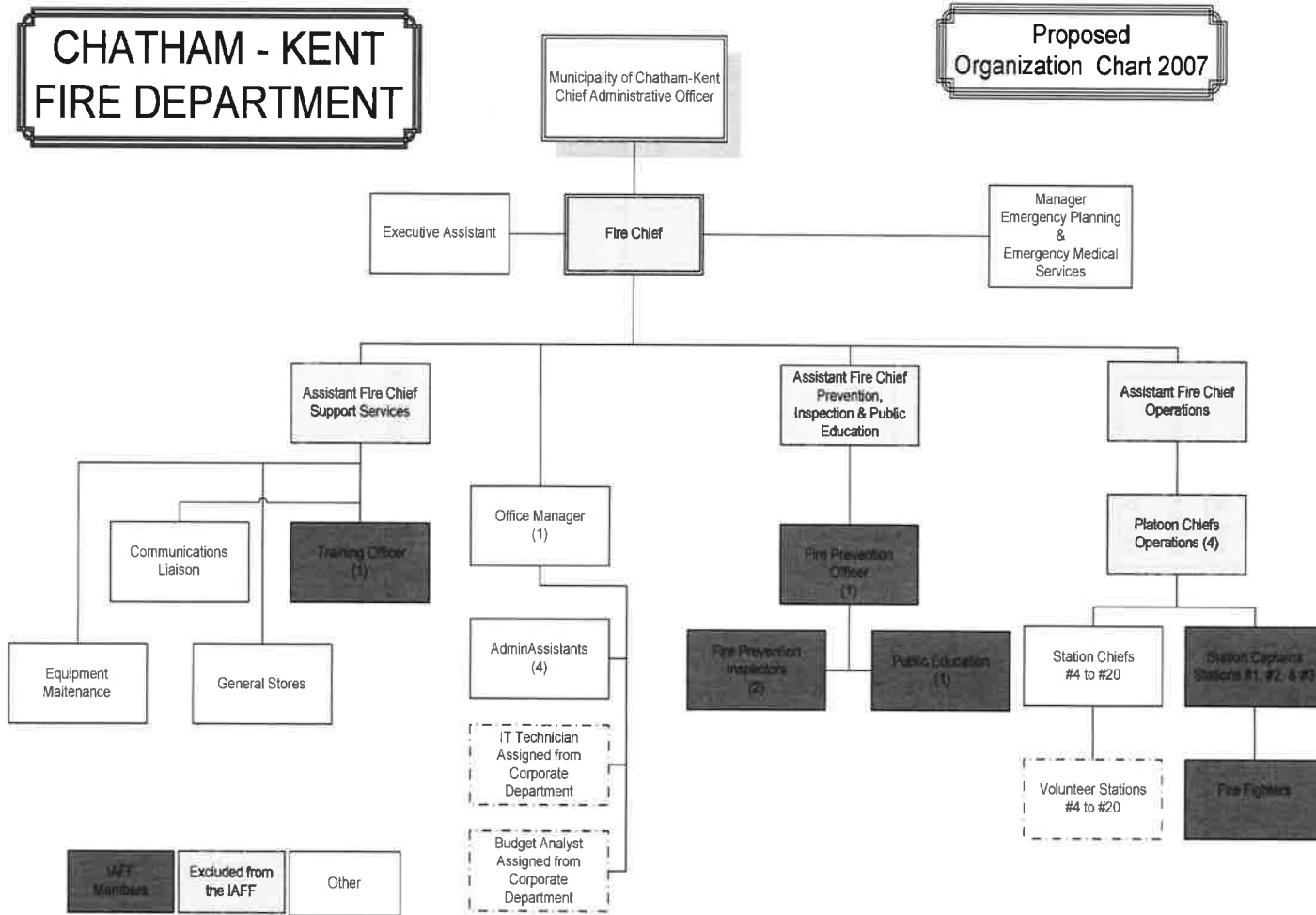
The provision of fire prevention and public education is mandatory under the FPPA. The provision of an inspection program is dependant on the needs of the community. The property owner is responsible for ensuring that the property is in compliance with the Fire Code, however the Fire Department has authority and responsibility to ensure that the owner complies with the Fire Code.

23. It is recommended that the following rank markings be adopted by the Fire Department:

RANK	CREST	STRIPING	BUTTONS	CAP	EXPANSION BAND	EPAULETTES
Fire Chief	Gold	Gold – 5 stripes	Gold	Officer – double row stars	Gold	Gold – 5 stripes
Assistant Fire Chief	Gold	Gold – 4 stripes	Gold	Officer – single row stars	Gold	Gold – 4 stripes
Platoon Chief	Gold	Gold – 3 stripes	Gold	Officer	Gold	Gold – 3 stripes
Station Chief	Gold	Gold – 2 stripes	Gold	Officer	Gold	Gold – 2 stripes
Captain	Gold	Gold – 1 stripe	Gold	Officer	Gold	Gold – 1 stripe
Acting Captain	Silver	Silver – 1 stripe <i>(CAFC style)</i>	Silver	Firefighter	Black Band	Silver – 1 stripe <i>(CAFC style)</i>
Firefighter	Silver		Silver	Firefighter	Black Band	
Fire Prevention Officer	Gold	Gold – 1 stripe	Gold	Officer	Gold	Gold – 1 stripe
Fire Inspector	Gold		Gold	Officer	Gold	
Public Education Officer	Gold		Gold	Officer	Gold	

Note: the full time and volunteer sector differences are merged into one rank structure. The Deputy Station Chief wears the rank of Captain.

Chatham-Kent Fire Master Plan and Station Location Study



Recommendations

14. It is recommended that four Platoon Chiefs be added to the Station #1 compliment and that the position of Senior Captain be reclassified to Captain effective January 2008.
15. It is recommended that four Fire Fighters be added to the Station #2 compliment effective January 2009.
16. It is recommended that four Fire Fighters be added to the Station #2 compliment effective January 2010.
17. It is recommended the Emergency Management Program be assigned to the Fire Department
18. It is recommended that the EMS Manager and program be assigned to the Fire Chief
19. It is recommended that a position of Office Manager be established in the Fire Department effective January 2008
20. It is recommended that two (2) new clerical administrative positions be approved for the Fire Department, one to be assigned to the Training Division duties and the second one to be assigned to the Fire Prevention Division duties.
21. It is recommended that in accordance with the Fire Prevention and Protection Act the Fire Chief report to the Chief Administrative Officer (CAO) for all administrative matters and directly to Council for all matters of public safety.
22. It is recommended that the following organization chart be adopted by Council for the Fire Department

The Assistant Chiefs work a five day week and respond to emergencies when needed, an on duty excluded Platoon Chief would provide the volunteer Chiefs access to the senior management 24/7 and it is one of the areas that was identified by many of the stakeholders as being in need of improved communications between the volunteers and senior management.

The FPPA provides the various processes by which managers may be excluded from belonging to unions. Currently there are four uniformed positions excluded from the CKPFFA as stated earlier they are the Fire Chief and three Assistants Fire Chief Positions.

Concerns have been expressed by the stakeholders that the full time and volunteer ranks have different rank markings that are not consistent with the Canadian and Ontario rank structures. For example the rank of Captain should be the same in both full time and volunteer sectors and Station Chiefs have crew Captains reporting to them the Station Chiefs should not be at the rank of Captain.

Conclusions

The four positions excluded from the International Association of Fire Fighters are, the Fire Chief and three Assistant Chiefs. There are only four excluded managers of the CKFD staff all other full time staff are members of the Fire Fighters Union. The FPPA provides for additional exclusions from the Union to enable a management team to be formed.

The administrative support staff of the Fire Department is not sufficient to deal with the day to day routine general administration and in particular the additional training data entry and the Fire Prevention administrative responsibilities this plan envisions. Currently the senior officers and Fire Prevention Inspectors carry out routine data input that should be undertaken by a lower paid clerical position. Freeing the senior officers to concentrate more on the management needs of the department and allowing the Fire Inspectors more time to carry out inspections instead of doing these routine clerical duties will improve the inspection service level and quality of the delivery service through improved supervision.

When the CKFD administration support group is directly compared with other corporate departments, it is clear that there is a shortfall in the assigned excluded staff to achieve all of the requirements of administering a more than 413 full time and part time employee department.

In some Ontario municipalities the concept of assigning staff from other corporate departments has provided the necessary support and maintained an excellent liaison with the corporate department. For example the assignment of a Budget Analyst Person to the Fire Department from the Finance Department can assist both departments in ensuring the budget is prepared along corporate guidelines and is monitored accordingly, the assigned person would also ensure that the financial accounting and records are maintained accordingly.

In a union environment the CKFD requires sufficient excluded members from the Chatham-Kent Professional Fire Fighters Association (CKPFFA) to allow for meaningful management and representation of the City on a 24 hour basis. Currently the most senior officer on duty at all times is a member of the CKPFFA (Senior Captain). The question is who represents the City when issues arise that require budget implications such as overtime or discipline action must be taken or a corporate decision that may be contrary to the CKPFFA position or philosophy must be made?

An on duty excluded manager will provide a valuable communications contact for all of the various levels of officers, full time Captains and volunteer Station Chiefs. The volunteer Station Chiefs report through the Assistant Chiefs to the Fire Chief, they must continue to report to an excluded officer position.

Fire Advisory Committee

The Fire Advisory Committee is appointed by Council and provides information and advice to the Fire Chief in regards to community fire safety, including public education, fire prevention, and feedback and input on local issues relevant to Fire Service. This committee is intended to improve communication between the public and the Municipality.

Fire Advisory Committee	
Council Recommended Committee Structure:	6 Council Representatives Fire Chief
Term:	3 Years
Current Appointees	
Representatives of Council (6)	Councilor Frank Vercouteren Councilor Joe Faas Councilor Sheldon Parsons Councilor Jim Brown Councilor Steve Pickard Councilor Brian King
Fire Chief	Chief Bob Crawford

The Advisory committee appears to be a satisfactory mechanism for the Fire Chief to provide and receive information from the elected officials. In recent months due to the absence of the CAO the Fire Chief has been reporting directly to the Acting CAO for all of his day to day operations this appeared to work well and it is the appropriate level for the Fire Chief to report to for administration purposes.

habiting the Fire and EMS in additional Stations a fact that can be coordinated by the Fire Administration in the future.

The assignment of the fire protection and fire prevention services in the Municipality are delegated to the Fire Chief from the Municipal Council by way of a By-Law. The Fire Chief carries out these responsibilities through the authority of the Fire Protection and Prevention Act, The Ontario Fire Code, Ontario Fire Marshal's guidelines, Occupation Health and Safety Act, other applicable legislation and local By-Laws as well as any policy directives provided by the Municipal Council. Deployment of resources is the responsibility of the Fire Chief or his designate.

The Fire Chief is appointed under the authority of the Fire Protection and Prevention Act,

PART

II

RESPONSIBILITY FOR FIRE PROTECTION SERVICES

- 6. (1) If a fire department is established for the whole or a part of a municipality or for more than one municipality, the council of the municipality or the councils of the municipalities, as the case may be, shall appoint a fire chief for the fire department.*
- (2) The council of a municipality or the councils of two or more municipalities may appoint one fire chief for two or more fire departments.*

Responsibility to council

- (3) A fire chief is the person who is ultimately responsible to the council of a municipality that appointed him or her for the delivery of fire protection services.*

In practice, the application of this Act has seen Fire Chiefs reporting through various management organizations. In fact many of the Fire Chiefs across Ontario report through a Chief Administrative Officer (CAO) for all administrative matters and directly to municipal council for public safety issues and budget issues effecting public safety.

There are several options to be considered for a new organization to provide additional support for the Administration and provide additional excluded positions. Excluded positions will require negotiations with the Fire Fighters Association.

One of the options would be to do nothing and retain the current organization and remain status quo. Another would be to reorganize the Fire Department and introduce new duties and responsibilities to the Chief Officers. Provide an on duty excluded senior officer who can represent the municipality and provide a larger degree of management 24/7 to the full time and part time (volunteer) force. There is always an option of providing the financial and administration support from corporate departments assigning the staff to the CKFD.

While the options of status quo will provide financial advantages and administrative challenges it appears that the status quo is the least likely option for the future of the CKFD.

The consultants received opinions and concerns from stakeholders on the reporting mechanism for the Fire Chief. The Fire Chief commands and administers a large department in the municipality with a high budget and number of full time and part time employees. The department reaches into every urban community in the Municipality and occupies a large inventory of buildings and operates a large fleet of vehicles.

The Emergency Management Program and the Emergency Medical Service (EMS) contracts once formed a portion of the Fire Chief's responsibilities as they both fit well with the Fire Department. These responsibilities were moved out of the Fire Chiefs budget and we have been advised that the rationale for that change was to ensure the Fire Chiefs salary level was held at a predetermined level by the person responsible for that aspect of the employees salaries and benefits. The consultants were advised that the change was made during a time of job evaluation and was carried out at that time.

This decision appears to have been made from a fiscal point and not from consideration of the services being delivered to the public, no attempt appears to have been made to assess what impact this move would make to the delivery of the emergency management program in particular as the current Fire Chiefs background is very strong in the emergency management field from his former position with the Toronto Fire Services as the emergency management coordinator. A fact that can only bring a level of expertise to the Emergency Management Program that appears to have been overlooked or caused some salary concern at the time of the job evaluation process.

The EMS program is a contractual agreement between the municipality and the company delivering the service the Fire Chief was and is well qualified to monitor this program particularly as the Thamesville fire Station is currently housing an Ambulance. There are also opportunities being considered for co-

a confidential capacity in matters relating to labour relations, and its decision is final and conclusive for all purposes.

Same

(3) Subject to subsection (4), a person shall remain in the bargaining unit until the Board makes a determination under subsection (2), unless the parties otherwise agree.

Designation

(4) Subject to subsections (5) and (8), an employer may, in its sole discretion, designate a person described in subsection (1) as a person who shall for purposes of this Act be conclusively deemed to be exercising managerial functions or acting in a confidential capacity in matters relating to labour relations.

Consent required

(5) An employer shall not designate a person under subsection (4) unless the person consents to the designation.

If no consent

(6) If a person does not consent to a designation under subsection (4), the employer shall assign the person to a position in the bargaining unit. If the position to which a person is assigned has a lower salary than the position held by the person before the assignment, he or she is entitled to be paid the same salary and to receive the same benefits after the assignment as he or she was paid and received before the assignment.

Revocation

(7) A designation under subsection (4) may be revoked by the employer at any time.

Restriction

(8) An employer shall not designate under subsection (4) more than,

(a) two persons, if the employer employs fewer than 25 persons;

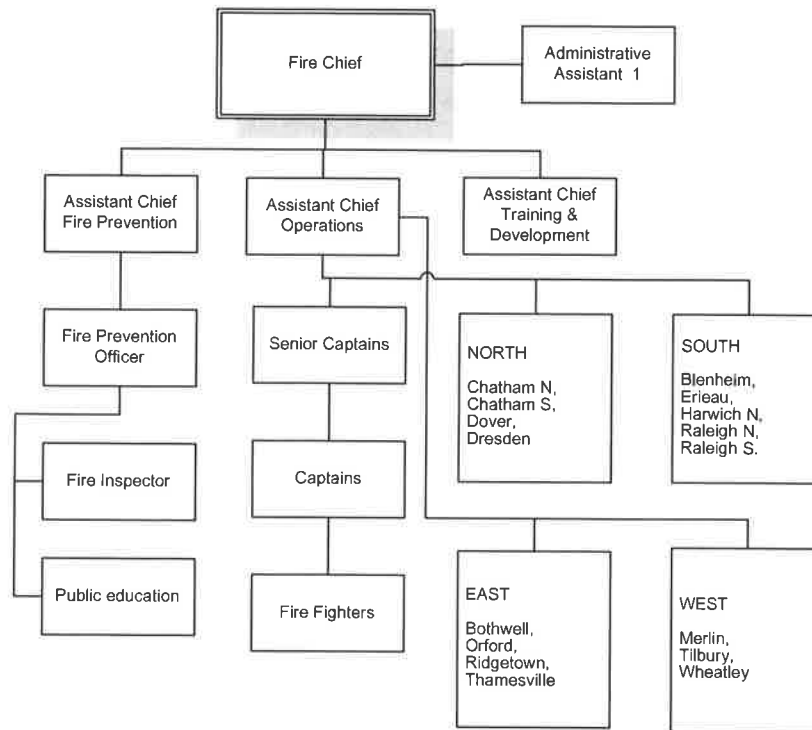
(b) three persons, if the employer employs 25 or more but fewer than 150 persons;

(c) four persons, if the employer employs 150 or more but fewer than 300 persons;

(d) five persons, if the employer employs 300 or more persons. 1997, c. 4, s. 54 (1-8).

This provides the various processes by which Managers may be excluded from belonging to unions. Currently there are four uniformed positions excluded from the CKPFFA as stated earlier they are the Fire Chief and three Assistants Fire Chief Positions.

The current organization chart is indicated below.



Fire Protection and Prevention Act, 1997

Part 9. States the following

54. (1) *An employer may assign a person employed by it to a position which, in the opinion of the employer, involves the exercise of managerial functions or employment in a confidential capacity in matters relating to labour relations, but, subject to subsection (4), the assignment is not conclusive of the question of whether the person does exercise such functions or is employed in such capacity.*

Board to decide status

(2) *Subject to subsection (4), the Board, on application of an employer, has exclusive jurisdiction to determine any question as to whether a person exercises managerial functions or is employed in*

Currently the rank structure is as follows.

Full Time Sector

RANK	CREST	STRIPING	BUTTONS	CAP	EXPANSION BAND	EPAULETTES
Fire Chief	Gold	Gold – 5 stripes	Gold	Officer – double row stars	Gold	Gold – 5 stripes
Assistant Fire Chief	Gold	Gold – 4 stripes	Gold	Officer – single row stars	Gold	Gold – 4 stripes
Senior Captain	Gold	Gold – 3 stripes	Gold	Officer	Gold	Gold – 3 stripes
Captain	Gold	Gold – 2 stripes	Gold	Officer	Gold	Gold – 2 stripes
Acting Captain	Silver	Silver – 1 stripe <i>(CAFC style)</i>	Silver	Firefighter	Black Band	Silver – 1 stripe <i>(CAFC style)</i>
Firefighter	Silver		Silver	Firefighter	Black Band	
Fire Prevention Officer	Gold	Gold – 2 stripes	Gold	Officer	Gold	Gold – 2 stripes
Fire Inspector	Gold		Gold	Officer	Gold	
Public Education Officer	Gold		Gold	Officer	Gold	

Volunteer Sector

RANK	CREST	STRIPING	BUTTONS	CAP	EXPANSION BAND	EPAULETTES
Station Chief	Gold	Gold – 2 stripes	Gold	Officer	Gold	Gold – 2 stripes
Deputy Station Chief	Gold	Gold – 1 stripe	Gold	Officer	Gold	Gold – 1 stripe
Captain	Silver	Silver – 2 stripes <i>(CAFC style)</i>	Silver	Firefighter	Silver	Silver – 2 stripes <i>(CAFC style)</i>
Firefighter	Silver		Silver	Firefighter	Black Band	

In a union environment the CKFD requires sufficient excluded members from the Chatham-Kent Professional Fire Fighters Association (CKPFFA) to allow for meaningful management and representation of the City on a 24 hour basis. Currently the most senior officer on duty at all times is a member of the CKPFFA (Senior Captain). The question is who represents the City when issues arise that require a corporate decision that may be contrary to the CKPFFA position or philosophy?

A middle Management position that is used in the Fire Service across Ontario is the Platoon Chief. This position is assigned to a shift and is the on duty commander and corporate representative for all employees and public enquiries or issues. The position holds the rank directly below the Deputy Chief and reports to the Deputy. This being a shift position and there being four shifts four new positions must be created to provide twenty four hour seven days a week representation. In addition to representing management the position becomes the liaison and command position on duty between the full time and volunteer members.

This being an excluded position from the IAFF also takes command of all major incidents that occur within the municipality in the Urban or Rural areas. A position of this kind will also serve to provide a valuable communications contact for all of the various levels of management, full time members and volunteer members. This is one of the areas that was identified by many of the stakeholders as being in need of improved communications between the volunteers and senior management.

The Fire Protection and Prevention Act (1997) provides for the exclusion of management positions from the union. Several other cities have taken the initiative and either achieved the exclusions in arbitration or negotiated the exclusions with the association during collective agreement bargaining.

The rank structure of a Fire Department is a very important organization structural requirement, similar to the armed forces and the Police Departments the ranks of the officers determine the responsibilities and are instant recognition factors for Fire Fighters and other emergency workers on the Stations and on the site of an emergency incident.

There are two basic standards used in Ontario, the Canadian Association of Fire Chiefs and the Ontario Association of Fire Chiefs have similar standards the difference being in the width of the braid used on the dress uniforms. The ranks and rank markings for the Chatham-Kent Fire Department need to be restructured to include the rank of Platoon Chief and recognize the level of responsibility for the ranks.

Concerns have been expressed by the stakeholders that the full time and volunteer ranks have different rank markings that are not consistent with the Canadian and Ontario rank structures. For example the rank of Captain should be the same in both full time and volunteer sectors and Station Chiefs should be a higher rank than a crew Captain.

example the assignment of a Budget Analyst Person to the Fire Department from the Finance Department can assist both departments in ensuring the budget is monitored and the financial accounting and records are maintained accordingly.

The Budget Analyst would continue to report to the Finance Department for policy direction yet reside within the Fire HQ office area and accept day to day direction from the Office Manager of the Fire Department. This assignment will also assist both departments during the annual budget process as the Analyst would take an active role in the preparation of the annual FD budget.

Another area of support that can be provided from corporate departments is in the area of Information Technology (I.T.). The Fire Department is in need of considerable support in this area in the form of training and establishing or joining the municipal local area network (LAN). As well as providing technical support for the hardware currently assigned to the Fire Department.

In the technical area of administration it has been identified by the stakeholders that corporate training in the area of computer skills need to be applied to CKFD. The clerical staff is reasonably competent in the areas that they work in while it is reported that the operational Officers and Firefighters are not provided with sufficient training or hardware to make them proficient.

The solution to this issue is as simple as a corporate training program designed for shift workers that can upgrade the Station Chiefs and Assistant Station Chiefs as well as the full time Captains. The longer term solution is that a program be designed to train future Captains and Acting Captains in the skills needed.

1	Fire Chief (Ft)	47	Captains (Pt)
2	Assistant Fire Chiefs (Ft)	48	Fire Fighters (Ft)
1	Assistant Chief FPO (Ft)	263	Fire Fighters (Pt)
16	Station Chiefs (Pt)	2	Fire Inspectors
16	Assistant Station Chiefs (Pt)	1	Public Education Officer
1	Fire Prevention Officer (Ft)	1	Administrative Assistant 1
4	Senior Captains (Ft)	1	Administrative Assistant 11
8	Captains (Ft)	1	Administrative Assistant 111
<p>Note: Ft= Full time Pt= Part time (volunteer) TOTAL = 413</p>			

volunteer must be registered and the individual time recorded for the call for the points system.

In addition there are the training records and documentation required under the Occupational Health and Safety Act and the Section 21 Committee guidelines. These documents often become the basis for determining the workers compensation obligations and payments. They also serve to provide protection for the municipality in the event of a claim or charge being filed against the city for negligence of the Fire Department employees.

The increased data entry needs of the training program will increase the workload of the administration group the addition of a clerical entry clerk assigned to the Training Division will relieve the other clerks of the additional work.

Purchasing and maintaining the equipment all requires the appropriate correspondence and records management. Maintaining the daily consumables for the 19 Stations and the HQ requires ordering materials and equipment and organizing deliveries and requests from the Stations.

The Fire Prevention Inspection program is responsible for maintaining records of every inspection and complaint acted upon by the Fire Inspectors. The clerical duties in Fire Prevention and Inspection are achieved through a combination of the administrative assistants and the Fire Inspectors, the Inspectors would be more appropriately occupied carrying out the inspections than carrying out basic administrative duties and maintaining administrative records. A new clerical position assigned to the Fire Prevention Division will resolve the shortfall and allow more time for the Inspectors to carry out inspections.

Advisory, legal, operational or explanatory corporate reports and the annual budget process also fall on the administrative group of the Fire Department. Similar reports that are some times required or requested by the Council, and responses to enquires from the politicians, corporate staff and the public increases the workload. Dealing with the Fire Fighters Association is an added administrative load for dealing with employee issues, grievance procedures and negotiations. The local executive of the CKPFFA is very active and impacts the administrative workload of the Fire Department.

The management and coordination of the office and the administration of the Fire Department falls directly under the Fire Chief. The day to day supervision has generally been delegated to the Administrative Assistant 1 position, reporting directly to the Fire Chief. There is a need to separate the position of Office Supervisor from the Executive Assistant role of the Administrative Assistant 1 position, particularly in light of the apparent need for additional clerical staff and/or assigned staff from other corporate departments.

In some Ontario municipalities the concept of assigning staff from other corporate departments has provided the necessary support and maintained an excellent liaison with the corporate department. For

Responsiveness & Adaptiveness

- An ability to problem-solve and respond to events which do not fit the mold.
- Feedback that authentically challenges conventional wisdom.

Entrepreneurship

- Proactively identifying the needs of customers and stakeholders, and finding ways to respond.
- People look for and the organization prizes initiatives and experiments that uncover better ways to improve results.

Teamwork & Communications

- People throughout the organization have a common sense of goals in concrete terms.
- People understand their personal accountability for results as a team member, but care about and have pride in the success of their team.
- Cooperation exists both horizontally and vertically

Making organizations more effective also lies in clarifying roles and relationships and improving management processes and practices. The effectiveness of any organization depends on how well roles are designed, how clearly and appropriately relationships are developed, and how well practices for planning, decision-making and communication are established.

In the Administration area of the CKFD there is a need to address the administrative workload and the number of administrative Assistants or clerical support assigned to the Fire Department. Currently the department has three Administrative assistants for a staff of 410 full time and part time staff.

The administrative support staff is not sufficient to deal with the day to day routine administration and the Fire Prevention administrative responsibilities. Currently the senior officers and Fire Prevention Inspectors carry out routine data input that should be undertaken by a lower paid clerical position. Freeing the senior officers to concentrate more on the management needs of the department and allowing the Fire Inspectors more time to carry out inspections instead of doing these routine clerical duties will improve the inspection service level and quality of the delivery service through improved supervision.

The workload of the administration includes considerable amounts of data entry and maintenance of records and reports required by the Ontario Fire Marshal (OFM). Every emergency incident requires a report to be completed and submitted to the OFM in addition depending upon the type of call or incident investigations reports and supplementary statements may be required. Each call involves overtime for the full time and the necessary documents and records, for the volunteers every call means that each

Administration and Organization

Management Team

The Supervisory requirements of the Chatham Kent Fire Department (CKFD), particularly the health and safety issues, are suitably covered by the unionized and volunteer Captains and volunteer Station Chiefs. The roles and responsibilities of all Officers appears to be focused on handling day to day fire and rescue services operational matters, scheduling of staff and staff safety and providing support to the staff reporting to them.

With the day to day operations and management functions there appears to be little time for the management team of four full time executive Officers to be able to focus on other aspects of management responsibilities such as coaching, managing performance, succession planning, discipline, managing finances and/or resources, policy and planning, program and service development, information and data management, evaluation or measurement of results of services and programs.

The four uniformed positions excluded from the International Association of Fire Fighters are, the Fire Chief and three Assistant Chiefs. The duties and responsibilities of managing a large municipal department is the priority of the Fire Department senior management team, their ability to become involved in corporate committees or programs outside of the emergency delivery system is limited..

The CKFD Executive duties and responsibilities include amongst others, a comprehensive budget process and high level financial management. They prepare detailed financial reports through out the process. In addition they must prepare and present all reports and fulfill requests of Council and the executive staff of the City when called to do so.

When the CKFD administration support group is directly compared with other corporate departments, it is clear that there is a shortfall in the assigned excluded staff to achieve all of the requirements of administering a more than 413 full time and part time employee department.

Organizational Best Practices

The following is a list of best practices of well-managed organizations:

The Organization is Focused on Performance of Key Results

- A focus and common direction on meeting the community's needs.
- A consistent understanding of its results in concrete, measurable terms.
- An ability to set priorities and follow through

Productivity

- A continuous search and assessment of whether activities and resources add value in terms of customer-oriented service results.
- Economical acquisition and use of resources.
- Constant attention to putting sufficient resources into areas yielding high paybacks.

10. It is recommended that the Fire Department establish a task force to survey the Municipality and establish a list of special life and property risks that require the response of more than one Station. Upon completing the list the task force will develop a response protocol outlining the number and types of vehicles and Fire Fighters to be responded for the communications to use when an alarm or emergency is announced for that building or property.
11. It is recommended that the Fire Department establish a task force of volunteer members to evaluate the platooning of Fire Fighters for Rural and Urban responses, EMS responses, and any other forms of platooning that may be used by the volunteers across the Municipality. The task force should make a recommendation to the Fire Chief on the task force findings.
12. It is recommended that the Municipality establish a task force of stakeholders to evaluate the specialty rescue teams and meet with representatives of the Canadian Coast Guard and other stakeholders to determine the level of rescue services the municipality should be delivering to the residents.
 - a. The task force should evaluate the High Angle Rescue team value to the Municipality, and
 - b. Evaluate the Dive Team and it's necessity for rescue purposes in the municipality, and
 - c. Shore based and off shore water and ice rescue and determine the level of service in the Municipality, and
 - d. The task force should consider the value of establishing a Haz-Mat team in the Fire Department to be trained and equipped to the operations level of NFPA 472.
 - e. The task force will make recommendation to the Council for their consideration in establishing the level of rescue services for the Municipality.
13. It is recommended that the Tiered response program be revisited to include the concept of response of the Fire Department when it is known that the Ambulance can arrive on scene before the full time Stations (within 8 minutes) and the volunteer Stations (within 12 minutes) of the call for emergency Medical Assistance.

Recommendations

6. It is recommended that the municipality introduce a false alarm by-law that provides for fines after three responses to any one location within a year. The by-law should also provide for the Fire Chief to refund a portion of the fine if the building owner takes actions to reduce the number of false alarms. Such as providing proof of performing maintenance or providing some form of security to prevent abuse of the alarm system.
 - a. It is further recommended that the false alarm statistics be analysed to determine the most frequent locations of these types of calls and appropriate action be taken to reduce the numbers of calls to that address.
7. It is recommended that the negotiating team of the Municipality and the Fire Fighters executive meet to discuss the changes needed to the collective agreement and the Letter of Understanding to give priority to public safety in the municipality. In particular remove any perceived or actual restrictions of the volunteers that may be in or attached to the collective agreement that prevents them from responding into the Station #1, #2 and #3 areas on the first, second or third alarm and remove the restrictions on the volunteers to drive and/or operate equipment to the scene and during emergency incidents.
 - a. It is further recommended that in the event of a stalemate in the discussions the matter should be processed through the grievance/arbitration procedures to a third party.
 - b. It is further recommended that a Fire Department policy be established immediately in Station #3 to respond the Wallaceburg volunteer Fire Fighters on all first alarms excluding EMS calls.
8. It is recommended that the full time compliment of Fire Fighters in the Station #1 and Station #2 response zones be increased to provide a minimum of a combined Station total of 10 Fire Fighters including officers 24/7 to respond to all first alarms excluding EMS and vehicle fires.
9. It is recommended that for all areas of the municipality that are not serviced with hydrants, the first alarm to reported fires other than vehicle accidents/fires, should include the primary Station plus a Tanker with a minimum of two Fire Fighters from the adjacent Station for a back up water supply.

America).

CKFD has a qualified High Angle Rescue Team in the volunteer sector the team was trained and equipped prior to amalgamation. The team is underutilized by the Fire Department partly for the reasons that there are not a lot of emergency calls requiring the service and secondly it has not been a practice of the other Stations to call upon the team. The question to be asked is, is there a need in the municipality for a High Angle Rescue Team. Once this question is answered then the best method of delivering the service can be determined.

Tiered response to EMS calls is a service level that receives many comments during the gathering of facts and issues from the stakeholders. The question of when should the Fire Department be called to respond to EMS calls is the most often raised question. The response protocol is currently being revisited it would be a convenient time to consider the need for tiered response when the EMS can respond within the 8 minute response time of the full time Stations and 12 minutes of the volunteer Stations.

only restricting the involvement of the full time Stations outside of their Station areas. Any form of protectionism practiced by either the full time or volunteer staff that has a negative impact on public safety must be eliminated. Chatham-Kent fire trucks must be able to respond to any part of the municipality on first response if required or to support the next closest Station regardless of the full time or volunteer nature of the Fire Fighters or the former political boundaries of that Station.

There is a response protocol that is practiced in a volunteer Station (former Fire Department) area referred to as platooning of the Fire Fighters to respond to different areas within the boundaries of the Station. The rationale for this practice has evolved from the former County and urban areas and the consultant has been advised this concept appeared to work well prior to amalgamation.

The Platooning is the separation of the Fire Fighters on the Station to either County response or Urban response, in the event of an emergency half of the Fire Fighters would be called for County and the other half called when an incident occurs in the urban area of the former Town. However the level of service in Chatham-Kent must be delivered to all of the residents of the municipality in a consistent and efficient manner, having several methods of response and delivery systems is not compatible with that concept.

Water rescue and the delivery of the service is not consistent across the municipality. The delivery of rescue services should be the same in all areas of the municipality there should be no area that receives a different level of service than another part of the municipality, either it's provided municipal wide or it should not be provided at all. The question of where and how water and Ice Rescue is to be performed in Chatham-Kent needs to be discussed in conjunction with the Canadian Coast Guard and determined as to the level of service to be provided and the type of service to be provided by the municipality.

There are a number of industrial and agricultural sites that handle hazardous materials across the municipality. The practice of the Fire Department is to respond to the incidents and isolate the public from the product or problem. The Fire Fighters are not trained to deal with Hazardous materials. The City of Windsor operates a Provincial Chemical, Biological, Radiation, Nuclear, Explosives (CBRNE) team. This team will respond to chemical emergencies in Chatham-Kent under the Provincial Emergency Response Plans.

There is a Hazardous Materials Squad vehicle located at Station #1 but there are no qualified Haz-Mat operators trained by the CKFD. The level of training given in the municipality to the Fire Fighters is what is known as "Awareness Level" the most basic level of training under NFPA 472, (the standard used for Hazardous Materials across North

Conclusions

The statistical analysis indicates that EMS and False Alarms are the most frequent causes of emergency alarms in the municipality. Both of these statistics can be impacted in a positive way with progressive actions by the Fire Department and the municipality. A false alarm by-law has proved to be successful in other municipalities the by-law concept should be to reduce the number of false alarms not to be just a punitive method of dealing with the troublesome alarms.

The statistical analysis indicates that the response is achieved within the ten minute guideline across the municipality 90% of the time, however the Fire Department is not in compliance with the Fire Marshal's guideline for the urban portion of the former municipality due to there being only 8 FF responding on the first alarm in the Station #1 & #2 response zones.

In the case of Station #3 (Wallaceburg) the first alarm is 1 fire truck with a crew of 4 Fire Fighters, which falls far below the 10 & 10 guideline. The stakeholders were inconsistent with what actions take place next once the full time Captain arrives on the scene and determines additional support is needed. In the volunteer Stations there are occasions when the number of responding Fire Fighters falls far below the OFM guideline particularly during the working week day time hours.

The concept of closest and/or fastest truck **has not** been practiced in Chatham-Kent in all of the response areas. Neither has the concept of two or more Stations response to high life, property or hazardous materials incidents. It was noted that a two Station response does occur in the Station #1 & #2 areas however only a maximum of 8 Fire Fighters respond. In all of the volunteer Stations this single Station response has resulted in the old political boundaries being retained for emergency response. This clearly does not provide the best level of fire protection for the public.

A collective agreement between the municipality and the Fire Fighters has a direct impact on public safety by limiting the delivery of emergency services in the full time Station response zones. The articles or letters of understanding that direct, restrict or impact the methods or procedures used by the Fire Department to provide the first response to an emergency must be revisited by both parties to the agreement to remove the restrictions on using all of the resources of the Fire Department before during and after an emergency incident.

The volunteer Station response zones are reported to be restricted to the volunteer Stations

The initial response protocols usually included;

- Victim unconscious
- Uncontrolled bleeding
- Breathing difficulties
- Chest pains
- Pains or numbness in the arms

Research indicates that the expected save rate for cardiac arrest patients is approximately 12% if defibrillation takes place within 5 minutes of a call for assistance being received and probably less than 4% after 10 minutes.

The Benefits of Fire Fighter Response to Medical Emergencies is not only in the potential for saving lives it also serves to provide some confidence in the family and friends of the victims. The presence of emergency workers who are trained in first response and can use oxygen equipment and perform CPR is comforting to those who do not have the equipment or skills to assist the victim.

Travel time to incidents is the determining factor when a tired response emergency occurs. The Fire Stations are located in strategic locations within the local communities and when they are fully staffed the Fire Fighters are able to respond within one minute of the call from the Station and generally arrive within 8 minutes 90% of the time from receiving the call. Volunteer Stations have a muster time for the volunteers to respond to the Station of approximately 3.5 to 4 minutes, the road response time would be the same as full time Station but with the extended time to respond to the Station means that the volunteer Stations respond within 11.5 to 12 minutes 90% of the time.

The consultants have been advised that the Chatham Kent EMS have an average response time of 14 minutes 90% of the time which means that in many instances in Chatham Kent the volunteers and full time Fire Fighters can arrive at an medical emergency before the EMS. Other than when the EMS is in their assigned Stations as the consultants have been advised that the EMS and Fire often travel to a call within Chatham in site of each other on the road. The response protocol is currently being revisited it would be a convenient time to consider the need for tiered response when the EMS can respond within the 8 minute response time of the full time Stations and 12 minutes of the volunteer Stations.

APPENDIX 'B'

CHATHAM KENT

FIRE STATIONS AND MAJOR APPARATUS

CHATHAM KENT FIRE STATIONS AND VEHICLE INVENTORY

APPENDIX 'C'
CHATHAM KENT

VEHICLE REPLACEMENT SCHEDULE

APPENDIX 'D'

CHATHAM KENT

Station single line plan

APPENDIX 'E'

CHATHAM KENT

WATER SYSTEM RURAL TRUNK MAINS

APPENDIX B - Schedule A

Project Objectives

The Corporation of the Municipality of Chatham-Kent requires the services of a professional Fire Services Consultant to provide research, make recommendations and co-ordinate development of a Master Fire Plan for the Municipality.

The successful respondent will be expected to fulfill the following requirements and provide any subsequent reports in both hard copy and digital formats.

The proposal is to include a full review of the fire department delivery system.

The terms of reference for this project include:

- i. Review and analyze current fire department levels relative to existing financial and human resource allocations and make recommendations for building upon existing resources and addressing potential gaps in current service provisions, and resource needs into the future.
- ii. Align all goals and objectives proposed during the process with CK Plan 2035.
- ii. Review and analyze relevant documents regarding population growth in the Municipality of Chatham-Kent for the next ten years.
- iii. Evaluate the current level of service and develop recommendations and an implementation schedule for any changes that may be made to the fire department activities in the following areas:
 - Fire Prevention
 - Community Safety
 - Station Locations and Response Polygon areas
 - Staffing requirements, in both Volunteer and Full-time sectors
 - Water Supplies
 - Administration
 - Training and Professional Development
 - Fire Operations and Response, including level of service provided
 - Communications
 - Apparatus and Equipment
 - Maintenance program
- iv. In consultation with the Fire Chief, prepare a financial plan for both capital and operating costs associated with the forecast initiatives.
- v. Present findings and report to Council.

Project Description

The consultant will:

- i) Conduct the research and complete the tasks required to carry out the goal and objectives as noted in Project Objectives.
- ii) Report to the Fire Master Plan Steering Committee comprised of representatives from the Municipality as required.
- iii) Provide written updates to the Steering Committee on a bi-weekly basis.
- iv) Provide 20 copies of a draft report and the final report to the Master Fire Plan Steering Committee.

Master Fire Plan Steering Committee

- i) The Steering Committee will be comprised of representatives from the following:
 - Municipality of Chatham-Kent Fire Department
 - Municipality of Chatham-Kent Emergency Management
 - Municipality of Chatham-Kent Finance and Performance Services
 - Chatham-Kent Professional Firefighters Association
 - Chatham-Kent Volunteer Firefighters
- ii) The Committee may conduct interviews prior to the successful bidder being chosen.
- iii) The Committee will monitor the progress of the Master Fire Plan to ensure that the project objectives are being met.
- iv) Committee members will assist the Consultant in orientation and introduction to the corporate structure, to the community, and to various partnership organizations as required.
- v) The Committee will review and approve the draft report and final document.
- vi) The Committee will approve all payments to the Consultant.

Consulting Firm's Proposal

The Consulting Firm's Proposal will contain the following:

- i) An outline of the proposed work program format, which will include the work program components described in this Terms of Reference.
- ii) A resume of all staff to be involved in the project, inclusive of subject matter experts and research staff, outlining the individual's expertise, recent relevant past experience on similar projects, and estimated percentage of time and per

diem rate each staff individual will contribute to each step in the work program. The Consulting Firm's proposal will include examples of recent projects that have been completed or which are in progress for other clients.

- iii) The Consulting Firm will prepare a complete cost breakdown for each of the steps in the work program to include total salaried and hourly staff wages, mileage, administrative costs, research material costs and related disbursements. The projected costing for the project will be presented in a tabulated format in cumulative hours with a total upset cost for the study to the point of completion and presentation of the Final Report.
- iv) The consulting firm's proposal, including specific projected timing for each step of the work program has a proposed completion date of December 31, 2020. The Consulting Firm's proposal will include a Gantt chart of projected timing for each step of the work program as well as presentation in a calendar-style format over the required period.
- v) The Consulting Firm will meet all "work program" commitments, timing and completion dates as agreed upon by the Steering Committee and the Consulting Firm, unless appropriate revisions to the agreement due to unforeseen circumstances are agreed to by both parties. Any overruns in timing (unless otherwise agreed upon), or cost will not be the responsibility of the Steering Committee.
- vi) All research materials, computer programs and computer data files, schedules, the results from interview data sheets, and data compilation tables become the property of the Municipality at the completion of the Master Fire Plan process. The Final Report is to be made available in Microsoft Word format on a USB Memory stick and all accompanying maps (ESRI), schedules and tables are to be provided in a reproducible format.
- vii) Presentations from the Consulting Firm will be required for the Steering Committee, the Municipal Executive Management Team (these meetings may be consolidated), and the Municipal Council/ Public Forum.

Proposal Submission Format

The submission by a respondent must include:

A letter of introduction identifying the respondent and relevant information related to the application. The letter must also include acknowledgement and agreement with the terms and conditions outlined in this RFP and be signed by the respondent.

Proposal Format

The proposal document must include:

- i. Cover page, including the title of the RFP
- ii. The respondent's name, address, telephone number, e-mail address, and primary contact person

- iii. Date of submission
- iv. Table of Contents (complete with page numbers corresponding to appropriate headings, etc.).
- v. Design and operational vision
- vi. Respondent's Profile
- vii. Relevant Experience

Review of Submissions

All submissions will be reviewed using a common set of criteria. These criteria include:

	Weight Given
1. Cost	35%
2. Experience	30%
3. Service Delivery	20%
4. Qualifications / Suitability	15%

Submissions will be selected and the respondent will be contacted to initiate discussions with respect to proceeding with the project. Should a working agreement not be reached between both parties the next runner up in the selection process will be contacted.

The Municipality will make every effort to evaluate all proposals in a timely manner and respond to all who have made submissions within four weeks from the closing date.

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Municipality Of Chatham-Kent
Community Development
Economic Development Services

To: Mayor and Members of Council
From: Jamie Rainbird, Manager, Economic Development Services
Date: February 10, 2020
Subject: ISOLAB Inc. – Offer to Purchase

Recommendation

It is recommended that:

1. The Offer to Purchase received from ISOLAB Inc. to purchase approximately 1.87 acres (Attachment A) in the property known as Part of lot 17 Concession A Raleigh Designated as Part 2 on Plan 24R10331 in the Bloomfield Business Park for the price of \$93,500 + HST (\$50,000 per acre) be accepted.

Background

To attract industry, the Bloomfield Business Park was formed in 2002 to provide competitively priced industrial sites to establish greenfield operations in the Municipality of Chatham-Kent. The site consists of a total of 120 acres with 27 acres of developable land remaining to be sold.

The offer is the asking price established by Municipal Council for sites in the Bloomfield Business Park

Comments

Currently operating in Windsor, ISOLAB Inc. has been providing installation services of metrology instruments to a number of high profile manufacturers across Canada for more than 60 years. ISOLAB Inc. also offers ISO 17025 accreditation calibration services, dimensional inspections, and contract calibration management and training on major precision measuring equipment. As well, ISOLAB Inc. also manufactures temperature sensors.

They are planning to also start manufacturing mineral insulated cables at the new proposed facility and move ISOLAB's expansion to Chatham-Kent. ISOLAB will be the only company in Canada producing these cables. They will start with hiring four

additional Chatham-Kent staff as well as having six relocate/commute from Windsor. They are projecting in two years they will peak at 20-25 employees.

Areas of Strategic Focus and Critical Success Factors

The recommendations in this report supports the following areas of strategic focus:

Economic Prosperity:

Chatham-Kent is an innovative and thriving community with a diversified economy

A Healthy and Safe Community:

Chatham-Kent is a healthy and safe community with sustainable population growth

People and Culture:

Chatham-Kent is recognized as a culturally vibrant, dynamic, and creative community

Environmental Sustainability:

Chatham-Kent is a community that is environmentally sustainable and promotes stewardship of our natural resources

The recommendations in this report supports the following critical success factors:

Financial Sustainability:

The Corporation of the Municipality of Chatham-Kent is financially sustainable

Open, Transparent and Effective Governance:

The Corporation of the Municipality of Chatham-Kent is open, transparent and effectively governed with efficient and bold, visionary leadership

Has the potential to support all areas of strategic focus & critical success factors

Neutral issues (does not support negatively or positively)

Consultation

The Manager of Legal Services was consulted in the preparation of this report and will assist with closing of the sale once all conditions have been met.

The Manager, Revenue was consulted and is in agreement with the purchase.

Financial Implications

If the offer is accepted, the Municipality of Chatham-Kent will receive \$93,500 plus HST for the land sale.

The proceeds from both the property sale and future increased assessment will be used to offset the unfunded liability created to establish the Bloomfield Business Park.

The expansion of the business in Chatham-Kent will result in increased assessment and additional new jobs in the community.

Prepared by:

Reviewed By:

Jamie Rainbird, Manager
Economic Development Services

Stuart McFadden, Director
Economic Development Services

Reviewed by:

Reviewed by:

Dave Taylor, Manager, Legal Services

Amy McLellan, Manager, Revenue

Reviewed by:

John Norton, General Manager
Community Development

Attachments: Attachment A: Map of Proposed Property

C: Matt Torrence, Director, Financial Services

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Bloomfield Business Park

Legend

Road Type

- Local
- - - Private
- - - Proposed
- ==== Regional Road
- ==== Rural Arterial
- ==== Rural Collector
- ==== Urban Arterial
- ==== Urban Collector
- Sanitary Sewer Lateral Service
- Storm Sewer Lateral Service
- Sanitary Sewer
- Storm Sewer
- Water Lateral Service
- Water Pressure Main
- Assessment Parcel



Legend
 Road Type
 Local
 Private
 Proposed
 Regional Road
 Rural Arterial
 Rural Collector
 Urban Arterial
 Urban Collector
 Sanitary Sewer Lateral Service
 Storm Sewer Lateral Service
 Sanitary Sewer
 Storm Sewer
 Water Lateral Service
 Water Pressure Main
 Assessment Parcel

Map prepared by: [illegible]
 Date: [illegible]
 Scale: [illegible]

Municipality of Chatham-Kent

Community Development

Planning Services

To: Mayor and Members of Council

From: Anthony Jas
Planner I, Planning Services

Date: January 21, 2020

Subject: Ontario Heritage Act – Amendment to Designation By-law 83-35
Ridge House Museum, 53 Erie Street South, Community of Ridgetown

Recommendations

It is recommended that:

1. The Designation Report prepared by the Municipal Heritage Committee for the municipally-owned property known as 53 Erie Street South (Ridge House Museum), described as Lot 5, Plan 68, Block N, in the Community of Ridgetown, be received.
2. The Designation Report, as received, for the municipally-owned property known as 53 Erie Street South (Ridge House Museum), described as Lot 5, Plan 68, Block N, in the Community of Ridgetown, be amended by removing from Description of Heritage Attributes / Character Defining Elements the following:
 - i. elements associated with the new office addition;
 - ii. picket fencing and gates; and,
 - iii. well pump.
3. By-law 83-35, a By-law to designate the property known as 53 Erie Street South (Ridge House Museum), described as Lot 5, Plan 68, Block N, in the Community of Ridgetown, as being of architectural and historical value or interest, be amended, to include the Designation Report, as amended, to be consistent with the criteria set out under Ontario Regulation 9/06, made under the *Ontario Heritage Act*, and that the amending by-law be approved.

Background

The Ridge House Museum property is a locally significant heritage property. It is owned by the Municipality. It is located at 53 Erie Street South in the Community of Ridgetown. The property contains a Gothic revival style home that was constructed in 1875, the same year that Ridgetown was incorporated as a Village. In 1975 the property was purchased by the Ridgetown Rotary Club as its centennial project and was later donated to the former Town of Ridgetown. The Ridge House Museum is a community museum in a historic house that is representative of a typical Victorian era middle class family home in a rural community. The museum continues to serve the local community by collecting and preserving artifacts and specimens significant to the area represented by Ridgetown and the former Howard Township, and using these to present and promote the history of this region.

Management of Property

The operation of the Ridge House Museum is the responsibility of Chatham-Kent Administration through the Community Human Services Department, Community Attraction and Leisure Services Division, Arts and Culture Services Section.

Council has also established the Ridge House Museum Advisory Committee to provide recommendations for consideration and to assist the Corporation of the Municipality of Chatham-Kent in the operation of the Ridge House Museum as follows:

- exploring available funding sources,
- providing support to other heritage/museum organizations,
- providing recommendations to administration with respect to short term and long term goals and objectives and the evaluation of performance of the Ridge House Museum, and
- providing recommendations with respect to any other issues of concern brought forward by Administration.

The maintenance of the Ridge House Museum is the responsibility of Chatham-Kent Administration through the Infrastructure and Engineering Services Department, Drainage, Asset & Waste Management Division, Asset Management Section.

Council has also established the Municipal Heritage Committee, which is primarily responsible for advising Council regarding matters arising from the *Ontario Heritage Act*. The Community Development Department, Planning Services Division provides administrative resources to the Municipal Heritage Committee.

Ontario Heritage Act

The Ridge House Museum property was designated under the *Ontario Heritage Act* on September 12, 1983, for its architectural and historical value or interest.

In 2005, the Ontario Heritage Act underwent a comprehensive amendment through the Ontario Heritage Amendment Act, 2005, which came into force on April 28, 2005.

Among the changes at this time was the introduction of criteria regarding the cultural heritage value or interest a property must meet to be designated by a municipal council. The evaluation criteria was subsequently established in O. Reg. 9/06 which, to be designated, a property must meet one or more of the criteria grouped into the following categories:

- Design / Physical Value
- Historical / Associative Value
- Contextual Value

The Ontario Heritage Amendment Act, 2005, also introduced the requirement for a statement explaining such cultural heritage value or interest of a property and a description of the specific heritage attributes of a property.

The By-law designating the Ridge House Museum property was passed prior to the Ontario Heritage Amendment Act, 2005, coming into force, and therefore, does not include a statement explaining the cultural heritage value or interest of the property, nor does it contain a description of its specific heritage attributes. In such cases, Section 30.1 of the Ontario Heritage Act permits council of a municipality to amend a by-law designating a property to make it consistent with the new requirements.

The recommendations of this report are to amend Designation By-law 83-35 to bring it into conformity with the requirements of the Ontario Heritage Act.

The purpose of the proposed amendment is to clarify the parameters that guide municipal decision-making around service delivery (museum operations) and asset management (building maintenance) as it relates to the property.

Comments

The Municipal Heritage Committee passed a motion at its April 17, 2019 meeting to amend designation By-law 83-35 to be consistent with the *Ontario Heritage Act*, as described above. The amendment includes a statement of cultural heritage value or interest and a description of the specific heritage attributes of the property. This information is included in Schedule A (Designation Report) of the amending By-law that is attached as Appendix A, and is being recommended for adoption to facilitate the amendment. This Designation Report specifically identifies the following character defining elements of the property:

- Footprint
- Roof line
- Window placement
- Window casements and trim
- Window pediments
- Window sashes
- Front porch supports and gingerbread trim
- Front porch railing
- Front door casements and trim
- Clapboard siding
- Picket fencing and gates
- Well pump

Report that was adopted by the Administrative Departments

responsible for the operation and maintenance of the Ridge House Museum property. Through this consultation it was recommended that the Designation Report be amended to remove the following character defining elements:

- Attributes and/or character defining elements associated with the office addition
- Picket fencing and gates
- Well pump

The Arts and Culture Section has indicated that the well pump is in poor condition and imposes a health and safety concern, as the platform upon which it sits is unstable and rotted through. The pump is not functional, and its location is problematic because it prohibits accessible entrance to the backyard. According to Ridge House annual report archives, the pump was installed in 1981.

The picket fencing and building addition are only sympathetic elements and not original features of a middle class Victorian home. As such, it was identified that inclusion of these elements will add additional costs and administrative constraints in maintaining the property in a manner acceptable to, and expected of, the Municipality.

The Asset Management Section also provided comments regarding financial implications related to the maintenance of the Ridge House Museum property. These comments have been summarized in the Financial Implications section below.

Part of the designation by-law amendment process is that the owner on Title of the designated property be given notice of the proposed amendment to the designation by-law. As stated above, Chatham-Kent is the owner of the subject property, and as such, the consultation that was undertaken in drafting this report and the recommendation, satisfies this requirement of the *Ontario Heritage Act*.

The adoption of a by-law to amend By-law 83-35 will complete the final step of the process outlined under Section 30.1 of the *Ontario Heritage Act*, for amending a Designation By-law.

Options for Council

As stated previously, it is appropriate that By-law 83-35 be amended to be in compliance with the *Ontario Heritage Act*. The recommendations of this report reflect the advice of the Municipal Heritage Committee and have taken into consideration consultation with Administration. Therefore, Council has several options with respect to the By-law amendment process, which are as follows:

- 1) Proceed with a motion to adopt Recommendations 1, 2 & 3. This will revise the Designation Report adopted by the Municipal Heritage Committee and amend Designation By-law 83-35.
- 2) Proceed with a motion to adopt only Recommendation 1 & 3. This will amend By-law 83-35 with the Designation Report as adopted by the Municipal Heritage Committee.
- 3) Receive this report and take no action. The Ridge House Museum property will remain designated under the current by-law. Under this option, issues related to the ongoing management of the property will persist.
- 4) Receive this report and proceed with a motion under Section 31 of the *Ontario Heritage Act* to initiate the process of repealing Designation By-law 83-35. The outcome of this process is that the property is no longer designated under the *Ontario Heritage Act*.

Areas of Strategic Focus and Critical Success Factors

The recommendations in this report support the following areas of strategic focus:

- Economic Prosperity:
Chatham-Kent is an innovative and thriving community with a diversified economy
- A Healthy and Safe Community:
Chatham-Kent is a healthy and safe community with sustainable population growth
- People and Culture:
Chatham-Kent is recognized as a culturally vibrant, dynamic, and creative community
- Environmental Sustainability:
Chatham-Kent is a community that is environmentally sustainable and promotes stewardship of our natural resources

The recommendations in this report support the following critical success factors:

- Financial Sustainability:
The Corporation of the Municipality of Chatham-Kent is financially sustainable
- Open, Transparent and Effective Governance:
The Corporation of the Municipality of Chatham-Kent is open, transparent and effectively governed with efficient and bold, visionary leadership
- Has the potential to support all areas of strategic focus & critical success factors
- Neutral issues (does not support negatively or positively)

Consultation

Municipal Heritage Committee

The Municipal Heritage Committee was consulted in accordance with Section 29(2) of the Act. The Committee does not support Recommendation 2 as set out in the report. Of the options available to Council, the Committee recommends Option 2 which is to amend By-law 83-35 with the Designation Report as adopted by the Municipal Heritage Committee.

The Municipal Heritage Committee has submitted comments that further clarifies its position in the matter being considered by this report. The comments are attached as Appendix B.

Community Human Services

The Community Human Services Department is responsible for the operation of the Ridge House Museum. Consultation with Community Human Services resulted in Recommendation 2, to revise the Designation Report adopted by the Municipal Heritage Committee. Of the options available to Council, Community Human Services recommends Option 1 which is to adopt Recommendations 1, 2 & 3 as set out in the report.

Infrastructure and Engineering Services

The Infrastructure and Engineering Department was consulted to obtain financial costs associated with maintenance of the Ridge House Museum property. These figures have been summarized in the Financial Implications section of this report.

Financial Implications

The appropriate annual lifecycle budget allocation for the Ridge House Museum property is \$6 per sq. ft. (approximately \$20,700). The actual annual lifecycle budget allocation is \$2 per sq. ft. (approximately \$6,900).

Maintenance costs associated with current projects at the property include the following:

- \$3,000 - replacement of side porch
- \$1,200 - repaint front porch

Additionally, with respect to those items requested to be removed from the Designation Report, the following are the potential maintenance costs associated with each item:

Picket Fencing and Gates:

- \$2,000 - repair and painting
- \$1,000 - every four years to maintain fence and gates

Well Pump:

- \$800 for the safe removal of the pump and restoration of the area

Large Windows associated with addition:

- \$2,000 replacement cost for two large windows on addition with standard window. Anything custom as per a heritage designation could double this cost.

Prepared by:



Anthony Jas
Planner I, Planning Services

Reviewed by:



Ryan Jacques, MCIP, RPP
Manager, Planning Services

Reviewed by:



Bruce McAllister, MCIP, RPP
Director, Planning Services

Reviewed by:

John Norton, General Manager
Community Development

Consulted and confirmed the content of the consultation section of the report by:

Tom Skodak, P. Eng.
Manager, Municipal Assets

Heather Slater
Manager, Arts and Culture

Attachments: Appendix A – By-law to amend By-law 83-35 (Ridgetown)
Appendix B – Municipal Heritage Committee Comments

C: Municipal Heritage Committee
Tom Skodak, Manager, Municipal Assets
Heather Slater, Manager, Arts and Culture

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Schedule "A"

DESIGNATION REPORT

53 Erie St S, Ridgetown - Ridge House Museum

PREAMBLE

Originally built for Mr. and Mrs. George Mulholland, the Gothic Revival-style home was completed at the cost of \$200 in 1875, the same year that Ridgetown was incorporated as a village. The Ridgetown Rotary Club purchased the house in 1975 as part of their centennial project, and is now known as the Ridge House Museum. The house was then partially furnished through donations from the community. It continues to function as a living history museum today and hosts many local events.

The property was originally designated in 1983 under the Ontario Heritage Act by the Corporation of the Town of Ridgetown, by-law 83-35, as Lot Number five in Block "N" according to Registered Plan 68.



DESCRIPTION OF PROPERTY

The Ridge House Museum is a two storey Gothic Revival-style house on a corner lot, with a cross gable roof, full width front porch with turned spindle supports, and gingerbread trim. Secondary side porches that been upgraded to include a modern accessibility ramp are also included.

The house is clad in clapboard siding, and features small stylized triangular pediments above the side windows. A half-round window above the front door extends into the gable.

A white picket fence surrounds the property, enclosing a garden, well pump, and an outhouse.

STATEMENT OF CULTURAL HERITAGE VALUE OR INTEREST

Historical/Associative Significance

It is a typical representation of a Victorian middle class working man's family home. In its current capacity as a living history museum, the architectural and cultural impact of the property is not just preserved, but promoted through interactive engagement with the community.



Architectural Significance



The property is an example of a working-class Gothic Revival home typical of its time period. Like other rural area houses the Ride House was built with a single front gable above the centre front door. A half round italianate window extends into the gable.

The batten front door sports a wood carved decorative crown, and exits onto a full width front porch. The porch sports turned spindle support columns and support rails, from which sprouts some external gingerbreading. Two front windows flank the door. All this combines to make a striking feature when viewed from the street.

By-law Number _____

of The Corporation of the Municipality of Chatham-Kent

A By-law to amend By-law No. 83-35, designating the property located at 53 Erie Street South (Ridge House Museum), Community of Ridgetown, for the purposes of clarifying the statement explaining the property's cultural heritage value or interest or the description of the property's heritage attributes.

Whereas By-law 83-35 was enacted by the Corporation of the Town of Ridgetown on September 12, 1983, designating 53 Erie Street South pursuant to Section 29 of the Ontario Heritage Act;

And Whereas pursuant to Section 30.1 (2) (a), the council of a municipality may by by-law amend a by-law designating property under Section 29 of the Ontario Heritage Act to clarify or correct the statement explaining the property's cultural heritage value or interest or the description of the property's heritage attributes;

And Whereas the requirement for Council to consult with its Municipal Heritage Committee pursuant to Section 30.1 (5) has been fulfilled;

And Whereas the Notice Requirements pursuant to Section 30.1 (4) of the Ontario Heritage Act have been fulfilled;

Now therefore be it and it is hereby enacted as By-law Number _____ of the Corporation of the Municipality of Chatham-Kent, that:

1. By-law 83-35 be amended by adding the following Schedule "A" of this By-law to By-law 83-35 as Schedule "B".
2. The Clerk be authorized to register this by-law against the property known as 53 Erie Street South, Community of Ridgetown, described as Lot 5, Plan 68, Block N.
3. The Clerk be directed to cause a copy of this by-law to be served on the owner of the 53 Erie Street South, Community of Ridgetown, and on the Ontario Heritage Trust:

This By-law shall come into force and effect upon the final passing thereof, subject to the provisions of the Planning Act, R.S.O. 1990 Chapter. P.13, as amended.

Read a First, Second and Third Time the 2nd day of March, 2020.

Mayor – Darrin Canniff

Clerk - Judy Smith



The structure has four windows on either side of the main section, each topped by a carved gabled pediment. Two other windows feature pediments on the rear street side of the house, which are slightly different, and are later additions possibly when a rear extension was built circa 1975. Pediments of this sort are quite common around Ridgetown and could indicate a local supplier.



Clapboard siding clads the house, and is made from tulip wood (yellow poplar) which is unusual for the area. The white picket fence replaces an original wire fence.

Contextual Significance

As the property was constructed in the same year as the incorporation of Ridgetown, it can be seen to act as a contextual and cultural barometer of how the community of Ridgetown has and is evolving over time. The property's corner lot location makes it an anchor for the surrounding community.



DESCRIPTION OF HERITAGE ATTRIBUTES / CHARACTER DEFINING ELEMENTS

Exterior

- Footprint
- Roof line
- Window placement
- Window casements and trim
- Window pediments
- Window sashes
- Front porch supports and gingerbread trim
- Front porch railing
- Front door placement
- Front door casements and trim
- Clapboard siding
- Picket fencing and gates
- Well pump



To: Mayor & Council

From: Chatham-Kent Municipal Heritage Committee

Re: Problems With Report To Council

Background:

At the January 15, 2020 meeting of the Chatham-Kent Municipal Heritage Committee (MHC), administration presented the committee with a draft report regarding the Ontario Heritage Act Amendment to Designation By-law 83-35 Ridge House Museum, 53 Erie Street South, Community of Ridgeway.

The report centres around a revised heritage designation that the Municipal Heritage Committee has written for the property in order to bring the designation up to current provincial standards.

The staff recommendation is that Council amend the Heritage Committee's designation report by removing, from the Description of Heritage Attributes/Character Defining Elements, the following:

- i. Any elements associated with the new office addition
- ii. Picket fencing and gates
- iii. Well pump.

The Municipal Heritage Committee believes that these elements are important features that support the historical, architectural, and contextual significance of the property. As such, the MHC does not agree with the recommendation to remove these from the Designation Report.

Since the Committee's reasons for objecting to the removal of these elements is more involved than the brief descriptions given under the "Others Consulted" section of the report, it was agreed that the committee's concerns would be articulated in this following explanation as an attachment to the RTC.

Explanation For Objection:

The purpose of designation report is to present, in some detail, the reasons why a property is significant and worthy of Council consideration before alterations are carried out. Significance is based on:

- The Historical/Associative value of the property (events, people associated with it)
- Architectural
- Contextual (how the property fits into its surroundings, e.g. a landmark)

The Heritage Attributes/Character Defining Features are the specific elements that require consultation with MHC/Council before alterations can occur (note: it does not necessarily preclude alteration but it allows Council to represent and consider the interests of the community before alterations can occur). These are the features that also support the historical, architectural, contextual significance of the property.

It is important to note that significant features are not restricted to original features from the time of construction. Historical significance evolves over time as do the significant features.

What are legitimate reasons for removing a feature from the list?

The only reason is that the feature is not, in fact, significant.

In the staff report, it is argued that:

- i. The pump is in poor condition, needs repair and is in a problematic location.

Because the main historic significance of the house is that it is a restored "living history site" portraying middle class life in Ridgetown in 1875, the presence of an out-door hand pump is integral in supporting the property's significance as a living history site. The pump's presence, therefore, supports the historical significance of the property. It should remain as a feature and administration should work with the MHC to relocate it to an historically logical location on the property that doesn't impede traffic flow and do the necessary (and relatively minor) repairs. Ask yourself, what kind of convincing portrayal of 1875 life would be complete without an outdoor water pump. Such a feature is integral to proper historic interpretation of the period.

- ii. The fence is not original to the house and requires maintenance:

While not the original fence built in 1875, it is most certainly an appropriate and quintessential element of such a property. Period photographs support that fences were an integral and practical part of the design of even modest town homes. Because it was part of the restoration in 1975, the fence supports the historical significance of the house as a living history site as well as its contextual significance as a landmark. How memorable would the drive or walk along Erie Street South be without the distinctive fence that has been there for the past 50 years?

- iii. No features associated with the office addition (c. 1975) should be included:

The office addition was designed to be very sympathetic and complementary to the original design and most people would never guess that it is not an

original part of the house. It, again, supports the historical significance of the 1975 restoration and subsequent use as a museum and it also supports the landmark status. Any changes to it should, therefore, preserve this visual complementarity and should be subject to consultation.

Another point that needs to be stressed is that maintenance costs should never be used as an argument to include or exclude features in a designation report. The historic significance of a feature does not depend on maintenance and repair costs. Confusing these two very separate issues is akin to a doctor using the cost of treatment as a deciding factor as to whether a patient is sick. Obviously, this makes no sense.

The whole point of including items as significant features is so that their historic contribution to the property as a whole can be taken into consideration when deciding whether to maintain them or remove them. It places a requirement on administration to consult with the Heritage Committee and Council before these features are altered or destroyed. If they are not included, they can be removed as administration sees fit without any additional consultation. It does not mean that these features must be maintained, but if they are included as designated features, it will be at the discretion of Council (as representatives of the public interest) and not an administrative cost saving decision alone.

The Chatham-Kent Municipal Heritage Committee, as advisors to Council, would therefore recommend that Council adopt Option #2 as presented by staff on Page 5 of the RTC "Proceed with a motion to adopt Recommendation 2. This will amend By-law 83-35 including the Designation Report as adopted by the Municipal Heritage Committee".

Thank you.

Municipality Of Chatham-Kent
Community Development
Planning Services

To: Mayor and Members of Council

From: Ryan Jacques, MCIP, RPP
Manager, Planning Services

Date: February 11, 2020

Subject: Citizen Appointment to Municipal Heritage Committee

Recommendations

It is recommended that:

1. Lisa Gilbert be removed from the Chatham-Kent Municipal Heritage Committee.
2. Lindsay Swackhammer be appointed to the Chatham-Kent Municipal Heritage Committee for the remainder of the term.

Background

Lisa Gilbert is a long-time member of the Municipal Heritage Committee and former Chair. Regretfully, Ms. Gilbert vacated her seat on the Committee in 2019.

Comments

The process outlined in Chatham-Kent's Local Boards and Committees of Council Policy regarding the filling of vacancies was carried out. This coordinated process includes Municipal Staff and the Committee Chair, concluding in Council's appointment of a new member.

Council was provided details of interested residents in its closed session meeting held on February 10, 2020, as per Section 239(2)(b), Municipal Act, 2001. Lindsay Swackhammer, a previous member of the Committee during the 2014-2018 term, is recommended for appointment.

Areas of Strategic Focus and Critical Success Factors

The recommendations in this report support the following areas of strategic focus:

- Economic Prosperity:
Chatham-Kent is an innovative and thriving community with a diversified economy
- A Healthy and Safe Community:
Chatham-Kent is a healthy and safe community with sustainable population growth
- People and Culture:
Chatham-Kent is recognized as a culturally vibrant, dynamic, and creative community
- Environmental Sustainability:
Chatham-Kent is a community that is environmentally sustainable and promotes stewardship of our natural resources

The recommendations in this report support the following critical success factors:

- Financial Sustainability:
The Corporation of the Municipality of Chatham-Kent is financially sustainable
- Open, Transparent and Effective Governance:
The Corporation of the Municipality of Chatham-Kent is open, transparent and effectively governed with efficient and bold, visionary leadership
- Has the potential to support all areas of strategic focus & critical success factors
- Neutral issues (does not support negatively or positively)

Consultation

No other departments were consulted.

Financial Implications

There are no financial implications based on these recommendations.

Prepared by:

Reviewed by:



Ryan Jacques, MCIP, RPP
Manager, Planning Services



Bruce McAllister, MCIP, RPP
Director, Planning Services

Reviewed by:

John Norton
General Manager
Community Development

Attachments: none

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Municipal Heritage Committee.docx

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Municipality Of Chatham-Kent

Community Development

To: Mayor and Members of Council
From: John Norton
Chief Legal Officer
Date: February 28, 2020
Subject: Road Closure – Erie Shore Drive

Recommendations

It is recommended that:

1. A By-law be passed to provide for the permanent closing of part of Erie Shore Drive, Geographic Township of Harwich, effective March 9, 2020. A copy of the proposed By-law is attached as Appendix "A".
2. Council delegate to the General Manager of Infrastructure and Engineering Services the authority to complete all work and to make all necessary purchases to respond to unstable conditions on the Erie Shore Road and dike. Council hereby waives all requirements of Chatham-Kent Purchasing By-law 3-2016 in relation to such purchases.

Background

Based on engineering information received by the Municipality, there is a substantial risk of conditions developing that could render the Erie Shore Road and dike unstable between (and inclusive of) 18416 Erie Shore Drive to the intersection of Erie Shore Drive and Eriean Road.

The engineering information indicates a 5 to 40 per cent chance for conditions to develop that would render the dike unstable with progressive failures potentially leading to a significant breach. The engineering opinion to close the section of road and risk assessment was based partly on forecasted lake levels, historical storm frequency, wind speeds and direction. A significant breach of the dike could result in significant harm to people and property, would prevent access to the Village of Eriean and prevent access to surrounding areas, including emergency access.

On February 28, 2020, in response to this situation, Mayor Darrin Canniff declared a state of emergency under the *Emergency Management and Civil Protection Act*.

Comments

In response to the risk of failure on the Erie Shore Drive and dike, administration is recommending a by-law to permanently close the public highway on Erie Shore Drive between and inclusive of 18416 Erie Shore Drive to the intersection of Erie Shore Drive and Erieau Road, and to remove all rights of passage over that part of the right-of-way by abutting property owners. No emergency or municipal services, including emergency service vehicles would be provided to properties abutting this portion of Erie Shore Drive.

Under Section 34 of the *Municipal Act, 2001*, R.S.O. 2001, Council is authorized to pass a by-law to permanently close part of a public highway. Under Section 35, Council may pass a by-law to remove the common law right of passage by the public over a highway and access to the highway by abutting owners. Sections 9 and 10 of the Act provide broad powers to the Municipality to pass by-laws and take actions necessary and desirable for the public.

Under Section 44 of the *Municipal Act, 2001*, the Municipality is required to keep municipal highways in a state of repair that is reasonable in the circumstances and can be liable for damages to any person who sustains damages as result of a failure by the Municipality to meet this obligation.

Closure of the proposed part of Erie Shore Drive is strongly supported by engineering information received by the Municipality to date and is necessary to mitigate the risk of harm to people and property and to allow work to be undertaken to prevent a breach of the dike.

In addition, administration is recommending that Council delegate authority to the General Manager of Infrastructure and Engineering Services to make all necessary purchases to carry out work required to address the unstable condition of the Erie Shore Road dike and waive all corresponding requirements of Chatham-Kent Purchasing By-law 3-2016. While spending of public monies is normally done through a competitive process, the urgency of this situation justifies delegating the authority to make purchasing decisions outside of a competitive process to the General Manager.

Areas of Strategic Focus and Critical Success Factors

The recommendation in this report supports the following areas of strategic focus:

Economic Prosperity:

Chatham-Kent is an innovative and thriving community with a diversified economy

A Healthy and Safe Community:

Chatham-Kent is a healthy and safe community with sustainable population growth

People and Culture:

Chatham-Kent is recognized as a culturally vibrant, dynamic, and creative community

Environmental Sustainability:

Chatham-Kent is a community that is environmentally sustainable and promotes stewardship of our natural resources

The recommendation in this report supports the following critical success factors:

Financial Sustainability:

The Corporation of the Municipality of Chatham-Kent is financially sustainable

Open, Transparent and Effective Governance:

The Corporation of the Municipality of Chatham-Kent is open, transparent and effectively governed with efficient and bold, visionary leadership

Has the potential to support all areas of strategic focus & critical success factors

Neutral issues (does not support negatively or positively)

Consultation

The Chief Administrative Officer, Chief Financial Officer and General Manager, Infrastructure and Engineering Service were consulted regarding this report.

Financial Implications

The financial implications of this report cannot be assessed at this time.

Prepared by:

John Norton
General Manager, Community Development

Attachment (1): By-law to provide for the closing of road

BY-LAW NUMBER - 2020
OF THE CORPORATION OF THE
MUNICIPALITY OF CHATHAM-KENT

A By-law to provide for the closing of a part of the public highway known as Erie Shore Drive, Geographic Township of Harwich; Municipality of Chatham-Kent; being part of Property Identification Number (PIN) 00938-1125 and all of PIN 00938-1088 and part of PIN 00939-1089.

FINALLY PASSED THE 2nd day of MARCH, 2020.

WHEREAS Council of the Municipality of Chatham-Kent has received an engineering opinion that a portion of the dike and public highway known as Erie Shore Drive is at risk of failure under potential conditions, which would cause serious risk to life and property;

AND WHEREAS the engineering opinion recommends action which will make continued use of the subject part of Erie Shore Drive unsafe for passage of vehicles and persons;

AND WHEREAS the engineering opinion recommends that urgent action be taken to prevent a breach of the Erie Shore Drive dike, as such a breach could result in significant harm to persons and property;

AND WHEREAS the head of Council of the Municipality of Chatham-Kent has declared an emergency in respect of that subject part of the road allowance and surrounding areas;

AND WHEREAS Council of the Municipality of Chatham-Kent wishes to permanently close that part of the public highway located on the lands legally described as:

Part of 00938-1125, legally described as LAKESHORE RD., PLAN 398, 421 & 426, ROADWAY 30 FT WIDE, PLAN 421 BEAVER CREEK DREDGE CUT, PLAN 421, LYING BETWEEN N LIMIT OF LAKE SHORE DRAIN AND LAKE ERIE, TRAVELLED RD THROUGH PT LOT 3, PLAN 302 AS IN HA17005, LYING BETWEEN S LIMIT OF CLARKE SIDEROAD & W LIMIT OF THE BEAVER CREEK DREDGE CUT, PLAN 421, PT LOT 466, PLAN 421

DESIGNATED AS PT 1, 24R4927, PT LOT 407, PLAN 421 DESIGNATED AS PT 1, 24R5060 HARWICH; all of PIN 00938-1088, legally described as LAKE SHORE DRAIN, PLAN 421, LYING BETWEEN W LIMIT OF LT 439 & E LIMIT OF LT 407, PLAN 421 HARWICH; and part of PIN 00939-1089, legally described as LAKE SHORE DRAIN, PLAN 421, LYING BETWEEN W LIMIT OF LT 446 & E LIMIT OF ROADWAY 30 FT WIDE, PLAN 421 HARWICH

AND WHEREAS pursuant to the provisions of Sections 9, 10, 34 and 35 of the *Municipal Act, 2001*, R.S.O. 2001, Chapter 25 and amendments thereto, the Council of a municipality may pass by-laws to permanently close a public highway, remove the common law right of passage by the public to a public highway, and to remove the common law right of access of abutting owners to a public highway;

AND WHEREAS, public notice of the closing was given by the Municipality, however, due to extenuating circumstances giving rise to the state of emergency, more lengthy public notice, though preferable, was not possible in the circumstances;

AND WHEREAS Council heard all parties that requested to speak about their concerns regarding this By-Law who appeared at this public meeting and indicated a desire to be heard;

AND WHEREAS after considering the matter of the proposed By-Law, Council authorized passage;

BE IT THEREFORE ENACTED by the Municipal Council of the Municipality of Chatham-Kent as follows:

1. That portion of the public highway known as Erie Shore Drive shown and described in the attached **Schedule "A"** be closed, effective March 9, 2020.
2. The common law right of passage by the public over that part of the highway shown and described in **Schedule "A"** and right of access over that part of the highway by abutting owners is removed, effective March 9, 2020.
3. To the extent that any previously established levels of Municipal service, including emergency services, conflict or derogate from this Bylaw, such levels of service are hereby expressly ended and not to be provided to properties abutting the road closure area.

4. That the Mayor and Clerk are hereby authorized and directed to execute on behalf of the Municipality of Chatham-Kent and to seal with the seal thereof any and all documents necessary to implement the foregoing.
5. For the purpose of legally describing the portion of the highway for the purpose of registering this bylaw on title to the lands, Council authorizes the Municipal Clerk to make administrative amendments to this bylaw to update the legal description in the bylaw once a reference plan has been deposited.

This bylaw shall be effective as of its date of passing.

READ A FIRST, SECOND AND THIRD TIME this 2nd day of March, 2020.

Mayor – Darrin Canniff

Clerk – Judy Smith

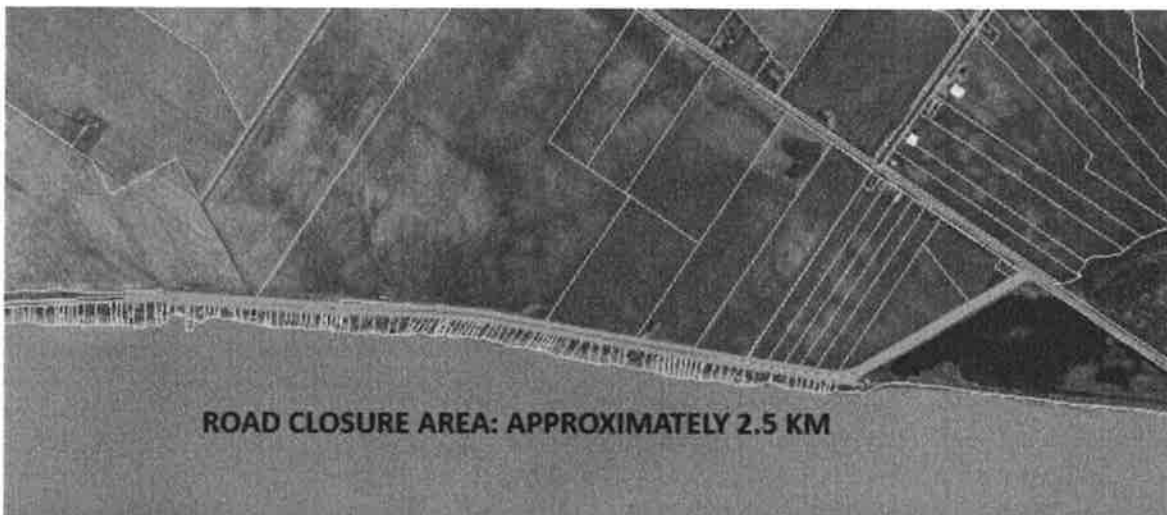
SCHEDULE A

Road Closure Area:

Commencing at the southwestern limit of the intersection of the public highways known as Erie Shore Drive and Erieau Road, then westerly along Erie Shore Drive approximately 2500 metres, and terminating at and including the portion of Erie Shore Drive abutting the lands known municipally as 18416 Erie Shore Drive, being:

Part of 00938-1125, legally described as LAKESHORE RD., PLAN 398, 421 & 426, ROADWAY 30 FT WIDE, PLAN 421 BEAVER CREEK DREDGE CUT, PLAN 421, LYING BETWEEN N LIMIT OF LAKE SHORE DRAIN AND LAKE ERIE, TRAVELLED RD THROUGH PT LOT 3, PLAN 302 AS IN HA17005, LYING BETWEEN S LIMIT OF CLARKE SIDEROAD & W LIMIT OF THE BEAVER CREEK DREDGE CUT, PLAN 421, PT LOT 466, PLAN 421 DESIGNATED AS PT 1, 24R4927, PT LOT 407, PLAN 421 DESIGNATED AS PT 1, 24R5060 HARWICH; all of PIN 00938-1088, legally described as LAKE SHORE DRAIN, PLAN 421, LYING BETWEEN W LIMIT OF LT 439 & E LIMIT OF LT 407, PLAN 421 HARWICH; and part of PIN 00939-1089, legally described as LAKE SHORE DRAIN, PLAN 421, LYING BETWEEN W LIMIT OF LT 446 & E LIMIT OF ROADWAY 30 FT WIDE, PLAN 421 HARWICH

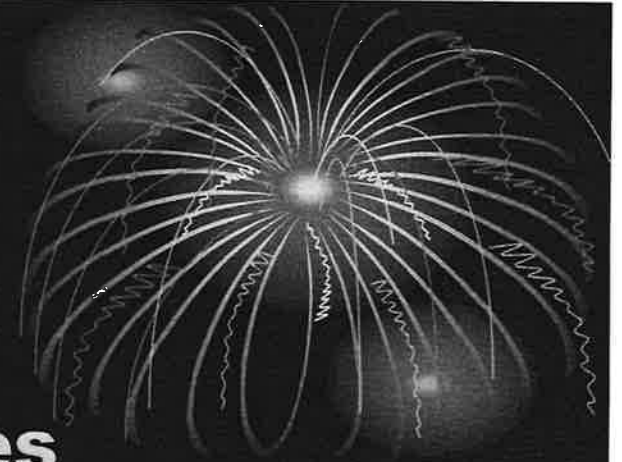
And being approximately depicted in the map below:



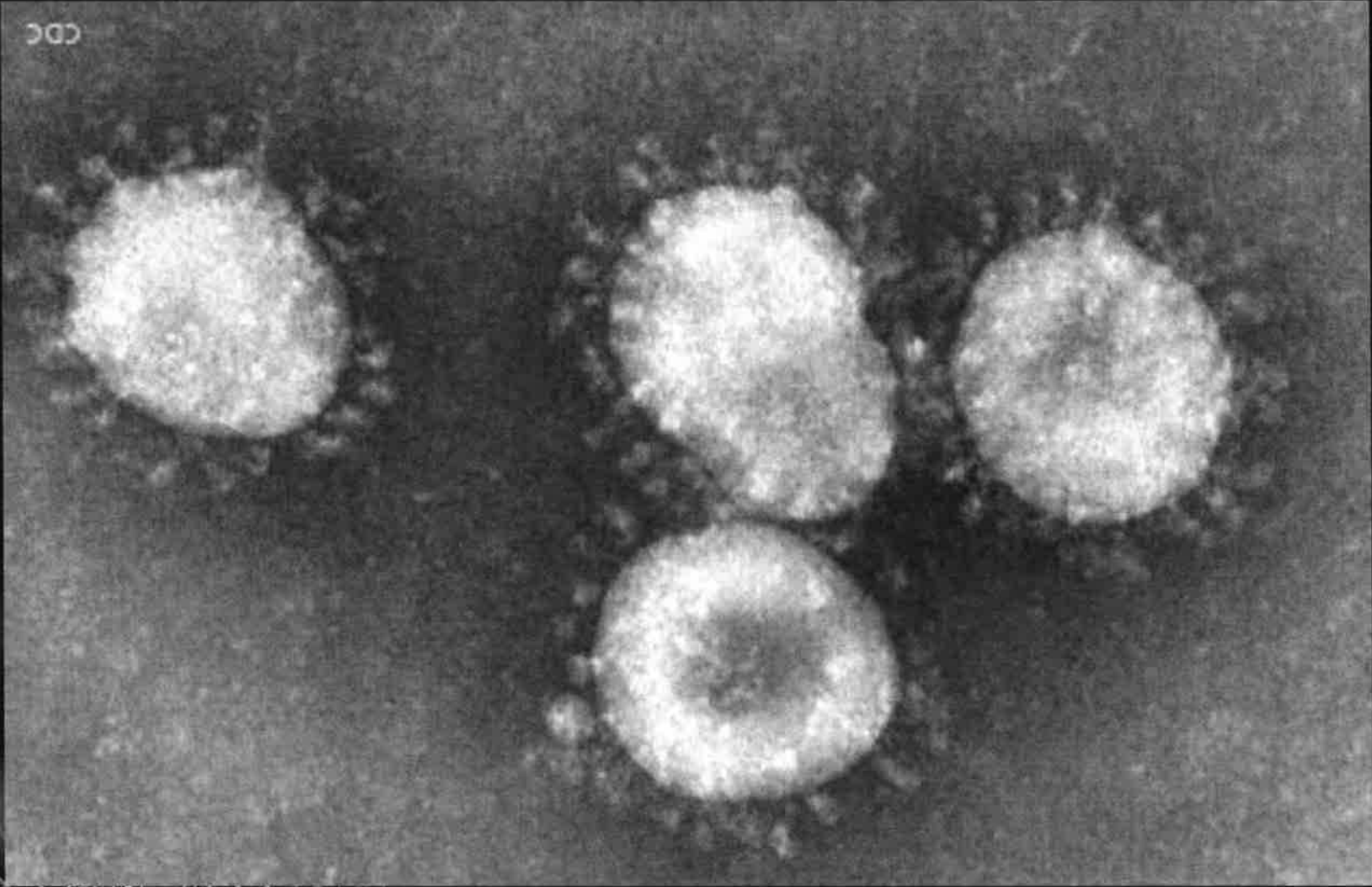
W.D. Colby, MSc, MD, FRCPC
CK Medical Officer of Health

Coronaviruses: Old, New and Novel

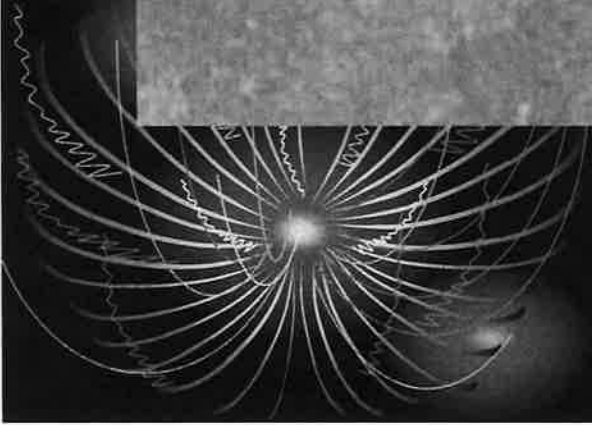
Coronavirus



- **Enveloped + ss RNA viruses**
- **Name derived from solar-like appearance in electron microscope**
- **Due to viral spike peplomers which determine binding**
- **Droplet, direct contact transmission (possible limited from fomites)**
- **Incubation period short ~ 3 days usually**

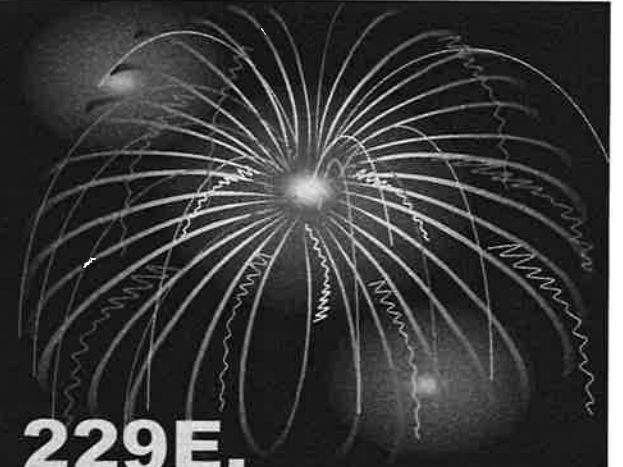


Coronavirus

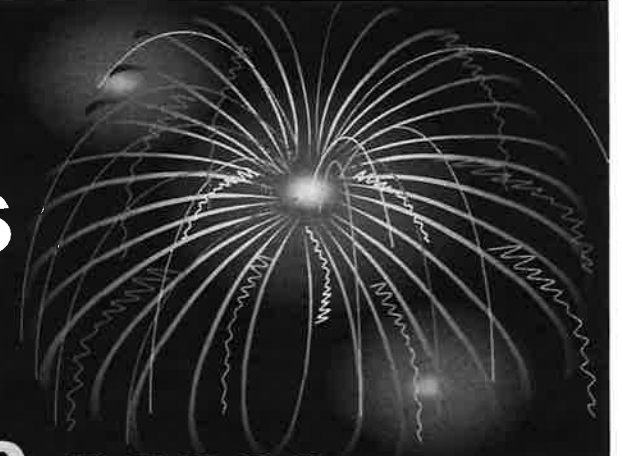


Coronavirus

- **Common types in humans: 229E, NL63, OC43, and HKU1**
- **Very short lived immunity**
- **1-30% of common cold syndrome cases, equal number subclinical**
- **10-35% infected per year**
- **Coronavirus first associated with severe lower RTI in 1992 in Japan**
- **Cause gastroenteritis in animals, also avian infectious bronchitis**



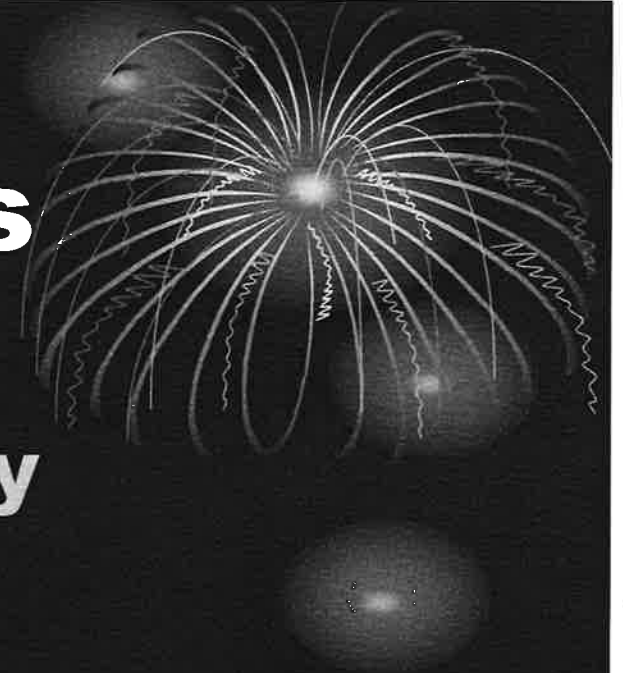
SARS Coronavirus



- **SARS 2003/2004: >8000 cases**
- **Civet cat suspected as vector**
- **ELISA reliable for SARS but not positive until day 20 of illness**
- **10% mortality**
- **No cases since 2004**

MERS Coronavirus

- **Middle East Respiratory Syndrome**
- **Discovered 2012**
- **Dromedary reservoir**
- **All cases linked to Arabian peninsula (~200/year)**
- **Low transmissibility but 34.5% mortality!**



SARS-CoV-2

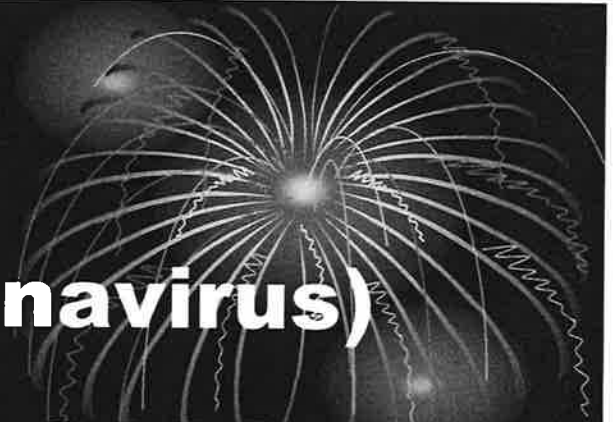
(2019-nCoV, Wuhan Coronavirus)

- **COVID-19 purportedly started in wet market in Wuhan China**
- **Possible origin in bats/snakes/pangolins**
- **Largest quarantine in history**
- **Live markets now banned in China**

SARS-CoV-2

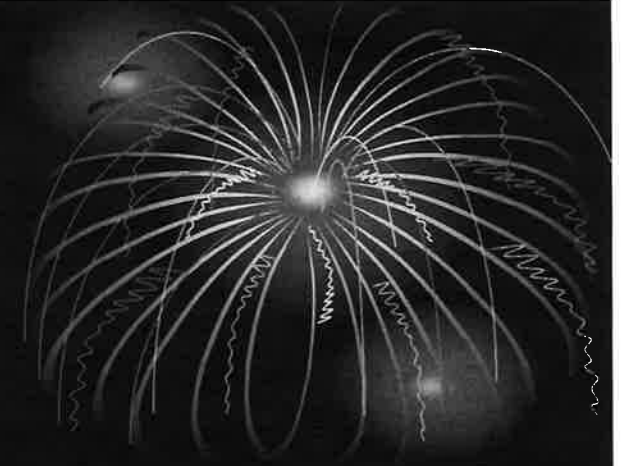
(2019-nCoV, Wuhan Coronavirus)

- **70% genetic identity to SARS-CoV**
- **More communicable than SARS but lower mortality ~2.5%**
- **WHO has not yet designated COVID-19 as a pandemic**



Latest Numbers

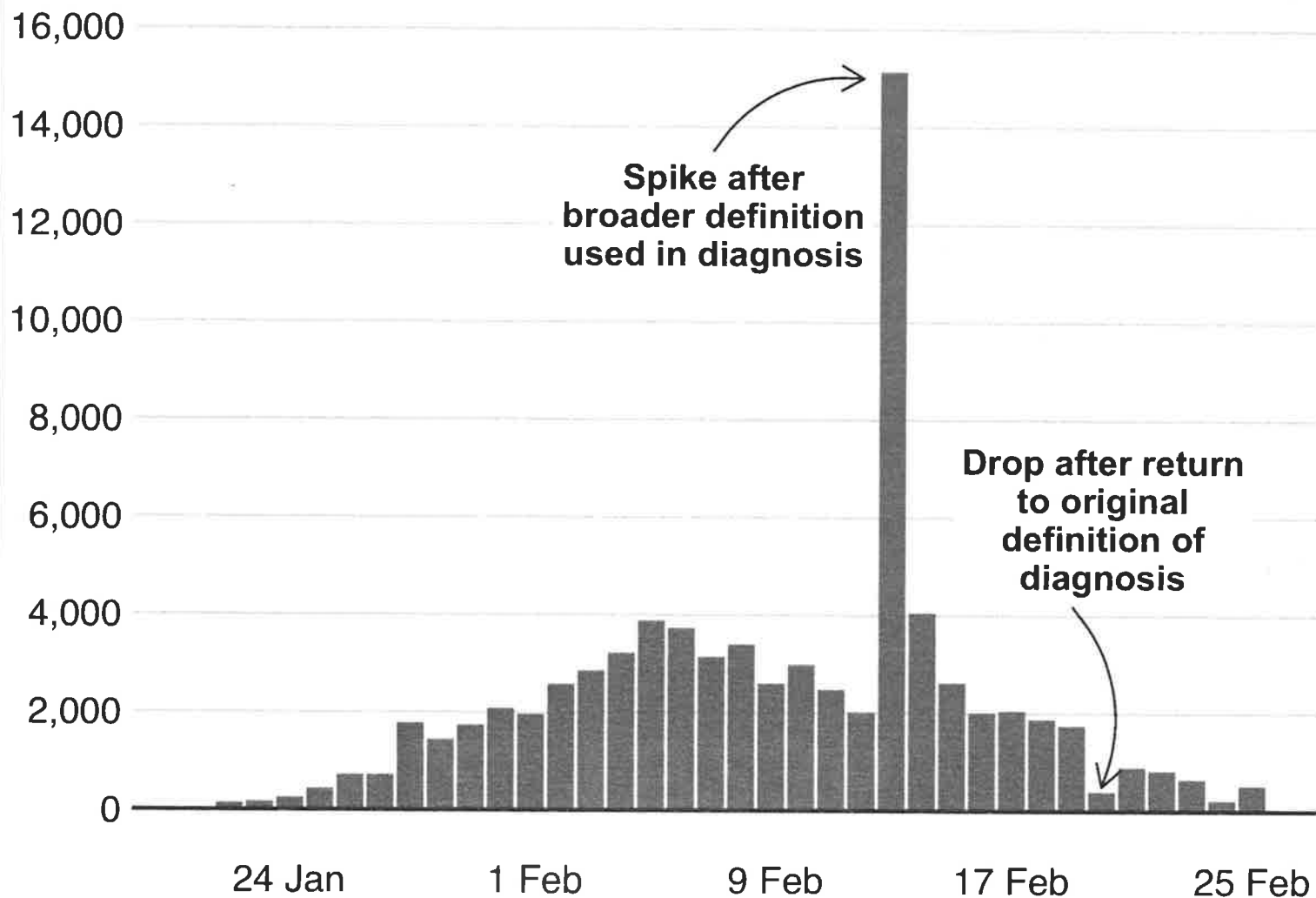
March 2, 1523h



- **90,241 total cases**
- **3084 deaths; 45,581 recovered**
- **80,134 China/ Hong Kong/ Macao**
- **4,335 South Korea**
- **2036 Italy**
- **1501 Iran**
- **705 other countries (Canada 24)**

Cases in China remain low

Daily confirmed cases of coronavirus in China

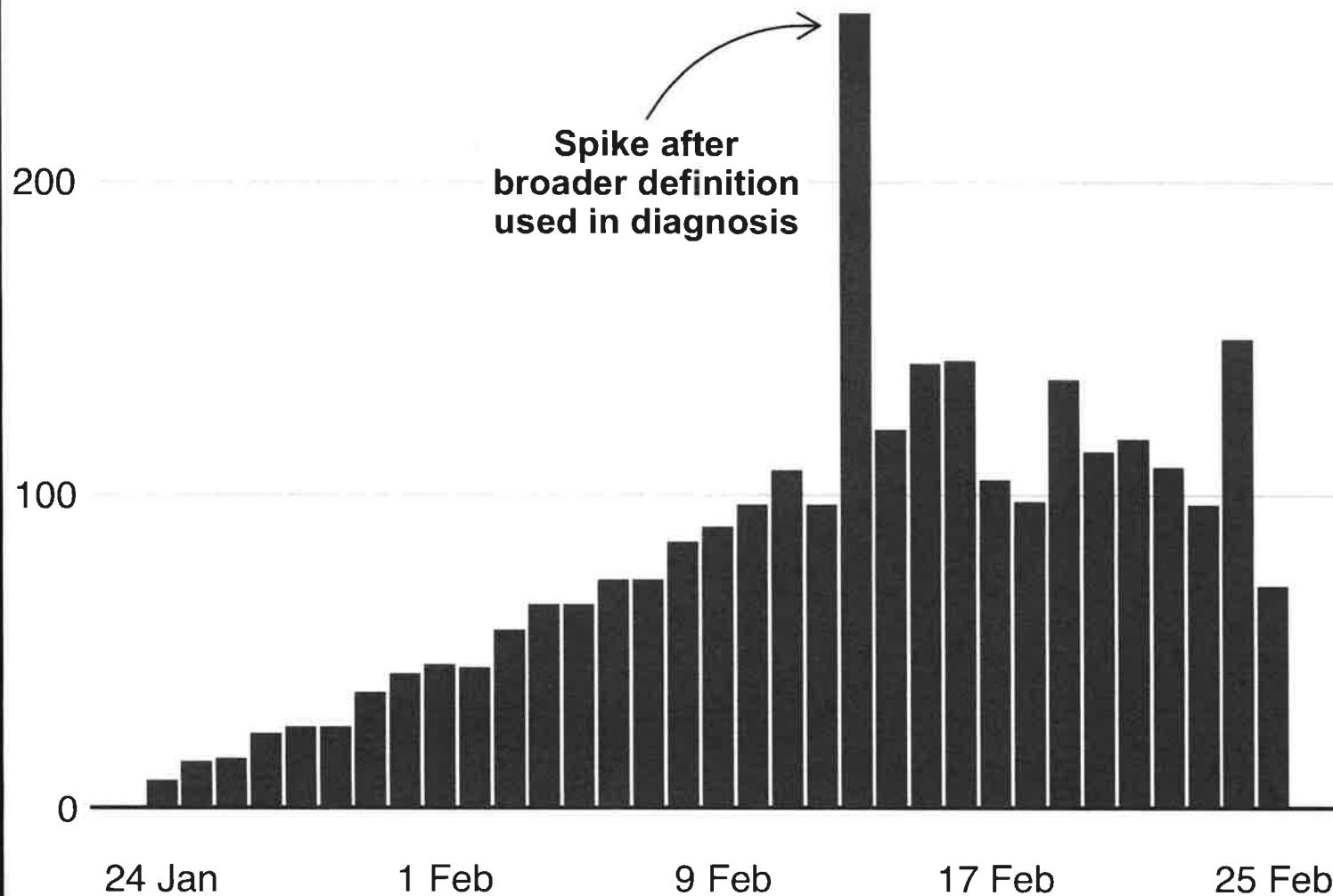


Source: China National Health Commission, WHO



Daily death toll in China levels out

Daily deaths from coronavirus in China

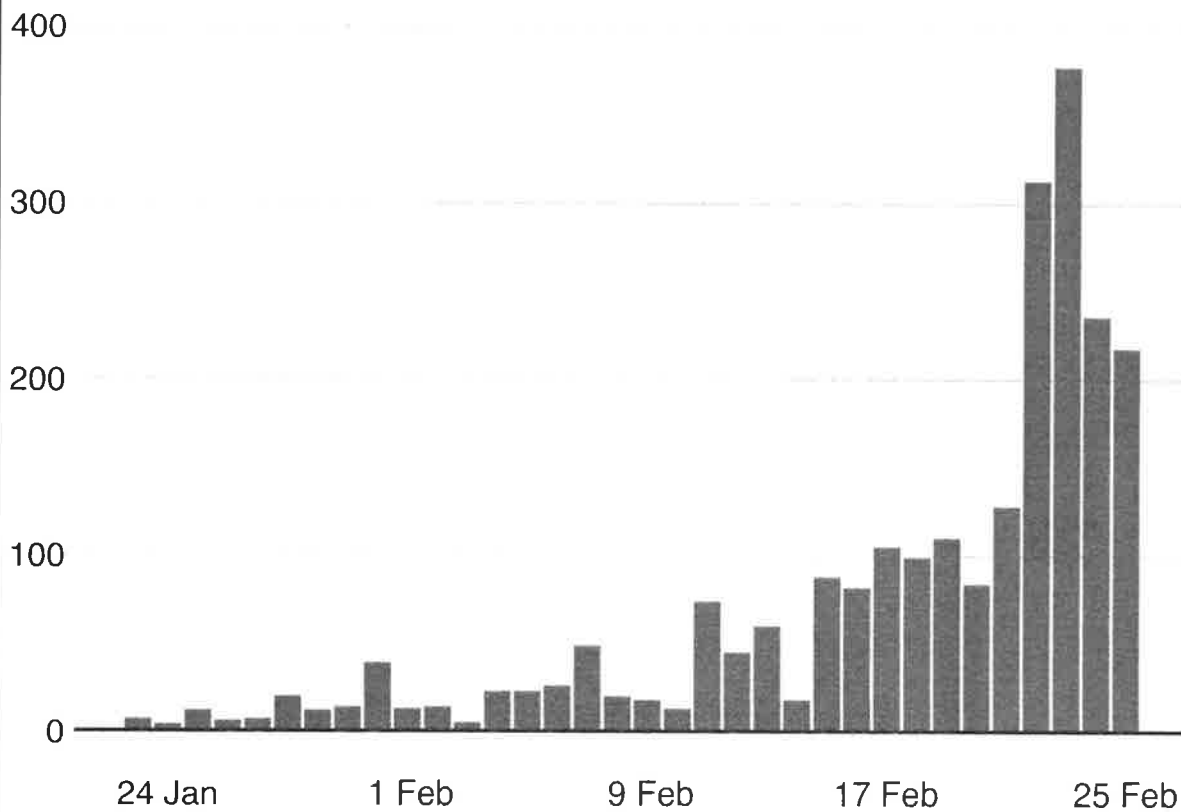


Source: China National Health Commission, WHO

BBC

Cases outside China have grown

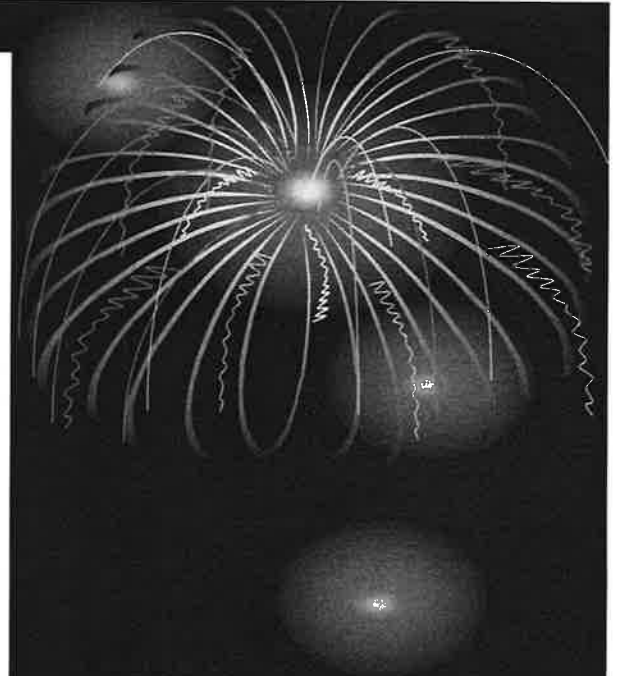
Daily confirmed cases of coronavirus outside China



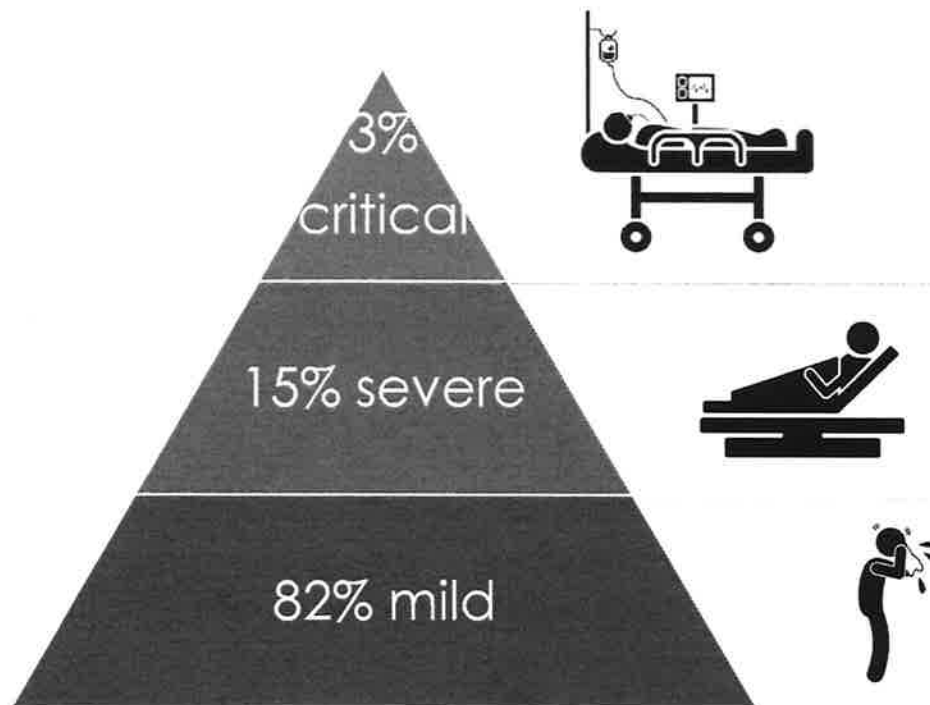
Source: World Health Organization

BBC

Areas of Concern Outside China/ Hong Kong: South Korea (esp. Daegu), Japan, Singapore, Iran (esp. Qom), Italy (esp. Lombardy and Veneto)



2019-nCoV estimates on clinical severity (n=17185)



Source: China NHC

Article review – a closer look at COVID-19 in hospitals

138 patients in tertiary hospital (41% infected in hospital: 12% already hospitalized for other conditions, 29% healthcare workers)

Common symptoms at illness onset:

- Fever (98.6%)
- Fatigue (69.6%)
- Dry cough (59.4%)
- Myalgia (34.8%)
- Dyspnoea (31.2%)

46.4% of the 138 patients had co-existing medical conditions including:

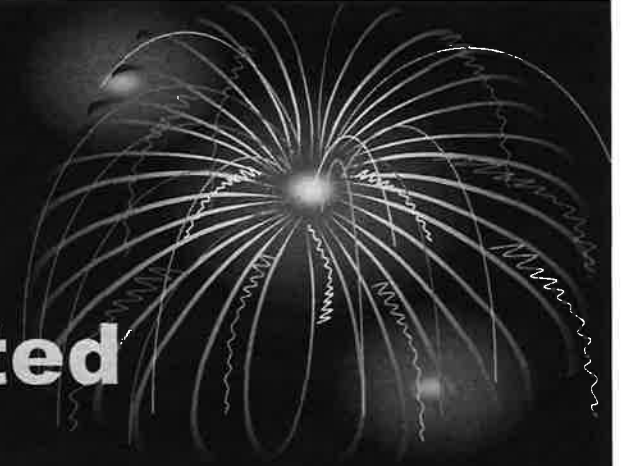
- Hypertension 31.2%
- Diabetes 10.1%
- Cardiovascular disease 14.5%
- Malignancy 7.2%

Median age of patients: 56 years

Wang D, Bo Hu, et al. Clinical characteristics of 138 hospitalised patients with 2019 Novel Corona virus-infected pneumonia in Wuhan, China. The Lancet. 07.02.20 138 cases.

Precautions

- **Travel bans are of limited effectiveness, but**
- **Avoiding travel to areas where the virus is spreading in the community is sensible**
- **Handwashing/ hand sanitizer**
- **Masks/ quarantine for exposed/ symptomatic to limit spread**
- **Face shields and gloves for caregivers**



What if a Pandemic is Declared?



- **Mass gatherings could be restricted**
- **School closures possible**
- **Cancellation of elective surgery to rationalize health resources**
- **Selective quarantines**
- **Canada is ready post SARS**
- **We have a local Pandemic Plan**

Who is in Charge Here?



- **Federal government is in charge of international travel**
- **In Ontario, the Health Protection and Promotion Act empowers the local MOH within Health Unit Boundaries**
- **Province coordinates**
- **Regional response convened Feb 28, first call today 1630h**

Municipality Of Chatham-Kent
Community Human Services
Administration

To: Mayor and Members of Council
From: April Rietdyk, General Manager, Community Human Services
Date: February 18, 2020
Subject: Lease Renewal: 20 Merritt Ave, Chatham, Active Lifestyle Centre

Recommendations

It is recommended that:

1. The lease amendment for 20 Merritt Ave, Chatham to the Active Lifestyle Centre be approved.
2. The Mayor and Clerk be authorized to execute the lease amendment, subject to final approval of the terms of the lease amendment by the Chief Legal Officer.

Background

During the September 23, 2019 Council meeting, the following recommendation was approved:

1. The current lease agreement between the Active Lifestyle Centre (ALC) and the Municipality of Chatham-Kent be renegotiated. The renegotiation to include the transfer of responsibility for large capital items from the ALC to the Municipality.

The full report can be accessed at the following web link: <https://www.chatham-kent.ca/Council/Meetings/2019/Documents/September/Sep-23-20a.pdf>

Comments

In late 2018, the Active Lifestyle Centre (ALC) requested that their lease, signed November 1990, be renegotiated specifically with the request to transfer responsibility of large capital items to the Municipality. They are requesting that no other changes be made to the current lease. ALC will continue to be responsible for all ongoing maintenance, cleaning, and minor repairs required to maintain the ongoing functioning

of the Centre. They will also continue to be responsible for all utilities including but not limited to heat, hydro, water, phone, and internet. ALC staff also agree to continue to seek out and apply for available funding grants to support both capital and operating requirements of the Centre.

Following Council's approval on September 23, 2019, representatives from Legal Services and Community Human Services met with members of the Active Lifestyle Centre Board, both in person and via email, to renegotiate the lease. Key changes to the lease agreement are as follows:

The lease will expire in 2040. Previously the lease had a 99 year term, which became unworkable with the Municipality becoming responsible for larger capital items. Provisions have been made with the intention for the parties to meet in preparation for the 2040 expiry to discuss the relationship and determine the best approach/terms going forward at that point. Changes to the lease now allow five year renewals but those only occur on mutual agreement. If the parties cannot come up with a five year renewal, the lease automatically renews for one year terms subject to a 120 day termination clause before any renewal.

In order to operationalize the distinction between major capital repairs (which will now be the Municipality's responsibility) and day-to-day maintenance, new clauses were added to the lease to define "operational" and "capital" repairs, with all repairs of \$5,000 or less remaining as the responsibility of the Active Lifestyle Centre.

Areas of Strategic Focus and Critical Success Factors

The recommendations in this report support the following areas of strategic focus:

- Economic Prosperity:
Chatham-Kent is an innovative and thriving community with a diversified economy
- A Healthy and Safe Community:
Chatham-Kent is a healthy and safe community with sustainable population growth
- People and Culture:
Chatham-Kent is recognized as a culturally vibrant, dynamic, and creative community
- Environmental Sustainability:
Chatham-Kent is a community that is environmentally sustainable and promotes stewardship of our natural resources

The recommendations in this report support the following critical success factors:

- Financial Sustainability:

The Corporation of the Municipality of Chatham-Kent is financially sustainable

- Open, Transparent and Effective Governance:
The Corporation of the Municipality of Chatham-Kent is open, transparent and effectively governed with efficient and bold, visionary leadership
- Has the potential to support all areas of strategic focus & critical success factors
- Neutral issues (does not support negatively or positively)

Consultation

Legal Services reviewed the original lease and along with Community Human Services, negotiated changes to the renewal with the Active Lifestyle Centre. The proposed changes were submitted to the ALC on January 20, 2020. The Municipality received notification on January 29, 2020 that the ALC Board of Directors were in agreement with the proposed changes.

Financial Implications

As part of the original lease agreement, an operations committee consisting of two members appointed by the ALC and two members from municipal administration are to meet at a minimum of once per year. This is to ensure the Centre is operated in a manner acceptable to both parties and to determine facility rental rates and any planned or requested changes or repairs to the facility. Administration will provide information to Council regarding the impact to building lifecycle after the committee has met and reviewed the building in detail.

Prepared by:

April Rietdyk, RN, BScN, MHS, PHD PUBH
General Manager
Community Human Services

Reviewed by:

David Taylor
Manager, Legal Services

C: Legal Services

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Municipality Of Chatham-Kent

Community Human Services

Housing Services

To: Mayor and Members of Council

From: Shelley Wilkins, (Hon) BPA
Director, Housing Services

Date: February 5, 2020

Subject: Municipal Capital Facilities By-law for Affordable Housing Project at
48 Fifth St. S., First Floor, Chatham

Recommendation:

It is recommended that:

1. A By-law to authorize entering into an agreement for the provision of Municipal Capital Facilities for Affordable Housing by N2 Energy Solutions Inc. in the Municipality of Chatham-Kent at 48 Fifth Street South (First Floor), Chatham be approved.

Background

At the October 21, 2019 regular session of Council, Council received and approved the recommendations from the Director, Housing Services, to endorse the Request For Proposal (RFP) submission of N2 Energy Solutions Inc. to convert unfinished vacant commercial first floor building space into 8 one bedroom affordable rental units (including one modified unit). Council endorsed its application for \$358,297 in Ministry of Municipal Affairs and Housing (MMAH) funding and approved a municipal funding allocation of \$416,703 from the Social Housing Operations Reserve subject to MMAH approval of the Investment in Affordable Housing Extension (IAHE) Year 6 funding request.

Comments

Under a letter dated December 5, 2019, the Director, Housing Services received MMAH's Conditional Letter of Commitment (CLC) for the N2 Energy Solutions Inc. affordable housing project at 48 Fifth St. S. (First Floor), Chatham. The subject By-law is a Service Manager requirement for participating in the program. The draft By-law is attached as Appendix 1.

Areas of Strategic Focus and Critical Success Factors

The recommendation in this report supports the following areas of strategic focus:

Economic Prosperity:

Chatham-Kent is an innovative and thriving community with a diversified economy

A Healthy and Safe Community:

Chatham-Kent is a healthy and safe community with sustainable population growth

People and Culture:

Chatham-Kent is recognized as a culturally vibrant, dynamic, and creative community

Environmental Sustainability:

Chatham-Kent is a community that is environmentally sustainable and promotes stewardship of our natural resources

The recommendation in this report supports the following critical success factors:

Financial Sustainability:

The Corporation of the Municipality of Chatham-Kent is financially sustainable

Open, Transparent and Effective Governance:

The Corporation of the Municipality of Chatham-Kent is open, transparent and effectively governed with efficient and bold, visionary leadership

Has the potential to support all areas of strategic focus & critical success factors

Neutral issues (does not support negatively or positively)

Consultation

No consultation was required for the preparation of this report.

Financial Implications

The funding contributions approved at the October 21, 2019 Council meeting include:

IAHE– 8 units	\$ 358,297
Municipal Affordable Housing	\$ 416,703
Total	\$ 775,000

The estimated annual property tax savings, for the reduction from multi-residential tax rate to the single-family residential tax rate is \$6,763. This figure is provided by the Proponent in the Project Proposal Submission and is included in the Project Information Form (PIF) report filed with MMAH.

Prepared by:

Shelley Wilkins, (Hon) BPA
Director, Housing Services

Reviewed by:

April Rietdyk, RN, BScN, MHS, PHD PUBH
General Manager
Community Human Services

Attachment: Draft By-law to authorize the entering into agreement for the provision of Municipal Capital Facilities for Affordable Housing by N2 Energy Solutions Inc. in the Municipality of Chatham-Kent.

c. Nasr Nasr, President/Owner, N2 Energy Solutions Inc.,

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BY-LAW NUMBER __-2020
OF
THE MUNICIPALITY OF CHATHAM-KENT

A By-law to authorize the entering into agreement for the provision of Municipal Capital Facilities for Affordable Housing by N2 Energy Solutions Incorporated in the Municipality of Chatham-Kent

WHEREAS subsection 110(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that the council of a municipality may enter into agreements for the provision of municipal capital facilities with any person;

AND WHEREAS section 2 of Ontario Regulation 603/06, as amended, prescribes municipal housing projects as eligible municipal capital facilities;

AND WHEREAS section 2 of By-law No. 44-2007 of the Municipality of Chatham-Kent permits the Municipality to enter into municipal housing project facilities agreements with housing service providers;

AND WHEREAS by Resolution dated June 24, 2019 the Council of the Municipality approved submitting a revised Program Delivery and Fiscal Plan under the **2014 Investment in Affordable Housing Extension (IAHE) program** to the Ministry of Housing for funding approval, which includes funding the development of an affordable housing project for up to \$358,297 in funding for a minimum of three affordable units;

AND WHEREAS by Resolution dated October 21, 2019 the Council of the Municipality recommended a municipal affordable housing project on the first floor at 48 Fifth Street South, Chatham, proposed by N2 Energy Solutions Incorporated for approval by the Ministry of Housing under the 2014 IAHE Year 6 program, Rental Housing component and approved providing an additional \$416,703 in municipal affordable housing funding subject to the project receiving provincial funding approval;

AND WHEREAS on December 5, 2019, the Ministry of Housing conditionally approved the N2 Energy Solutions Incorporated project for \$358,297 in funding for the creation of 8 affordable housing units under the IAHE Year 6 program;

AND WHEREAS Council is desirous of entering into agreements for the provision of municipal capital facilities with N2 Energy Solutions Incorporated for its property located on the first floor at 48 Fifth Street South, Chatham in Chatham-Kent, Ontario to be utilized as a municipal affordable housing project;

NOW THEREFORE, the Municipality of Chatham-Kent hereby ENACTS as follows:

1. The Mayor and Municipal Clerk are authorized to administer and enter into agreement(s) under section 110(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25 with N2 Energy Solutions Incorporated concerning its property located on the first floor at 48 Fifth Street South, Chatham for the provision of a municipal capital facility, namely a municipal affordable housing project consisting of 8 affordable rental units (one bedroom units). Such agreements may provide for an annual grant to offset the difference between the multi-residential property tax rate and the single family residential property tax rate for the

duration of the affordable housing contribution agreement.

2. This By-law will come into force immediately upon passing.

By-law read a first, second and third time and finally passed in the Council Chamber at the Municipality of Chatham-Kent this th day of _____, 2020.

MAYOR – Darrin Canniff

CLERK - Judy Smith

▲
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Municipality Of Chatham-Kent

Community Human Services

Housing Services

To: Mayor and Members of Council

From: Shelley Wilkins, (Hon) BPA
Director, Housing Services

Date: February 5, 2020

Subject: Municipal Capital Facilities By-law for Affordable Housing Project at
45 Margaret Street South, Blenheim

Recommendation:

It is recommended that:

1. A By-law to authorize entering into an agreement for the provision of Municipal Capital Facilities for Affordable Housing by Villaview Community Corporation in the Municipality of Chatham-Kent at 45 Margaret Street South, Blenheim, be approved.

Background

At the October 21, 2019 regular session of Council, Council received and approved the recommendations from the Director, Housing Services, to endorse the Request For Proposal (RFP) submission of Villaview Community Corporation to construct a single story 13-unit new build on their property at 45 Margaret Street South, Blenheim. This new build will be attached to the social housing project of Corporal Harry Minder V.C. (Ont. 185) Senior Citizens Corporation at 330 Catherine St. Council endorsed this project for submission to the Ministry of Municipal Affairs and Housing (MMAH) for funding under the Ontario Priorities Housing Initiative (OPHI) Year 1 program and approved an allocation of \$52,790 in municipal funding subject to MMAH approval of the OPHI Year 1 funding request.

Comments

Under a letter dated December 17, 2019, the Director, Housing Services received MMAH's Conditional Letter of Commitment (CLC) for the Villaview Community Corporation affordable housing project at 45 Margaret St. S., Blenheim. The subject By-law is a Service Manager requirement for participating in the program. The draft By-law is attached as Appendix 1.

Areas of Strategic Focus and Critical Success Factors

The recommendation in this report supports the following areas of strategic focus:

Economic Prosperity:

Chatham-Kent is an innovative and thriving community with a diversified economy

A Healthy and Safe Community:

Chatham-Kent is a healthy and safe community with sustainable population growth

People and Culture:

Chatham-Kent is recognized as a culturally vibrant, dynamic, and creative community

Environmental Sustainability:

Chatham-Kent is a community that is environmentally sustainable and promotes stewardship of our natural resources

The recommendation in this report supports the following critical success factors:

Financial Sustainability:

The Corporation of the Municipality of Chatham-Kent is financially sustainable

Open, Transparent and Effective Governance:

The Corporation of the Municipality of Chatham-Kent is open, transparent and effectively governed with efficient and bold, visionary leadership

Has the potential to support all areas of strategic focus & critical success factors

Neutral issues (does not support negatively or positively)

Consultation

No consultation was required for the preparation of this report.

Financial Implications

The funding contributions approved at the October 21, 2019 Council meeting include:

OPHI Year One – Seven affordable units	\$ 752,210
Municipal Affordable Housing	<u>\$ 52,790</u>
Total	\$ 805,000

The estimated annual property tax savings, for the reduction from multi-residential tax rate to the single-family residential tax rate is \$10,000. This figure is provided by the Proponent in the Project Proposal Submission and is included in the Project Information Form (PIF) report filed with MMAH.

Prepared by:

Shelley Wilkins, (Hon) BPA
Director, Housing Services

Reviewed by:

April Rietdyk, RN, BScN, MHS, PHD PUBH
General Manager
Community Human Services

Attachment: Draft By-law to authorize the entering into agreement for the provision of
Municipal Capital Facilities for Affordable Housing by Villaview Community
Corporation in the Municipality of Chatham-Kent.

c. Barbara Ferren, President, Villaview Community Corporation

P:\RTC\Community Human Services\2020\Housing\RTC Municipal Capital Facilities By-
Law For Affordable Housing Project At 45 Margaret St S. Blenheim.Docx

BY-LAW NUMBER __-2020
OF
THE MUNICIPALITY OF CHATHAM-KENT

A By-law to authorize the entering into agreement for the provision of Municipal Capital Facilities for Affordable Housing by Villaview Community Corporation in the Municipality of Chatham-Kent

WHEREAS subsection 110(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that the council of a municipality may enter into agreements for the provision of municipal capital facilities with any person;

AND WHEREAS section 2 of Ontario Regulation 603/06, as amended, prescribes municipal housing projects as eligible municipal capital facilities;

AND WHEREAS section 2 of By-law No. 44-2007 of the Municipality of Chatham-Kent permits the Municipality to enter into municipal housing project facilities agreements with housing service providers;

AND WHEREAS by Resolution dated June 24, 2019 the Council of the Municipality approved submitting an Investment Plan under the **2019 Canada-Ontario Community Housing Initiative (COCHI) and the Ontario Priorities Housing Initiative (OPHI) program** to the Ministry of Municipal Affairs and Housing (MMAH) for funding approval, which includes funding the development of an affordable housing project for up to \$752,210 in Year 1 funding for a minimum of six affordable units;

AND WHEREAS by Resolution dated October 21, 2019 the Council of the Municipality recommended a municipal affordable housing project at 45 Margaret Street South, Chatham, proposed by Villaview Community Corporation for approval by the MMAH under the 2019 OPHI Year 1 program, Rental Housing component and approved providing an additional \$52,790 in municipal affordable housing funding subject to the project receiving provincial funding approval;

AND WHEREAS on December 17, 2019, the MMAH conditionally approved the Villaview Community Corporation project for \$752,210 in funding for the creation of 7 affordable housing units under the OPHI Year 1 program;

AND WHEREAS Council is desirous of entering into agreements for the provision of municipal capital facilities with Villaview Community Corporation for its property located at 45 Margaret Street South, Blenheim in Chatham-Kent, Ontario to be utilized as a municipal affordable housing project;

NOW THEREFORE, the Municipality of Chatham-Kent hereby ENACTS as follows:

1. The Mayor and Municipal Clerk are authorized to administer and enter into agreement(s) under section 110(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25 with Villaview Community Corporation concerning its property located at 45 Margaret Street South, Blenheim for the provision of a municipal capital facility, namely a municipal affordable housing project consisting of 7 affordable rental units (one bedroom units). Such agreements may provide for an annual grant to offset the difference between the multi-residential property tax rate and the single family residential property tax rate for the duration of

the affordable housing contribution agreement.

2. This By-law will come into force immediately upon passing.

By-law read a first, second and third time and finally passed in the Council Chamber at the Municipality of Chatham-Kent this th day of _____, 2020.

MAYOR – Darrin Canniff

CLERK - Judy Smith

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Municipality Of Chatham-Kent

Community Human Services

Housing Services

To: Mayor and Members of Council
From: Ray Harper
Director, Housing Services (Intern)
Date: January 28, 2020
Subject: Consulting Services for Review and Update of AssetPlanner database for
the Municipality by Housing Services Corporation (HSC)

Recommendation

It is recommended that:

1. Funding for consulting services for review and updating of AssetPlanner data at a total one-time cost of \$14,339 to be funded from the Social Housing Operating Reserve.

Background

Ameresco's AssetPlanner software is used to identify and prioritize capital renewal needs, develop capital plans, demonstrate the funding requirements, and measure the impact of capital investments. AssetPlanner can also be utilized to calculate and report on the Facility Condition Index (FCI) of Chatham-Kent's Social Housing Portfolio.

Confidence in the data that resides in AssetPlanner is critical to ensuring:

- The funding requirements of the social housing portfolio can be reviewed in parallel with other priorities;
- The annual capital planning process appropriately allocates the limited funding to projects with the highest need.

The Procurement By-law #03-2016 was adopted by Council on January 11, 2016. The Procurement By-law Section 36 – Administrative Approval allows for the direct appointment of professional services (consultants, architects etc.) up to \$75,000 based on the following approval structure:

Level	How Procured	Approval	
\$0 - \$75,000	Direct Appointment	Specialty Projects Up to \$50,000	EMT
\$0 - \$75,000	Direct Appointment	Specialty Projects Up to \$75,000	CAO
\$0 - \$75,000	Direct Appointment	Infrastructure Projects	EMT

If the funding of these consulting services is approved, approval of the purchase will be considered by the General Manager, Community Human Services in accordance with the Procurement Bylaw.

Comments

HSC utilizes Ameresco’s Data Development process to capture and maintain capital renewal needs for the buildings within AssetPlanner. Further, a number of the Service Managers across the Province are already subscribers to the AssetPlanner software by Ameresco vis-à-vis Housing Services Corporation. As a Housing Collaborative Initiative (HCI) member, there is a commitment to ensure that the data entered into AssetPlanner will be accurate, current and complete. HSC staff are well versed in using the software and ensuring the information uploaded to the database is correct. The Housing Services team does not have the staff resources in place to complete this initiative.

The Director of Housing Services discussed with HSC the resources required to update the database in AssetPlanner.

Scope of work for the services to be performed:

Part A - Review and Update of Municipality Operated Housing Stock Capital Data Information

Part B – Review and Update of Non-Profit/Co-operative Housing Provider Capital Data Information.

Part C – AssetPlanner Training of Non-Profit/Co-operative Housing Providers.

Areas of Strategic Focus and Critical Success Factors

The recommendations in this report support the following areas of strategic focus:

Economic Prosperity:

Chatham-Kent is an innovative and thriving community with a diversified economy

A Healthy and Safe Community:

Chatham-Kent is a healthy and safe community with sustainable population growth

People and Culture:

Chatham-Kent is recognized as a culturally vibrant, dynamic, and creative community

Environmental Sustainability:

Chatham-Kent is a community that is environmentally sustainable and promotes stewardship of our natural resources

The recommendations in this report support the following critical success factors:

Financial Sustainability:

The Corporation of the Municipality of Chatham-Kent is financially sustainable

Open, Transparent and Effective Governance:

The Corporation of the Municipality of Chatham-Kent is open, transparent and effectively governed with efficient and bold, visionary leadership

Has the potential to support all areas of strategic focus & critical success factors

Neutral issues (does not support negatively or positively)

Consultation

There was no consultation required in producing this report.

Financial Implications

The project is being funded from the Social Housing Operating Reserve, which has a current balance of \$4,678,901. This proposal will save Chatham-Kent budget dollars, and staff resources as this HSC staff person fulfilling this role will not be a municipal employee, instead services is being contracted from HSC, and they are the sole employer.

Consulting Services for Review and Update of AssetPlanner database for the
Municipality by Housing Services Corporation (HSC)

4

Prepared by:

Ray Harper, CPA, CMA, PMP
Intern Director, Housing Services

Reviewed by:

April Rietdyk, RN, BScN, MHS, PHD PUBH
General Manager
Community Human Services

Attachment: None

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Municipality of Chatham-Kent

Community Human Services

Community Attraction and Leisure Services - Arts and Culture Services

To: Mayor and Members of Council

From: Heather Slater
Manager, Arts and Culture Services

Date: February 13, 2020

Subject: Request for Transfer from Kiwanis Theatre Improvement Fund Reserve and Capitol Theatre Improvement Fund Reserve

Recommendations

It is recommended that:

1. An amount of \$177,000 be transferred from the Kiwanis Theatre Improvement Fund Reserve to the Cultural Centre operating budget for improvements to Kiwanis Theatre.
2. An amount of \$96,500 be transferred from the Capitol Theatre Improvement Fund Reserve to the Capitol Theatre operating budget to upgrade technical equipment in the Capitol Theatre.

Background

The Kiwanis Theatre has provided high quality events and programs for over 50 years. The Theatre has been used for several types of activities such as professional shows, community theatre, rentals, programs, lectures, dinner shows, theatre training, and films.

The Theatre presently has 638 seats, plus a wheelchair section. The stage is considered smaller by theatre standards, and since there is no backstage, the lounge area serves in this capacity. Performers have consistently commented positively on the acoustics and intimate setting.

In 2003, Council approved the implementation of the Kiwanis Theatre Improvement Fund (TIF), funded through a \$1.00 surcharge on each ticket purchased for the Kiwanis Theatre, which has been used for Kiwanis Theatre improvements.

Between the TIF, Building Lifecycle dollars, and user donations, there has been a large investment in theatre upgrades over the years. These upgrades include the installation of an onstage fire deluge system, fire sprinklers placed throughout the theatre, improved dressing rooms and front lobby, installation of onstage and front-of-house catwalks, screen and projector, and other theatre equipment.

In 2008, Council approved the Culture Master Plan: "Culture, Economy, Community: A Cultural Plan for Chatham-Kent." The report, which was revisited and updated in 2014, was intended to provide a framework for fostering creativity, and for building capacity in the cultural sector. The report addressed the need for a wide variety of arts, culture and creative opportunities for residents of Chatham-Kent, and highlighted the ways in which cultural organizations and facilities contribute to economic stability, job creation, and building a vibrant and engaged community.

In 2009, through the Chatham Cultural Centre (CCC) Master Plan, a new mission statement for the Kiwanis Theatre was created - "to provide a quality, accessible and affordable space for the Chatham-Kent community to perform, learn, develop and enjoy the performing arts".

In 2010, the 1,208 seat Capitol Theatre opened, under the operation of the Chatham Capitol Theatre Association (CCTA). A Capital Replacement Fund (CRF) was introduced to levy a \$2 surcharge on all tickets sold for events in the Capitol Theatre, with the purpose of funding ongoing equipment requirements and general theatre improvements.

In 2011, when the CCTA ceased to exist, the Chatham Cultural Centre staff managed both theatres to keep the Capitol Theatre operating. The Capitol's reputation as a desirable venue for a wide range of performances began to grow, attracting promoters and producers from across Canada and the USA. Rentals, community programming and education programs were held at the Kiwanis Theatre.

In 2012, St. Clair College took over the operation of the Capitol Theatre, and had success with performances and events.

In 2015, St. Clair College served notice to terminate their contract with the Municipality, due to a change in College direction.

In 2016, the Municipality assumed operations of the Capitol Theatre. The Capitol's growing prominence highlighted the need for both venues in the community: the Capitol for professional, touring shows, and events that had advanced technical requirements and/or were expected to attract large crowds; and the Kiwanis for less technically complex presentations, often by community presenters, in a more intimate space for a smaller audience.

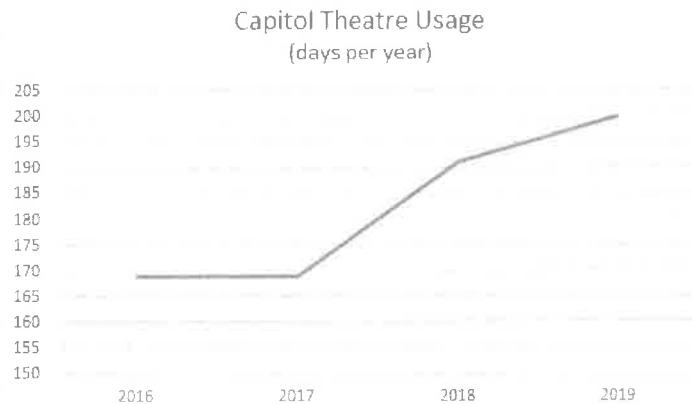
In 2019, as the result of an in-depth review of cultural services, a new Arts and Culture section was launched under the Community Attraction and Leisure Services Division. Arts and Culture comprises both theatres, in addition to the Thames Art Gallery, ARTspace, Milner House, Ridge House, Chatham-Kent Museum, and CKTickets Box Office. Under this new operational structure, with staff now working across all venues and services, a key priority is to examine the operations of both theatres in order to maximize revenue potential by offering strategically curated rentals and internal programming on both stages. Another priority is to conceive multidisciplinary projects to

highlight Gallery and Museum programming, and to draw audiences to these spaces on Kiwanis show nights.

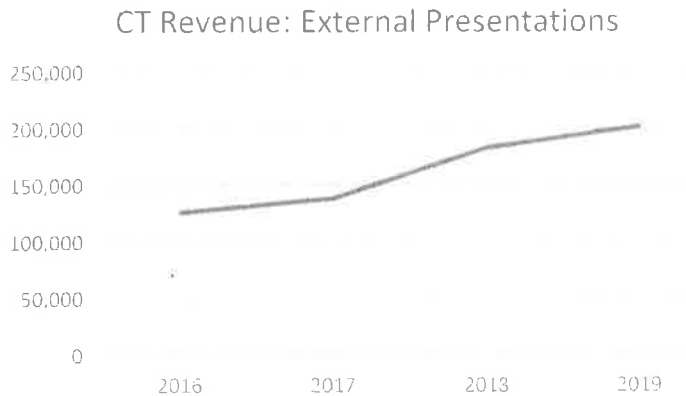
Comments

When the Municipality assumed operations for the Capitol in 2016, the intention was to maintain operations at the existing usage level of approximately 163 days per year. However, the scope of the Capitol’s rental business has grown considerably since 2016, and the venue is currently operating near capacity, turning away potential renters who are unable to secure attractive dates.

Capitol Theatre total usage has increased from 163 to approximately 200 days per year (18% increase over 2016).



The number of external rentals has increased by 25% (from 88 in 2016 to approximately 115 in 2019), and net revenue from rentals has increased dramatically by 60% (from \$126,627 in 2016 to \$201,000 in 2019).



Attendance in the venue has increased by almost 30% over 4 years, from approximately 50,000 in 2016 to 66,000 in 2019.

There is clearly high demand for a full-service performing arts centre in Chatham-Kent. The Capitol's growth is only limited by the fact that it is now operating at full capacity. From the booking requests and enquiries received over the past two years, which have included everything from tribute bands, Canadian singer-songwriters, comedians and dance recitals, to music theatre shows and speaker events, there is also a continued demand for the smaller, more intimate Kiwanis Theatre.

Making improvements to the Kiwanis Theatre will better enable staff to not only program the Kiwanis with these types of performances, but will also be able to offer rental clients a lower cost (hence lower risk) option by suggesting the Kiwanis Theatre when the Capitol Theatre is not available.

Several key pieces of equipment at the Capitol are requiring upgrades or replacement over the next five years, including the lighting and audio consoles and the PA system. As each piece of equipment is replaced, it will be relocated to and reconfigured for the Kiwanis Theatre. With this equipment, the Kiwanis will be able to operate at a more professional level, and clients will also benefit from the connection between the theatres. With management "curating" both spaces, it ensures that one client's project does not affect the success of another, whether due to date proximity, thematic similarities or variances in ticket pricing for similar product.

Kiwanis Theatre Reserve Expenditures

Lighting and Sound: One issue that has been identified for several years is the poor quality, location, and condition of the lighting and sound equipment. Lighting is currently controlled from the balcony level, which is not ideal due to the distance from the stage, and sound equipment is operated either from balcony level or from a small desk behind the back row of auditorium seats. This equipment is suitable for small-scale presentations (lectures, recitals, etc.), but is inadequate for professional productions and larger shows with more complex technical demands. It is rarely possible to accommodate larger external rentals without renting equipment at the theatre's expense. Rental equipment costs can range from \$1,700 to \$5,000 per show, or more, which reduces net profits; currently the majority of rentals at the Kiwanis theatre end with a negative revenue result.

If the rental business at Kiwanis is to grow and become profitable, a more permanent solution is required. The construction of a permanent lighting/sound booth at the back of the main floor, and the repurposing of the Capitol Theatre lighting and sound equipment to the Kiwanis, will help to address this issue.

Seats: The second issue is the seats on both the main floor and balcony. The current seats were installed in 1963, and are showing wear and tear. They are also much smaller and narrower than modern theatre seating, and negative audience feedback about the lack of comfortable seating continues to be received. New seats will improve comfort and enhance audience experience. Some balcony reconstruction work will need to be done to accommodate the seats on the balcony. Aisle lighting will also be improved.

With the installation of new, larger seats, the main floor capacity will be reduced from 424 to 260 seats, and the balcony capacity will be reduced from 214 to 140 seats, for a total reduction in capacity from 638 seats to approximately 400 seats.

The costs for the proposed renovations to the Kiwanis Theatre are as follows:

Item:	Estimated Cost
Seating replacement main floor	\$66,000
Seating balcony	\$29,000
Balcony construction	\$20,000
Aisle lighting	\$5,000
Sound booth expansion (sub-floor, half-walls)	\$7,000
Design and contractor fee	\$10,000
Contingency 30%	\$40,000
Total Estimated Cost	\$177,000

Capitol Improvement Fund Expenditures

Projection Screen: The Capitol Theatre presents a weekly movie series and also hosts external movie screenings. The original projection screen fabric was damaged irreparably in 2014. Currently, a fabric cyclorama, or "cyc", is in use. A cyc is typically used for backdrop projections, but is not optimal for film. The surface does not project a sharp image, and it requires a brighter projector setting, causing quick turnover of the bulbs, which cost approximately \$1,000 each. The cyc needs to be moved from pipe to pipe in order to serve other purposes, and is consequently showing signs of wear and tear. The new projection screen, which is designed to achieve optimal light reflection, would be permanently mounted onto the original frame, immediately upstage of the proscenium (four feet closer to the audience than the current location), and labour costs, bulb wastage, and wear and tear will no longer be a concern.

Lighting Console: The current lighting console is 10 years old, and, while still supported by the manufacturer, is several generations older than what is normally acceptable in a large professional theatre. As such, it is increasingly common that the current console is insufficient to meet performers' needs. It would, however, be well suited to the Kiwanis Theatre. The console at the Kiwanis Theatre currently requires repairs in the amount of \$4,000, but is very close to the end of its lifespan. The console currently in use at the Capitol Theatre would be moved to the Kiwanis Theatre, and a new console purchased for the Capitol.

LED Cyc lights: Upgrading current cyc lights from halogen to LED would save on consumables (gels and bulbs), energy costs, and provide brighter, more vivid colour and colour mixing. It would also save on crew costs, as the pipe on which the lights are hung (accessible by lift) would only need to be accessed for maintenance once per year as opposed to weekly, sometimes daily.

The proposed equipment upgrades for the Capitol Theatre are as follows:

Item:	Estimated Cost
Projection Screen	\$16,000
LED Cyc lights (incl. rigging and cabling)	\$10,500
Lighting Console	\$70,000
Total Estimated Cost:	\$96,500

It is anticipated that the work at the Kiwanis Theatre would occur over July and August, and be completed by October, 2020. The Capitol Theatre work would take place between May and July, 2020.

Areas of Strategic Focus and Critical Success Factors

The recommendations in this report support the following areas of strategic focus:

Economic Prosperity:

Chatham-Kent is an innovative and thriving community with a diversified economy

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People and Culture:

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Environmental Sustainability:

Chatham-Kent is a community that is environmentally sustainable and promotes stewardship of our natural resources

The recommendations in this report support the following critical success factors:

Financial Sustainability:

The Corporation of the Municipality of Chatham-Kent is financially sustainable

Open, Transparent and Effective Governance:

The Corporation of the Municipality of Chatham-Kent is open, transparent and effectively governed with efficient and bold, visionary leadership

Has the potential to support all areas of strategic focus & critical success factors

Neutral issues (does not support negatively or positively)

Consultation

Financial Services was consulted on the balance of both the Theatre Improvement Fund and the Capitol Improvement Fund Reserves.

The proposed projects for the Kiwanis Theatre are based on regular feedback from patrons as well as regular rental clients, including Theatre Kent, Chatham-Kent Music Festival, St. Andrew's Church and Chatham Music School. Existing user groups are aware of the timelines of the Kiwanis projects.

A survey will be sent to Kiwanis Theatre user groups to gain additional specific feedback regarding revised theatre setup and configuration, and both the Heritage and Accessibility Advisory Committee will be consulted regarding changes to the Kiwanis Theatre.

Regular rental clients of the Capitol Theatre, many of whom are now interested in presenting at both venues, have also been consulted, including VaughnCo Productions, Bill Culp Productions and Paquette Productions.

Financial Implications

Theatre Improvement Fund Reserve

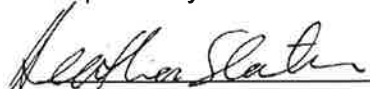
Current Reserve Balance	(\$177,431)
Proposed 2020 Projects	\$177,000
Balance Remaining in Reserve	(\$431)

Capitol Improvement Fund Reserve

Current Reserve Balance	(\$227,550)
Proposed 2020 Projects	\$96,500
Balance Remaining in Reserve	(\$131,050)

The balance remaining at the end of 2020 will remain in the Theatre and Capitol Reserves for future projects.

Prepared by:


Heather Slater, Manager
Arts and Culture

Reviewed by:


Evelyn Bish, Director
Community Attraction & Leisure Services

Reviewed by:

April Rietdyk, RN, BScN, MHS, PhD PUBH
General Manager
Community Human Services

Consulted and confirmed the content of the consultation section of the report by:

Tzu-Ju Chang, CPA, CMA
Financial Analyst I
Financial Services, Corporate Accounting

Attachments: None

- c. Tzu-Ju Chang, Financial Analyst I, Financial Services
- Eric Bristow, Board Chair, Theatre Kent
- Christine Prosser, Chatham-Kent Music Festival
- Devon Hansen, St. Andrew's Church
- Chatham Music School
- Peter Elliott, VaughnCo Productions
- Sandra Alway, Bill Culp Productions
- Connie Tsirakis, Paquette Productions (Connie Tsirakis)

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Kiwaniis Theatre Reserves, March 2, 2020.docx

Municipality of Chatham-Kent
Infrastructure and Engineering Services
Engineering and Transportation

To: Mayor and Members of Council

From: Chris Thibert, P.Eng.
Director, Engineering & Transportation

Date: February 12, 2020

Subject: Construction and Assessment By-law – Ellen Street Curb and Gutter Local Improvement, Community of Blenheim

Recommendations

It is recommended that:

1. The Construction and Assessment By-law under the Municipal Act, 2001, Ontario Regulation 586/06 to undertake a curb and gutter Local Improvement on Ellen Street, from Mountford Street to Little Street, in the Community of Blenheim be approved
2. The Mayor and Clerk be authorized to sign the necessary agreements.

Background

The road surface of Ellen Street from Mountford Street to Little Street, in the community of Blenheim is in poor condition (Pavement Condition Index of 14) and is recommended to be addressed this year. The poor condition of the road can be attributed to the lack of an appropriate urban cross section to allow for proper drainage. The lack of drainage has led to the deterioration of the road surface and damaged adjoining properties.

The opportunity for local improvements for concrete curb and gutter was made available to the residents along Ellen Street. The public was informed that any new curb and gutter that currently do not exist within the project boundaries are considered an upgrade to the road and subject to local improvement charges in accordance with the Municipal Act and the Municipality of Chatham-Kent Local Improvement Policy. The applicable improvement charges would apply only to the local properties that benefit by fronting on the improvement works. However, before any improvements can be constructed they first must be petitioned successfully by the affected property owners and approved by Council.

Since the road surface is proposed to be improved, the watermain will also be replaced at this time to reduce the likelihood of future repairs in a newly constructed roadway.

The existing cast iron watermain will be upgraded to PVC and fire hydrants will be added to this area. This project is being designed and managed by Chatham-Kent Engineering with tendering proposed by early spring and construction during the summer or fall of 2020.

Comments

The Municipality of Chatham-Kent has received a petition from the residents on Ellen Street (Mountford Street to Little Street) that indicates an interest in obtaining curb and gutter improvements. The curb and gutter improvement falls under Ontario Regulation 586/06 (O. Reg. 586/06), Local Improvement Charges (LIC). Under O. Reg. 586/06, Section 9, where the improvement may proceed if a petition in favour of the undertaking is received from at least two-thirds (66%) of the property owners representing one half (50%) of the value of the property liable to be specially assessed for the works.

The Municipal Clerk tabulated the two petitions received and has signed the Clerk's Certificates dated January 27, 2020 (Appendix A), certifying the Sufficiency of Petition for both petitions. The petitions in favour of the curb and gutter improvement was sufficiently signed by two-thirds of the property owners on Ellen Street that represent one-half of the value of the property liable to be specially assessed for the works.

In accordance with the Regulation under O. Reg. 586/06, Sections 5 and 6, Council can now pass the Construction and Assessment By-laws for the Ellen Street curb and gutter improvements (Appendix B) providing the Municipality gives notice (Appendix C) of its intention to pass the By-Laws, to the public and to the owners of the property liable to be specially charged.

The notice advising of Council's intention to pass this by-law to the public and all property owners abutting the works liable to be specially assessed for this improvement was advertised in the local newspaper on February 20, 2020 and mailed to the property owners on February 14, 2020.

The curb and gutter local improvement will be assessed to the abutting owners according to the current special rate of \$85 per meter frontage. The property owner's share of the curb and gutter work is estimated at \$25,780.

Financing options will comply with the Municipality's Financing Policy.

Areas of Strategic Focus and Critical Success Factors

The recommendations in this report support the following areas of strategic focus:

Economic Prosperity:

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Open, Transparent and Effective Governance:

The Corporation of the Municipality of Chatham-Kent is open, transparent and effectively governed with efficient and bold, visionary leadership

Has the potential to support all areas of strategic focus & critical success factors

Neutral issues (does not support negatively or positively)

Consultation

The Municipal Clerk has been consulted throughout the process and has provided ongoing advice.

Financial Implications

There will be no financial implications associated with this local improvement.

Prepared by:

Reviewed by:

Brendan Falkner, P.Eng.
Engineering Technologist
Engineering and Transportation

Mark McFadden, P.Eng.
Manager, Infrastructure Services
Engineering and Transportation

Prepared by:

Reviewed by:

Chris Thibert, P.Eng.
Director
Engineering and Transportation

Thomas Kelly, P.Eng., MBA
General Manager
Infrastructure and Engineering Services

Consulted and confirmed the content of the consultation section of the report by:

Judy Smith, CMO
Director, Municipal Governance/Clerk
Municipal Governance

- c. Purchasing Officer, Corporate Services
Director, Financial Services/Treasurer, Corporate Services
Municipal Clerk, Corporate Services

Attachments: Appendix A - Clerk's Certificate, Sufficiency of Petition
Appendix B - Construction and Assessment By-law
Appendix C - Curb and Gutter, Public Notice

(RTC:\Infrastructure & Engineering\I&ES\2020\4212 – Ellen Street Curb and Gutter
Local Improvement community of Blenheim.doc)



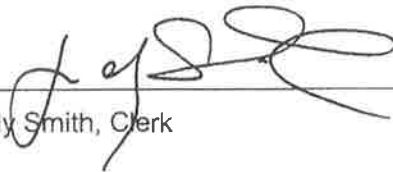
**CLERKS CERTIFICATE
SUFFICIENCY OF PETITION**

To: The Council of The Corporation of the
Municipality of Chatham-Kent

I, Judy Smith, Clerk of the Corporation of the Municipality of Chatham-Kent do hereby certify:

That a petition under Section 6 of the Municipal Act, Ontario Regulation 586/06 for the construction of curb and gutter installation along Ellen Street (Mountford Street to Little Street), in the Community of Blenheim, to be constructed as a Local Improvement, has been sufficiently signed by at least two-thirds of the owners representing at least one-half of the value of the lots liable to be specifically charged for the work.

Dated this 27th day of January, 2020



Judy Smith, Clerk

BY- LAW NUMBER _____

OF THE CORPORATION OF THE
MUNICIPALITY OF CHATHAM-KENT

A By-law to authorize the construction of curb and gutter on Ellen Street, from Mountford Street to Little Street, in the Community of Blenheim as a local improvement under the provisions of the Municipal Act O. Reg. 586/06.

FINALLY PASSED the ____ day of _____, 2020.

WHEREAS a sufficient petition under Section 7 of the Municipal Act, O. Reg. 586/06 requesting the installation of curb and gutter along Ellen Street in the Community of Blenheim signed by at least a majority in number of two-thirds of owners representing at least one-half of the value of the lots liable to be specially assessed has been received by the Municipality of Chatham-Kent

AND WHEREAS Notice of the Intention of the Council to undertake such work was provided to all respective parties on February 14, 2020.

BE IT THEREFORE ENACTED by the Municipal Council of The Corporation of the Municipality of Chatham-Kent as follows:

1. The construction of curb and gutter on Ellen Street, from Mountford Street to Little Street, as a local improvement under the provisions of the Municipal Act, O. Reg. 586/06 is hereby authorized.
2. The Engineer of the Corporation of the Municipality of Chatham-Kent shall forthwith make such plans, profiles and specifications and furnish such information as may be necessary for the carrying on and executing of the work.

3. The work shall be carried on and executed under the superintendence and according to the direction and order of such Engineer.
4. The Mayor and Treasurer are authorized to agree with any bank or person for temporary advances of money to meet the cost of the work pending the completion of it to a maximum of \$25,780 as determined by the Engineer of the Corporation of the Municipality of Chatham-Kent.
5. The special assessment shall be paid by the options offered according to Council Interest and Finance Policies.
 - Schedule "A" Local Improvements Assessment annexed here to forms part of this by-law.

Financing for the cost of the work during the term of the work and when completed shall bear interest at such rate as the Council may determine and be made payable as per Municipal installment plan.

6. Any person whose lot is specially assessed may commute for a payment in cash the special rates imposed thereon by paying the portion of the cost of construction assessed upon such lot, without the interest, forthwith after the Special Assessment Roll has been certified by the Clerk, and at any time thereafter by the payment of such sum in a manner determined by Council Interest and Finance Policies.

THIS By-law shall come into full force and effect upon the final passing thereof.

READ A FIRST, SECOND AND THIRD TIME this ___ day of _____, 2019.

MAYOR – Darrin Canniff

CLERK – Judy Smith



NOTICE OF LOCAL IMPROVEMENT
Local Improvement Act Section 6
Ellen Street (Mountford Street to Little Street)
Community of Blenheim

Take notice that:

1. The Council of the Municipality of Chatham-Kent intends to construct a Curb and Gutter improvement on Ellen Street (Mountford Street to Little Street) in the Community of Blenheim as a local improvement and intends to specially assess a part of the cost upon the land abutting directly on the work and upon the land that is immediately benefited by the work.
2. The estimated cost of the Ellen Street work is \$25,780.
3. The estimated lifetime of the work is twenty five (25) years.
4. The special rate per metre frontage is \$85.
5. The special assessment may be paid in lump sum, five (5) or ten (10) annual instalments. Please note that this is not an invoice and more information will follow upon project completion.
6. The municipality has received a sufficient petition under clause 7(2)(c) with respect to this work as determined under Section 10 of O. Reg. 586/06.



Motion

Re: Pedestrian Activated Cross Walk

“Whereas Grand Ave. West from Keil Drive to Bear Line experiences a significant amount of vehicular traffic as well as pedestrian traffic generated primarily by the adjacent school, businesses and residential dwellings, and;

Whereas the only controlled crossing for pedestrians wishing to cross Grand Ave. West is at the intersection of Keil Drive and Grand Ave. W., and;

Whereas the Village on the Thames is located on the opposite side of Grand River Line to the current multi-use trail and CKTransit route;

Be it resolved that administration proceed with the installation of a pedestrian activated cross walk fronting the Village on the Thames property at an estimated cost of \$60,000 to be funded from strategic reserves.”

Signed: Councillor B. McGregor

Notice Given On: February 10, 2020

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Municipality of Chatham-Kent
Infrastructure and Engineering Services
Engineering and Transportation

To: Mayor and Members of Council

From: Chris Thibert, P.Eng.
Director, Engineering & Transportation

Date: February 12, 2020

Subject: Construction and Assessment By-law – Ellen Street Curb and Gutter Local Improvement, Community of Blenheim

Recommendations

It is recommended that:

1. The Construction and Assessment By-law under the Municipal Act, 2001, Ontario Regulation 586/06 to undertake a curb and gutter Local Improvement on Ellen Street, from Mountford Street to Little Street, in the Community of Blenheim be approved
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Since the road surface is proposed to be improved, the watermain will also be replaced at this time to reduce the likelihood of future repairs in a newly constructed roadway.

The existing cast iron watermain will be upgraded to PVC and fire hydrants will be added to this area. This project is being designed and managed by Chatham-Kent Engineering with tendering proposed by early spring and construction during the summer or fall of 2020.

Comments

The Municipality of Chatham-Kent has received a petition from the residents on Ellen Street (Mountford Street to Little Street) that indicates an interest in obtaining curb and gutter improvements. The curb and gutter improvement falls under Ontario Regulation 586/06 (O. Reg. 586/06), Local Improvement Charges (LIC). Under O. Reg. 586/06, Section 9, where the improvement may proceed if a petition in favour of the undertaking is received from at least two-thirds (66%) of the property owners representing one half (50%) of the value of the property liable to be specially assessed for the works.

The Municipal Clerk tabulated the two petitions received and has signed the Clerk's Certificates dated January 27, 2020 (Appendix A), certifying the Sufficiency of Petition for both petitions. The petitions in favour of the curb and gutter improvement was sufficiently signed by two-thirds of the property owners on Ellen Street that represent one-half of the value of the property liable to be specially assessed for the works.

In accordance with the Regulation under O. Reg. 586/06, Sections 5 and 6, Council can now pass the Construction and Assessment By-laws for the Ellen Street curb and gutter improvements (Appendix B) providing the Municipality gives notice (Appendix C) of its intention to pass the By-Laws, to the public and to the owners of the property liable to be specially charged.

The notice advising of Council's intention to pass this by-law to the public and all property owners abutting the works liable to be specially assessed for this improvement was advertised in the local newspaper on February 20, 2020 and mailed to the property owners on February 14, 2020.

The curb and gutter local improvement will be assessed to the abutting owners according to the current special rate of \$85 per meter frontage. The property owner's share of the curb and gutter work is estimated at \$25,780.

Financing options will comply with the Municipality's Financing Policy.

Areas of Strategic Focus and Critical Success Factors

The recommendations in this report support the following areas of strategic focus:

Economic Prosperity:

Chatham-Kent is an innovative and thriving community with a diversified economy

A Healthy and Safe Community:

Chatham-Kent is a healthy and safe community with sustainable population growth

People and Culture:

Chatham-Kent is recognized as a culturally vibrant, dynamic, and creative community

Environmental Sustainability:

Chatham-Kent is a community that is environmentally sustainable and promotes stewardship of our natural resources

The recommendations in this report support the following critical success factors:

Financial Sustainability:

The Corporation of the Municipality of Chatham-Kent is financially sustainable

Open, Transparent and Effective Governance:

The Corporation of the Municipality of Chatham-Kent is open, transparent and effectively governed with efficient and bold, visionary leadership

Has the potential to support all areas of strategic focus & critical success factors

Neutral issues (does not support negatively or positively)

Consultation

The Municipal Clerk has been consulted throughout the process and has provided ongoing advice.

Financial Implications

There will be no financial implications associated with this local improvement.

Prepared by:

Reviewed by:

Brendan Falkner, P.Eng.
Engineering Technologist
Engineering and Transportation

Mark McFadden, P.Eng.
Manager, Infrastructure Services
Engineering and Transportation

Prepared by:

Reviewed by:

Chris Thibert, P.Eng.
Director
Engineering and Transportation

Thomas Kelly, P.Eng., MBA
General Manager
Infrastructure and Engineering Services

Consulted and confirmed the content of the consultation section of the report by:

Judy Smith, CMO
Director, Municipal Governance/Clerk
Municipal Governance

- c. Purchasing Officer, Corporate Services
Director, Financial Services/Treasurer, Corporate Services
Municipal Clerk, Corporate Services

Attachments: Appendix A - Clerk's Certificate, Sufficiency of Petition
Appendix B - Construction and Assessment By-law
Appendix C - Curb and Gutter, Public Notice

(RTC:\Infrastructure & Engineering\I&ES\2020\4212 – Ellen Street Curb and Gutter
Local Improvement community of Blenheim.doc)



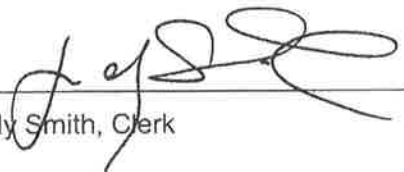
**CLERKS CERTIFICATE
SUFFICIENCY OF PETITION**

To: The Council of The Corporation of the
Municipality of Chatham-Kent

I, Judy Smith, Clerk of the Corporation of the Municipality of Chatham-Kent do hereby certify:

That a petition under Section 6 of the Municipal Act, Ontario Regulation 586/06 for the construction of curb and gutter installation along Ellen Street (Mountford Street to Little Street), in the Community of Blenheim, to be constructed as a Local Improvement, has been sufficiently signed by at least two-thirds of the owners representing at least one-half of the value of the lots liable to be specifically charged for the work.

Dated this 27th day of January, 2020



Judy Smith, Clerk

BY- LAW NUMBER _____

OF THE CORPORATION OF THE
MUNICIPALITY OF CHATHAM-KENT

A By-law to authorize the construction of curb and gutter on Ellen Street, from Mountford Street to Little Street, in the Community of Blenheim as a local improvement under the provisions of the Municipal Act O. Reg. 586/06.

FINALLY PASSED the ____ day of _____, 2020.

WHEREAS a sufficient petition under Section 7 of the Municipal Act, O. Reg. 586/06 requesting the installation of curb and gutter along Ellen Street in the Community of Blenheim signed by at least a majority in number of two-thirds of owners representing at least one-half of the value of the lots liable to be specially assessed has been received by the Municipality of Chatham-Kent

AND WHEREAS Notice of the Intention of the Council to undertake such work was provided to all respective parties on February 14, 2020.

BE IT THEREFORE ENACTED by the Municipal Council of The Corporation of the Municipality of Chatham-Kent as follows:

1. The construction of curb and gutter on Ellen Street, from Mountford Street to Little Street, as a local improvement under the provisions of the Municipal Act, O. Reg. 586/06 is hereby authorized.
2. The Engineer of the Corporation of the Municipality of Chatham-Kent shall forthwith make such plans, profiles and specifications and furnish such information as may be necessary for the carrying on and executing of the work.

3. The work shall be carried on and executed under the superintendence and according to the direction and order of such Engineer.
4. The Mayor and Treasurer are authorized to agree with any bank or person for temporary advances of money to meet the cost of the work pending the completion of it to a maximum of \$25,780 as determined by the Engineer of the Corporation of the Municipality of Chatham-Kent.
5. The special assessment shall be paid by the options offered according to Council Interest and Finance Policies.
 - Schedule "A" Local Improvements Assessment annexed here to forms part of this by-law.

Financing for the cost of the work during the term of the work and when completed shall bear interest at such rate as the Council may determine and be made payable as per Municipal installment plan.

6. Any person whose lot is specially assessed may commute for a payment in cash the special rates imposed thereon by paying the portion of the cost of construction assessed upon such lot, without the interest, forthwith after the Special Assessment Roll has been certified by the Clerk, and at any time thereafter by the payment of such sum in a manner determined by Council Interest and Finance Policies.

THIS By-law shall come into full force and effect upon the final passing thereof.

READ A FIRST, SECOND AND THIRD TIME this ___ day of _____, 2019.

MAYOR – Darrin Canniff

CLERK – Judy Smith



NOTICE OF LOCAL IMPROVEMENT
Local Improvement Act Section 6
Ellen Street (Mountford Street to Little Street)
Community of Blenheim

Take notice that:

1. The Council of the Municipality of Chatham-Kent intends to construct a Curb and Gutter improvement on Ellen Street (Mountford Street to Little Street) in the Community of Blenheim as a local improvement and intends to specially assess a part of the cost upon the land abutting directly on the work and upon the land that is immediately benefited by the work.
2. The estimated cost of the Ellen Street work is \$25,780.
3. The estimated lifetime of the work is twenty five (25) years.
4. The special rate per metre frontage is \$85.
5. The special assessment may be paid in lump sum, five (5) or ten (10) annual instalments. Please note that this is not an invoice and more information will follow upon project completion.
6. The municipality has received a sufficient petition under clause 7(2)(c) with respect to this work as determined under Section 10 of O. Reg. 586/06.



Motion

Re: Pedestrian Activated Cross Walk

“Whereas Grand Ave. West from Keil Drive to Bear Line experiences a significant amount of vehicular traffic as well as pedestrian traffic generated primarily by the adjacent school, businesses and residential dwellings, and;

Whereas the only controlled crossing for pedestrians wishing to cross Grand Ave. West is at the intersection of Keil Drive and Grand Ave. W., and;

Whereas the Village on the Thames is located on the opposite side of Grand River Line to the current multi-use trail and CKTransit route;

Be it resolved that administration proceed with the installation of a pedestrian activated cross walk fronting the Village on the Thames property at an estimated cost of \$60,000 to be funded from strategic reserves.”

Signed: Councillor B. McGregor

Notice Given On: February 10, 2020

▲
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Municipality of Chatham-Kent

Chief Administrative Office

To: Mayor and Members of Council
From: Don Shropshire, Chief Administrative Officer
Date: February 12, 2020
Subject: CK Plan 2035 Advisory Committee Appointment

Recommendations

It is recommended that:

1. Earle Johnson be appointed to the CK Plan 2035 Advisory Committee of Council.

Background

On October 1, 2018 Council approved the CK Plan 2035 Advisory Committee terms of reference and appointed four community members. The CK Plan 2035 Advisory committee terms explain that Council is responsible to establish and maintain a dynamic strategic plan, but within that context the committee is supportive to

- Identify opportunities to advance the CK Plan 2035
- Advocate for, and support strategic thinking
- Monitor strategic progress
- Promote community awareness of the CK Plan 2035

Comments

On January 7, 2020, the CK Plan 2035 Advisory Committee was notified that a member of the committee had provided their resignation.

As a result of the recruitment process for citizen appointments that was launched from October 10 to November 2, 2018, twenty-six citizens applied to be on the CK Plan 2035 Advisory Committee. Previously the submissions were reviewed through the following criteria:

- Declared level of interest to be on the committee; 1st, 2nd or 3rd choice
- Experience with strategic planning and strategic thinking
- Community knowledge

Earle Johnson applied to be a member of the CK Plan 2035 Advisory Committee for this term of Council. All members who were not successful were encouraged to attend the meeting as a member of the public versus being a voting member. Earle Johnson has

been attending the meetings since the beginning of the term and has shown his interest and skill in supporting the committee.

Areas of Strategic Focus and Critical Success Factors

The recommendation in this report supports the following areas of strategic focus:

Economic Prosperity:

Chatham-Kent is an innovative and thriving community with a diversified economy

A Healthy and Safe Community:

Chatham-Kent is a healthy and safe community with sustainable population growth

People and Culture:

Chatham-Kent is recognized as a culturally vibrant, dynamic, and creative community

Environmental Sustainability:

Chatham-Kent is a community that is environmentally sustainable and promotes stewardship of our natural resources

The recommendation in this report supports the following critical success factors:

Financial Sustainability:

The Corporation of the Municipality of Chatham-Kent is financially sustainable

Open, Transparent and Effective Governance:

The Corporation of the Municipality of Chatham-Kent is open, transparent and effectively governed with efficient and bold, visionary leadership

Has the potential to support all areas of strategic focus & critical success factors

Neutral issues (does not support negatively or positively)

Consultation

No other departments were consulted during the preparation of this report.


Financial Implications

There are no financial implications resulting from this recommendation.

Prepared by:

Don Shropshire
Chief Administrative Officer

P:\RTC\CAO\2020 CAO Reports\Report to Council Open Session - CK Plan 2035 Advisory Committee Appointment.doc

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Memorandum

To: Mayor and Members of Chatham-Kent Council
From: Heather Haynes, Council Assistant
Date: March 2, 2020
Re: Council Information Package

I have attached a list of items that have come into the office that may be of interest to members of Council. Please note that in accordance with Section 6.4(d) of the Procedural By-law, **Any member of Council may raise for discussion a communication, petition or resolution that is in the Information Package during the Approval of Communication Items portion of the Council Meeting.**

1. Staff Reports and Information

- (a) Action items from the February 10, 2020 Council Meeting.

2. Correspondence From

- (a) Letter from John Maheu, Executive Director, Association of Ontario Road Supervisors to the Mayor and Members of Council dated February 7, 2020 re Public Works Leadership Development Program - Patrick Bates CRS.
- (b) Correspondence addressed to Ontario Heads of Council and Clerks dated February 13, 2020 from Jennifer Keyes, Director, Natural Resources Conservation Policy Branch re Proposed regulatory changes under the Aggregate Resources Act.
- (c) Letter from Douglas Browne, Chief of Emergency Management, Ministry of the Solicitor General to Mayor Darrin Canniff dated February 15, 2020 re Emergency Management and Civil Protection Act (EMCPA) Compliance.
- (d) Letter from Brian McDougall, General Manager/Secretary, Treasurer, St. Clair Conservation Authority to Tim Dick, dated January 15, 2020 re 2020 Levy Assessment.

3. Resolutions

- (a) Resolutions from the following re Support for Bill 156, Security from Trespass and Protecting Food Safety Act:

- Township of Wellington North
 - County of Prince Edward
 - Township of Madoc
 - Municipality of Chatham-Kent
 - Municipality of Southwest Middlesex
 - Township of Wainfleet
 - Township of Duro-Dummer
- (b) Resolution from the Township of Madoc passed November 12, 2019 re Resolution on 911 Misdials.
- (c) Resolution from the Municipality of Chatham-Kent passed February 10, 2020 re Support Role of Conservation Authorities.
- (d) Resolutions from the Township of Puslinch dated February 20, 2020 re Bill 132 and Electronic Delegations.
- (e) Resolution from Northumberland County dated February 19, 2020 re Support for Conservation Authorities.

	<u>Date</u>	<u>ITEM</u>	<u>Department</u>	<u>Council Action Division</u>	<u>Items Director</u>	<u>Requestor</u>	<u>RTC Req'd (Y or N)</u>	<u>Target Date</u>	<u>Comments</u>
1,157	February 10, 2020	Cl. Thompson – "That the Municipality of Chatham-Kent support the important role Conservation Authorities provide to local communities in delivering watershed management programs. And that the municipality of Chatham-Kent circulate that support to municipalities, conservation authorities and the Minister of Environment, Conservation and Parks in Ontario."	CS	Clerk's Office	Judy Smith	Cl. Thompson	no	11-Feb-20	Letter to be sent
1,158	February 10, 2020	Cl. Ceccacci – "That the Mayor or Administration write to the Ministry of Environment, Conservation and Parks, requesting a resolution to the Blenheim Business Park matter; and that Administration report back to Council with options for resolving this matter."	CD	Planning	Bruce McAllister	Cl. Ceccacci		10-Feb-20	
1,159	February 10, 2020	Cl. Crew – To improve the efficiency and time to respond to public service requests, it is recommended that: 1. All service request are submitted to (519)360-1998 or ckinfo@chatham-kent.ca to properly log and track, respond and prioritize the concern in the Active Citizen Requests and develop a public awareness campaign. And when Members of Council submit a service request, it is logged and prioritized the same way. 2. That staff explore options (information/automatic email replies, etc) for informing residents that the Council Contact Form is not monitored by staff, encouraging residents to use ckinfo@chatham-kent.ca or phone (519) 360-1998, as a first step to communicate service needs and requests."	IES	Public Works	Ryan Brown	Cl. Crew		10-Feb-20	
1,160	February 10, 2020	Cl. Authier - "That Administration research a notifying system that can notify certain parts of Chatham-Kent and/or all of Chatham-Kent when there is an update with urgency to a community or an all out emergency. Report back to Council by March 23, 2020."	CAO	CAO	Don Shropshire	Cl. Authier		10-Feb-20	
1,165	February 10, 2020	Cl. McGrail – Motion to waive notice – (2/3 vote) – Approved - "Whereas Bill 156: Security from Trespass and Protecting Food Safety Act is new legislation that is an important way to keep farms and food supply safe for all Ontarians; And Whereas Bill 156 provides a balanced approach to protecting farms while recognizing a citizen's right to protest; And Whereas Bill 156 will ensure farm businesses have a legal standing to protect their farm, family and employees, livestock, crops and ultimately the entire food system; Therefore be it resolved that the Municipality of Chatham-Kent support the new proposed legislation, Bill 156: Security from Trespass and Protecting Food Safety Act by circulating a letter of support to Ontario municipalities and the Minister of Agriculture, Food & Rural Affairs, the Honourable Ernie Hardeman. – Motion Approved	CS	Clerk's Office	Judy Smith	Cl. McGrail	no	11-Feb-20	Letter to be sent
1,166	February 10, 2020	Cl. B. McGregor - "Whereas Grand Ave. West from Keil Drive to Bear Line experiences a significant amount of vehicular traffic as well as pedestrian traffic generated primarily by the adjacent school, businesses and residential dwellings, and; Whereas the only controlled crossing for pedestrians wishing to cross Grand Ave. West is at the intersection of Keil Drive and Grand Ave. W., and; Whereas the Village on the Thames is located on the opposite side of Grand River Line to the current multi-use trail and CKTransit route; Be it resolved that administration proceed with the installation of a pedestrian activated cross walk fronting the Village on the Thames property at an estimated cost of \$60,000 to be funded from strategic reserves."	n/a	n/a	n/a	Cl. B. McGregor		02-Mar-20	

	<u>Date</u>	<u>ITEM</u>	<u>Department</u>	<u>Council Action Division</u>	<u>Items Director</u>	<u>Requestor</u>	<u>RTC Req'd (Y or N)</u>	<u>Target Date</u>	<u>Comments</u>
1,167	February 10, 2020	Residential Building Permit Fees additional motion: That a cap fee schedule be developed for small scale multi residential units and that report brought to Council no later than August.	CD	Building Development	Paul Lacina	Cl. Thompson	Yes	01-Aug-20	
1,168	February 10, 2020	July meeting - Bring a report on the Arena Funding	FBIS	FBIS	Gord Quinton	Cl. Sulman		01-Jul-20	



ASSOCIATION OF ONTARIO ROAD SUPERVISORS

PROMOTING KNOWLEDGE. PURSUING EXCELLENCE.

February 7, 2020

Re: AORS Public Works Leadership Development Program (PWLDP) Graduate – Patrick Bates, CRS

Dear Mayor Canniff and Council Members:

On behalf of the Association of Ontario Road Supervisors (AORS), I would like to once again congratulate your employee, Patrick Bates CRS, for successfully completing the Public Works Leadership Development Program. As well, we would like to acknowledge your Municipal Council and administration for supporting AORS training and professional development programs.

We will be presenting Certificates of Completion at the AORS Annual General Meeting to all those who completed the program in 2019. It will be held at 2 pm on Monday, February 24, 2020, in the Territories Room at the Fairmont Royal York, Toronto. We have invited Patrick to attend and receive the Certificate in person. Any elected officials and managers from the Municipality of Chatham-Kent who will be attending the OGRA Conference that day, are also encouraged to join us at the AGM to celebrate Patrick's success. There is no need to pre-register.

The PWLDP was developed exclusively for AORS to address the unique needs of public works employees who have or are being groomed for supervisory or managerial responsibilities. The main module topics include local government, leadership and supervision, communications, process and talent management, financial planning, customer service and continuous improvement.

The PWLDP modules are prerequisites for the Certified Road Supervisor (CRS) program. In 1996 AORS was granted, by Provincial Legislation, the exclusive right to award the designation 'Certified Road Supervisor' (CRS). The four levels of Certification – Associate, CRS, Intermediate and Senior – have mandatory experience and education criteria established by the AORS Education Committee and evaluated by an independent Certification Board. Certified individuals may publicize their credentials by adding the designation after their names and displaying their certificate and Code of Ethics.


Certification is important for your municipality because it increases corporate professionalism, accountability and morale. Certified Road Supervisors use their broad base of knowledge to make confident decisions and therefore serve Council, staff and the public more effectively.

Thank you again for investing in your employees' professional development.

Yours truly,

John Maheu, M.A.Sc., P.Eng.
Executive Director

cc. Patrick Bates

ATTENTION: Clerk	RESPOND AND PROVIDE COPY	
	PREPARE RESPONSE FOR MY SIGNATURE	
	PREPARE RTC	
TARGET DATE:	INVESTIGATE AND REPORT BACK	
	TAKE APPROPRIATE ACTION	
	COMMENT AND RETURN TO ME	
COPIES TO:	COUNCIL CLOSED SESSION	
	COUNCIL INFORMATION	✓
	NOTE AND FILE	

From: Aggregates (MNRF) <Aggregates@ontario.ca>
Sent: February 13, 2020 9:11 AM
To: Keyes, Jennifer (MNRF) <jennifer.keyes@ontario.ca>
Cc: Desroches, Pauline (MNRF) <Pauline.Desroches@ontario.ca>; Zeran, Rebecca (MNRF) <rebecca.zeran@ontario.ca>
Subject: FW: Proposed regulatory changes under the Aggregate Resources Act

Dear Ontario Heads of Council and Clerks,

The Ministry of Natural Resources and Forestry recognizes the critical role Ontario's municipalities play in the lives of Ontarians. We value our strong collaborative partnership with municipalities and the associations that represent their interests.

We want to advise you that the Ministry of Natural Resources and Forestry is proposing changes to the way extraction of aggregate resources are regulated in Ontario, and we are inviting your input on the changes proposed.

The Ministry has gathered perspectives from, industry, municipalities, Indigenous communities, members of the public, and other stakeholders. These proposed changes promote economic growth within the aggregate industry while also maintaining strong protection of the environment and addressing community impacts.

The key areas being proposed for change are summarized below for your convenience. However, we would encourage you to read the details of the proposed regulatory changes which can be found on the Environmental Registry notice# **019-1303** *Proposed amendments to Ontario Regulation 244/97 and the Aggregate Resources of Ontario Provincial Standards under the ARA* located [here](#).

The posting notice can also be viewed by searching for notice#**019-1303** at the following web link: www.ero.ontario.ca

We encourage you to provide feedback through the Environmental Registry process.

If you have any questions about the proposed changes, please call Rebecca Zeran at (705) 749-8422.

Kind Regards,

Jennifer Keyes
Director, Natural Resources Conservation Policy Branch
Ministry of Natural Resources and Forestry

Proposed regulatory changes include:

For new pits and quarries:

- enhancing the information required to be included in summary statements and technical reports at the time of application
- improving flexibility in how some standard site plan requirements can be implemented and modernizing how site plans are created
- creating better consistency of site plan requirements between private and Crown land and better alignment with other policy frameworks
- updating the list of qualified professionals who can prepare Class A site plans
- updating the required conditions that must be attached to a newly issued licence or permit
- adjusting notification and consultation timeframes for new pit and quarry applications
- changing and clarifying some aspects of the required notification process for new applications
- updating the objection process to clarify the process
- updating which agencies are to be circulated new pit and quarry applications for comment

For existing pits and quarries:

- making some requirements related to dust and blasting apply to all existing and new pits and quarries (requirements which were previously only applied to new applications)
- updating and enhancing some operating requirements that apply to all pits and quarries, including new requirements related to dust management and storage of recycled aggregate materials
- providing consistency on compliance reporting requirements, while reducing burdens for inactive sites
- enhancing reporting on rehabilitation by requiring more context and detail on where, when and how rehabilitation is or has been undertaken
- clarifying application requirements for site plan amendments
- outlining requirements for amendment applications to expand an existing site into an adjacent road allowance
- outlining requirements for amendment applications to expand an existing site below the water table
- setting out eligibility criteria and requirements to allow operators to self-file changes to existing site plans for some routine activities without requiring approval from the ministry (subject to conditions set out in regulation)

Allowing minor extraction for personal or farm use:

- outlining eligibility and operating requirements in order for some excavation activities to be exempted from needing a licence (i.e., if rules set in regulation are followed). This would only be for personal use (max. of 300 cubic meters) or farm use (max. 1,000 cubic meters)

Ministry of the Solicitor General

Office of the Fire Marshal and
Emergency Management

25 Morton Shulman Avenue
Toronto ON M3M 0B1
Tel: 647-329-1100
Fax: 647-329-1143

Ministère du Solliciteur général

Bureau du commissaire des incendies
et de la gestion des situations
d'urgence

25 Morton Shulman Avenue
Toronto ON M3M 0B1
Tél. : 647-329-1100
Télééc. : 647-329-1143



February 15, 2020

Your Worship Darrin Canniff
Municipality of Chatham-Kent
P.O. Box 640, Civic Centre 315 King St. W.
Chatham, ON N7M5K8

Dear Mayor:

As the Chief of Emergency Management for Ontario, it is incumbent on me to monitor, coordinate and assist municipalities with their respective municipal emergency management programs in accordance with the Emergency Management and Civil Protection Act (EMCPA). To confirm municipalities are in compliance with the EMCPA, every municipality in Ontario submits a compliance package to Emergency Management Ontario on a yearly basis.

The Office of the Fire Marshal and Emergency Management (OFMEM) has reviewed the documentation submitted by your Community Emergency Management Coordinator (CEMC) and has determined that your municipality was compliant with the EMCPA in 2019.

The safety of your citizens is important, and one way to ensure that safety is to ensure that your municipality is prepared in case of an emergency. You are to be congratulated on your municipality's efforts in achieving compliance in 2019. I look forward to continuing to work with you to ensure your continued compliance in 2020.

If you have any questions or concerns about this letter, please contact your Emergency Management Field Officer; their contact information is below.

Name: Christopher Pape
Email: Christopher.Pape@ontario.ca
Phone: 519-854-6595

Sincerely,

A handwritten signature in dark ink, appearing to read "D. Browne", with a horizontal line extending to the right.

Douglas Browne
Chief of Emergency Management

cc: Adam Walters - CEMC
Christopher Pape - Field Officer - St.Clair Sector



St. Clair Region Conservation Authority
 205 Mill Pond Cres., Strathroy, ON, N7G 3P9
 (519) 245-3710 (519) 245-3348 FAX
 E-Mail: stclair@scrca.on.ca
 Website: www.scrca.on.ca

Member Municipalities

January 15, 2020

Township of Adelaide-Metcalfe

Municipality of Brooke-Alvinston

Municipality of Chatham-Kent

Township of Dawn-Euphemia

Township of Enniskillen

Municipality of Lambton Shores

Municipality of Middlesex Centre

Village of Newbury

Village of Oil Springs

Town of Petrolia

Town of Plympton-Wyoming

Village of Point Edward

City of Sarnia

Municipality of Southwest Middlesex

Township of St. Clair

Municipality of Strathroy-Caradoc

Township of Warwick

Sent by Courier

Mr. Tim Dick
 Municipality of Chatham-Kent
 Civic Centre, 315 King Street West, Box 640
 Chatham, Ontario
 N7M 5K8

Dear Tim Dick:

RE: 2020 Levy Assessment

On December 12th, 2019, the St. Clair Region Conservation Authority approved their 2020 General Operating Budget which is based on provincial & federal grants, general revenue and municipal levies. A copy of the approved budget is enclosed.

The Board also approved Schedule "A" dated December 12th, 2019, which apportions the matching and non-matching levy within the Authority's area of jurisdiction. Additional special levy projects for member municipalities will be addressed by separate letter.

Should you have any questions, please do not hesitate to contact this office.

Yours truly,

Brian McDougall
 General Manager/Secretary Treasurer

BMcD:sk

Encl.

c.c. Joe Faas, Carmen McGregor, Authority Director
 Don Shropshire, CA

ATTENTION:	RESPOND AND PROVIDE COPY	
Gord Quinton	PREPARE RESPONSE FOR MY SIGNATURE	
Thomas Kelly	PREPARE RTC	
TARGET DATE:	INVESTIGATE AND REPORT BACK	
CHATHAM-KENT CASS MAYOR	TAKE APPROPRIATE ACTION	✓
FEB 04 2020	COMMENT AND RETURN TO ME	
COPIES TO:	COUNCIL CLOSED SESSION	
Steve Brown	COUNCIL INFORMATION	✓
Clerk	NOTE AND FILE	



2020 Budget

1. Quick Facts (pg. 2)
2. 2020 Budget Highlights (pg. 3)
3. 2020 Budget (pg. 4-5)
4. 2020 Total Municipal Funding - Schedule "A" (pg. 8)
5. 2020 General levy Assessment - Schedule "B" (pg. 6-7)
6. 2020 General Levy per \$100K assessment value - Schedule "C" (pg. 9)
7. 2020 Conservation Areas Maintenance and Operation Budget -Schedule "D" (pg.10-11)

St. Clair Region Conservation Authority

Quick Facts

General:

- 17 member municipalities from Lambton and Middlesex Counties and the cities of Sarnia and Chatham-Kent (see member directory for full listing)
- 14 watersheds - Sydenham River with its East and North branches, 13 smaller named watersheds entering Lake Huron, St. Clair River and Lake St. Clair
- 2020 General Levy \$3.61 per \$100k of Assessed value
- of the 36 Conservation Authorities in the province, the St. Clair Region ranks:
 - **9th largest in area (4,100 km²)**
 - **16th in population (148,362 within the watershed)**
 - **LOWEST out of 36 CAs in general levy (\$5.25 per capita) in 2017, excluding Capital projects**
- owns 4,200 acres of property and manages another 2,440 acres for other organizations
- 3 regional campgrounds with 522 serviced campsites. Self-sufficient, profits generated from their operations are used to offset capital development within the campgrounds
- has the largest flood control dam and diversion in the province (McKeough Floodway)
- 11 recreation dams at 8 Conservation Areas
- assisting Sarnia, Point Edward, St. Clair Township, Chatham-Kent in maintaining almost 10 km of shore protection and erosion control structures
- in excess of \$52 million invested in conservation lands and flood and erosion control structures
- provided technical and professional comments on over 500 municipal planning and regulation matters in 2019
- helped over 13,000 children discover conservation through outdoor education
- planted over 3.8 million trees over the last three decades
- provided \$3.1 million in grants to farmers and other landowners to implement Best Management Practices since 2000

2020 Budget Highlights

We offer you the following for your information:

- General Levy for 2020 is \$1,069,926 shared by the 17-member municipalities, results in an average cost of \$3.61 per \$100,000 in assessment value. (see Sched C)
- Total Levy excluding Infrastructure Projects for 2020 is \$1,222,636 (2018 \$1,079,586) which represents an overall increase of 13.3%. (see Sched A)
- Matching and Non-Matching Levy for 2020 are budgeted to be a \$156,175 increase from 2019 (Sched B). This is an average increase of 56 cents per \$100,000 in assessment value. (Sched C)
- Despite the increase in levy the 2020 proposed budget includes \$118,430 to be withdrawn from capital reserves to support operations, in Section 39 Provincial funded departments (base operations), including Planning & Regulations, Communication & Information and Administration.
- Section 39 Provincial grant to Conservation Authorities support flood control, planning, administration, legal expenses and technical studies, and was reduced by \$150,000 starting in 2019. To mitigate impact on municipalities, Capital Reserves were used to compensate for the loss in 2019.
- \$150,000 of the \$156,175 increase in levy is a direct download to our member municipalities from the Province of Ontario through The Ministry of Environment, Conservation and Parks.
- Schedule "C" provides an analysis of General Levy Increase based on 2019 total current value of assessment in each municipality.
- Schedule "E" Provincial Section 39 Core Base funding Costs as a %.
- Detailed budgets for each program or project are available upon request

St. Clair Region Conservation Authority 2020 Budget Summary

	2019 Budget	2020 Proposed Budget	Provincial Grant	Other Grant/Program Funds	Matching Levy	Non Matching Levy
Flood Control Operations and Maintenance	\$535,200	\$415,200	\$108,000	\$12,000	\$108,000	\$109,000
Erosion Control Operations & Maintenance	\$41,000	\$0	\$0	\$0	\$0	\$0
Capital Projects	\$580,000	\$2,860,250	\$0	\$1,060,250	\$0	\$0
Source Protection Planning	\$106,000	\$115,000	\$0	\$115,000	\$0	\$0
Planning and Regulations	\$487,594	\$594,867	\$19,000	\$0	\$19,000	\$267,000
TS - Hazard & Flood Information Management	\$13,500	\$0	\$0	\$0	\$0	\$0
TS - Aquatic systems monitoring	\$375,513	\$288,329	\$0	\$80,000	\$0	\$34,000
St. Clair AOC Management	\$582,050	\$582,050	\$0	\$582,050	\$0	\$0
Conservation Services	\$509,650	\$836,669	\$0	\$382,000	\$0	\$0
MNR Species at Risk	\$0	\$0	\$0	\$0	\$0	\$0
Conservation Areas	\$1,329,011	\$1,387,233	\$0	\$0	\$0	\$13,675
Capital Development	\$119,000	\$119,000	\$0	\$0	\$0	\$0
Property Management	\$243,996	\$245,208	\$0	\$0	\$0	\$0
Information and Education	\$226,640	\$215,010	\$0	\$0	\$0	\$90,000
IT Capital	\$9,600	\$9,600	\$0	\$0	\$0	\$0
Equipment	\$72,000	\$72,000	\$0	\$0	\$0	\$0
Legal	\$1,000	\$0	\$0	\$0	\$0	\$0
Administration	\$1,026,978	\$754,991	\$34,000	\$6,000	\$34,000	\$395,251
Total CA Budget	\$6,258,732	\$8,495,407	\$161,000	\$2,237,300	\$161,000	\$908,926
Employment Programs *	\$75,000	\$75,000	\$0	\$0	\$0	\$0
Total Budget 2020	\$6,333,732	\$8,570,407	\$161,000	\$2,237,300	\$161,000	\$908,926
Total Budget 2019	\$6,333,732	\$6,333,732	\$310,000	\$1,115,145	\$310,000	\$603,751
Percentage of Budget 2020			1.9%	26.1%	1.9%	10.6%

Total Municipal Funding % Excluding Spec Levy

12%

* The Authority assists in the administration of the Employment programs, therefore these items must be approved under the Authority's budget for signing authorization. The funds are only transferred in and out with the Authority having no direct spending controls.

St. Clair Region Conservation Authority 2020 Budget Summary

Special Levy	Revenues	Reserves
St. Clair - McK Maint \$2,600 Dam OP CK \$20,900, SC \$1,100 C-K- McK Maint - \$49,400, Arda - \$1,000	Carryforwards - \$3,200	\$0
		\$0
\$1,460,000 NDMP apportioned \$135,000	Carryforwards - \$205,000	\$0
\$0	\$0	\$0
	Fees - \$219,162 Carryforward - \$2,025	\$68,680
\$0	\$0	\$0
\$0	Carryforward \$163,329 Fees - \$11,000	\$0
\$0	\$0	\$0
\$0	Fees - \$238,000 Carryforward \$216,669	\$0
\$0	\$0	\$0
Shetland - Dawn-Euphemia \$9,900 Wawanosh - City of Sarnia \$10,575 Clark Wright - Strathroy-Caradoc \$3,100 Bridgeview - Town of Petrolia \$900 Coldstream - Middlesex Centre \$1,300 Crothers - Chatham-Kent \$3,300 Stranak - Chatham-Kent \$5,900 Peers - Chatham-Kent \$1,650 Strathroy - Strathroy-Caradoc \$27,800 McEwen - Plympton-Wyoming \$12,110 Dodge - Lambton Shores \$1,175	Fees - \$1,246,723 Parking Fees - \$8,000 Other Donations - \$400 Foundation - \$1,000 (Mclean) - \$30,275 Carryforward - \$1,950 Rental Income - \$7,500	\$0
\$0		\$119,000
\$0	Rental Income - \$141,274 County of Lambton - \$18,300 Carryforward - \$2,500 Revenue - \$83,134	\$0
\$0	Fees - \$25,000 Donations - \$60,000	\$40,010
\$0	\$9,600	\$0
\$0	\$72,000	\$0
\$0		\$0
\$0	Rental Income - \$15,000 Interest Income - \$25,000 Foundation - \$15,000 Allocated Admin & IT Costs - \$66,100 Admin Fees - \$65,500 Other Income - \$49,400 Oil & Gas Revenue - \$40,000	\$9,740
\$1,747,710	\$3,042,041	\$237,430
\$0	\$75,000	\$0
\$1,747,710	\$3,117,041	\$237,430
\$425,835	\$3,139,240	\$429,761
20.4%	36.4%	2.8%

Schedule "B"

2020 General Levy Assessment

Municipality	2019 Current Value Assessment (modified) in Watershed	2019 CVA Apportionment %
Township of Adelaide Metcalfe	\$ 417,217,351	1.8398%
Township Brooke-Alvinston	\$ 381,810,261	1.6837%
Municipality Chatham-Kent	\$ 2,944,257,785	12.9832%
Township Dawn-Euphemia	\$ 580,082,657	2.5580%
Township Enniskillen	\$ 419,939,924	1.8518%
Municipality Lambton Shores	\$ 1,122,502,776	4.9499%
Municipality Middlesex Centre	\$ 483,809,439	2.1334%
Village Newbury	\$ 34,647,385	0.1528%
Village Oil Springs	\$ 44,961,487	0.1983%
Town Petrolia	\$ 571,783,579	2.5214%
Town Plympton-Wyoming	\$ 1,198,973,962	5.2871%
Village Point Edward	\$ 516,044,830	2.2756%
City Sarnia	\$ 8,776,269,841	38.7005%
Municipality Southwest Middlesex	\$ 261,523,066	1.1532%
Township St. Clair	\$ 2,520,273,450	11.1136%
Township Strathroy - Caradoc	\$ 1,913,077,444	8.4361%
Township Warwick	\$ 490,204,969	2.1616%
	\$ 22,677,380,206	100%

2020 Municipal General Levy : \$156,175 increase over 2019

CVA Apportionment is based on information provide from the Ministry of Natural Resources and Forestry

2020 Current Value Assessment (modified) in Watershed	2020 CVA Apportionment %	2019 General Levy	2020 General Levy	2019/2020 General Levy Increase
\$ 446,013,006	1.8762%	\$ 16,811	\$ 20,074	\$ 3,263
\$ 414,629,229	1.7442%	\$ 15,385	\$ 18,662	\$ 3,277
\$ 3,089,606,470	12.9967%	\$ 118,634	\$ 139,055	\$ 20,420
\$ 638,772,400	2.6871%	\$ 23,374	\$ 28,750	\$ 5,376
\$ 449,738,121	1.8919%	\$ 16,921	\$ 20,242	\$ 3,321
\$ 1,174,999,448	4.9427%	\$ 45,230	\$ 52,883	\$ 7,653
\$ 523,174,255	2.2008%	\$ 19,494	\$ 23,547	\$ 4,053
\$ 36,673,623	0.1543%	\$ 1,396	\$ 1,651	\$ 255
\$ 47,167,449	0.1984%	\$ 1,812	\$ 2,123	\$ 311
\$ 599,492,558	2.5218%	\$ 23,039	\$ 26,981	\$ 3,942
\$ 1,277,134,022	5.3724%	\$ 48,311	\$ 57,481	\$ 9,170
\$ 525,344,072	2.2099%	\$ 20,793	\$ 23,644	\$ 2,851
\$ 9,055,620,007	38.0933%	\$ 353,626	\$ 407,570	\$ 53,943
\$ 275,637,456	1.1595%	\$ 10,537	\$ 12,406	\$ 1,869
\$ 2,662,087,589	11.1983%	\$ 101,551	\$ 119,814	\$ 18,263
\$ 2,031,839,435	8.5471%	\$ 77,085	\$ 91,448	\$ 14,363
\$ 524,296,651	2.2055%	\$ 19,752	\$ 23,597	\$ 3,845
\$ 23,772,225,791	100%	\$ 913,751	\$ 1,069,926	\$ 156,175

**2020 Total Municipal Funding
Schedule "A" - Total Municipal Funding Including Special Infrastructure Projects**

Municipality	2020 Proposed General Levy	2020 Proposed Special Levy	2020				Total Municipal Funding
			Courtright Shoreline Protection (DMAF)	Flood Plain Mapping Project (NDMP)	Sarnia Erosion Control Work (WECI & DMAF)	McKeough Dam Repairs & Upgrade Work (WECI)	
Adelaide Metcalfe Tp	\$ 20,074	\$ -		\$4,949			\$25,023
Brooke-Alvinston Tp	\$ 18,662	\$ -		\$4,529			\$23,191
Chatham-Kent M	\$ 139,055	\$ 82,150		\$34,925		\$57,000	\$313,129
Dawn-Euphemla Tp	\$ 28,750	\$ 9,900		\$6,881			\$45,531
Enniskillen Tp	\$ 20,242	\$ -		\$4,981			\$25,223
Lambton Shores M	\$ 52,883	\$ 1,175		\$13,315			\$67,373
Middlesex Centre M	\$ 23,547	\$ 1,300		\$5,739			\$30,586
Newbury V	\$ 1,651	\$ -		\$411			\$2,062
Oil Springs V	\$ 2,123	\$ -		\$533			\$2,656
Petrolia T	\$ 26,981	\$ 900		\$6,783			\$34,664
Plympton-Wyoming T	\$ 57,481	\$ 12,110		\$14,222			\$83,813
Point Edward V	\$ 23,644	\$ -		\$6,121			\$29,765
Sarnia C	\$ 407,570	\$ 10,575			\$750,000		\$1,168,145
Southwest Middlesex M	\$ 12,406	\$ -		\$3,102			\$15,508
St. Clair Tp	\$ 119,814	\$ 3,700	\$200,000			\$3,000	\$326,514
Strathroy - Caradoc Tp	\$ 91,448	\$ 30,900		\$22,693			\$145,041
Warwick Tp	\$ 23,597	\$ -		\$5,815			\$29,412
	\$ 1,069,926	\$ 152,710	\$200,000	\$135,000	\$750,000	\$60,000	\$2,367,636

Note : WECI (Water & Erosion Control Infrastructure) Projects are considered if there is matching funds from both the Province and the benefitting Municipality and vary from year to year based on granting approval process, and Municipal matching funds.
DMAF - Disaster Mitigation and Adaption Fund - Government of Canada investment in large-scale infrastructure projects.
NDMP - National Disaster Mitigation Program - Government of Canada funding to mitigate, prepare for, respond to and recover from flood-related events

**2020 Municipal Funding Analysis
Schedule "C" Levy per \$100K Assessment Value**

	2020	Based on Total 2019 Modified CVA Assessment	
		2020 Proposed General Levy per \$100k Assessment value	2020 Proposed General Levy Increase per \$100k Assessment value
Municipality	Total Current Value Assessment (modified)		
Township of Adelaide Metcalfe	637,161,437	\$ 3.15	\$ 0.51
Township Brooke-Alvinston	414,629,229	\$ 4.50	\$ 0.79
Municipality Chatham-Kent	11,034,308,821	\$ 1.26	\$ 0.19
Township Dawn-Euphemia	638,772,400	\$ 4.50	\$ 0.84
Township Enniskillen	449,738,121	\$ 4.50	\$ 0.74
Municipality Lambton Shores	2,611,109,884	\$ 2.03	\$ 0.29
Municipality Middlesex Centre	3,269,839,095	\$ 0.72	\$ 0.12
Village Newbury	36,673,623	\$ 4.50	\$ 0.70
Village Oil Springs	47,167,449	\$ 4.50	\$ 0.66
Town Petrolia	599,492,558	\$ 4.50	\$ 0.66
Town Plympton-Wyoming	1,277,134,022	\$ 4.50	\$ 0.72
Village Point Edward	525,344,072	\$ 4.50	\$ 0.54
City Sarnia	9,055,620,007	\$ 4.50	\$ 0.60
Municipality Southwest Middlesex	689,093,640	\$ 1.80	\$ 0.27
Township St. Clair	2,662,087,589	\$ 4.50	\$ 0.69
Township Strathroy - Caradoc	2,861,745,683	\$ 3.20	\$ 0.50
Township Warwick	563,759,840	\$ 4.19	\$ 0.68
	37,373,677,470	\$ 3.61	\$ 0.56
		Average	

Schedule "D"

2020 Conservation Area Maintenance and Operation Budget

	2019 Budget	2020 Budget	Special Levy
403- Shetland	\$ 11,000	\$ 11,000	\$9,900(Dawn-Euphemia)
404 - Sinclair	\$ 1,000	\$ 1,000	
405 - Wawanosh	\$ 11,000	\$ 11,750	\$10,575 (City of Sarnia)
413 - Clark Wright	\$ 3,100	\$ 3,500	\$3,100 (Strathroy-Caradoc)
416 - -Bridgeview	\$ 4,976	\$ 900	\$900 (Town of Petrolia)
417 - Campbell	\$ 326,850	\$ 342,380	
419 - Coldstream	\$ 1,300	\$ 1,300	\$1,300 (Middlesex Centre)
448 - Crothers	\$ 3,300	\$ 3,300	\$3,300(Chatham-Kent)
455 - Peers	\$ 11,600	\$ 11,100	\$1,650 (Chatham-Kent)
458 - Warwick	\$ 537,900	\$ 560,293	
470 - Stranak	\$ 5,900	\$ 5,900	\$5,900 (Chatham-Kent)
472 - Henderson	\$ 332,000	\$ 344,050	
474 - Strathroy	\$ 23,000	\$ 27,800	\$27,800 (Strathroy-Caradoc)
485 - McEwen	\$ 13,510	\$ 13,510	\$12,110 (Plympton-Wyoming)
486 - Mclean	\$ 23,400	\$ 30,275	
489 - Highland Glen	\$ 18,000	\$ 18,000	
493 - Dodge	\$ 1,175	\$ 1,175	\$1,175(Lambton-Shores)
Total	\$ 1,329,011	\$ 1,387,233	\$ 77,710

Notes:

Regional Conservation Areas (A.W. Campbell, L.C. Henderson, Warwick, Highland Glen)

Local Conservation Areas (Shetland, Wawanosh, McEwen, Clark Wright)

In Town Conservation Areas (Strathroy, Coldstream, Dodge, Stranak, Crothers, Bridgeview)

Detailed budgets for specific conservation areas available upon request.

The areas are supported by employment programs, fundraising, friends of groups, St. Clair Region Foundation and grants programs from corporate and non-profit organizations.

Non-Matching General Levy	Revenues	Foundation	Other
\$ 1,100			
		\$ 1,000	
\$ 1,175			
		\$ 400	
	\$ 342,380		
	\$ 7,500		\$ 1,950
	\$ 560,293		
	\$ 344,050		
\$ 1,400			
	\$ 30,275		
\$ 10,000	\$ 8,000		
\$ 13,675	\$ 1,292,498	\$ 1,400	\$ 1,950

Summary of Authority / Foundation Land Holdings

	Hectares
Conservation Lands	556
Conservation Forests	81
McKeough Upstream Lands	746
McKeough Dam & Channel	236
Foundations Lands	317
Total	1936

Flood Easements

647

To ensure the wisest use of these lands, the Authority works with the public and private sectors by entering into various lease agreements including agricultural, residential and other resource management leases. 918 hectares are under lease.



St. Clair Region Conservation Authority
205 Mill Pond Crescent,
Strathroy, Ontario
N7G 3P9
(519) 245 – 3710
(519) 245 – 3348 FAX
stclair@scrca.on.ca
www.scrca.on.ca

member of



**Conservation
ONTARIO**
Natural Champions

Conservation Ontario Website:
www.conservationontario.ca



1.866.848.3620 519.848.3620
519.848.3228

Plan to
Simply Explore.
www.simplyexplore.ca

February 10, 2020

Hon. Ernie Hardeman
Minister of Agriculture, Food & Rural Affairs
77 Grenville Street, 11th Floor
Toronto, Ontario M5S 1B3

Via Email: minister.omafra@ontario.ca

Dear Minister Hardeman,

Ontario farms have come under increasing threat from trespassers and activists who illegally enter property, barns and buildings, causing significant disruptions to the entire agri-food sector. These activists are trespassing under false pretenses to gain entry on to farm properties. They have seized private property and threatened the health and safety of Ontario farms, employees, livestock and crops. These individuals and organizations are causing health and safety concerns and undue stress to Ontario farmers, their families, and their businesses. Once peaceful protests have escalated to trespassing, invading, barn break-ins and harassment. These incidents distress farmers, their families and employees, and threaten the health of livestock and crops when activists breach biosecurity protocols, ultimately putting the entire food system at risk.

We strongly support the new proposed legislation, *Bill 156: Security from Trespass and Protecting Food Safety Act*. This new legislation is an important way to keep our farm and food supply safe for all Ontarians. Bill 156 provides a balanced approach to protecting farms while recognizing a citizen's right to protest. This new legislation will ensure farm businesses have a legal standing to protect their farm, family and employees, livestock, crops and ultimately the entire food system. *Bill 156: Security from Trespass and Protecting Food Safety Act* is good news for Ontario's agri-food industry.

Thank you for this important new legislation. Protection of our Ontario Agriculture should be the highest priority.

Sincerely,

Dan Yake
Acting Mayor

cc: Wellington Federation of Agriculture (via email)



From the Office of the Clerk
The Corporation of the County of Prince Edward
332 Picton Main Street, Picton, ON K0K 2T0
T: 613.476.2148 x 1021 | F: 613.476.5727
clerks@pecounty.on.ca | www.thecounty.ca

February 10, 2020

Please be advised that during the regular meeting of Council on February 4, 2020 the following motion was carried;

RESOLUTION NO. 2020-058

DATE: February 4, 2020
MOVED BY: Councillor Prinzen
SECONDED BY: Councillor Bailey

Council's support for Bill 156, Security from Trespass and Protecting Food Safety Act (enforcement for safety on family farms)

WHEREAS the Township of Warwick, and many other municipalities have passed resolutions of support for Bill 156, Security from Trespass and Protecting Food Safety Act;

AND WHEREAS agriculture is the second largest industry in Ontario, contributing \$13.7 billion annually to Ontario's GDP and is essential for putting food on the tables of millions of people here and around the world;

AND WHEREAS in recent months there has been a steady increase in harassment of farmers and livestock transporters by activists opposed to animal agriculture and the consumption of animals;

AND WHEREAS maintaining proper biosecurity is essential to ensure the health and well-being of the animals cared for on these agricultural operations;

AND WHEREAS the recent attacks on farmers homes and businesses have resulted in no criminal charges laid, leaving farmers feeling unprotected by the Ontario legal system and afraid for the welfare of themselves, their families, their employees and the animals they care for;



From the Office of the Clerk
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332 Picton Main Street, Picton, ON K0K 2T0
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NOW THEREFORE BE IT RESOLVED

1. **THAT** the Council for the Corporation of The County of Prince Edward requests that Hon. Doug Downey work with MPP's and agricultural leaders to find a way forward to ensure stronger enforcement of existing laws - or new legislation - to ensure the safety of Ontario's farm families, employees and animals;
2. **AND THAT** this resolution be circulated to Hon. Doug Downey, Attorney General of Ontario; Hon. Doug Ford, Premier of Ontario; Hon. Sylvia Jones, Solicitor General and Hon. Ernie Hardeman, Minister of Agriculture, Food and Rural Affairs; AMO; and ROMA.



Mayor



The Corporation of the Township of Madoc

15651 Highway 62, P.O. Box 503, Madoc, Ontario K0K 2K0

www.madoc.ca

613-473-2677

Fax: 613-473-5580

February 11, 2020

Hon. Ernie Hardeman
Minister of Agriculture, Food & Rural Affairs
77 Grenville Street, 11th Floor
Toronto, Ontario M5S 1B3

Via Email: minister.omafra@ontario.ca

Dear Minister Hardeman,

Ontario farms have come under increasing threat from trespassers and activists who illegally enter property, barns and buildings, causing significant disruptions to the entire agri-food sector. These activists are trespassing under fake pretenses to gain entrance onto farm properties. They have seized private property and threatened the health and safety of Ontario farms, employees, livestock and crops. These individuals and organizations are causing health and safety concerns and undue stress to Ontario farmers, their families and their businesses. Once peaceful protests have escalated to trespassing, invading, barn break-ins and harassment. These incidents distress farmers, their families and employees, and threaten the health of the livestock and crops when activists breach biosecurity protocols, ultimately putting the entire food system at risk.

We strongly support the new proposed legislation, *Bill 156: Security from Trespass and Protecting Food Safety Act*. This new legislation is an important way to keep our farm and food supply safe for all Ontarians. Bill 156 provides a balanced approach to protecting farms while recognizing a citizen's right to protest. This new legislation will ensure farm businesses have a legal standing to protect their farm, family and employees, livestock, crops and ultimately the entire food system. *Bill 156: Security from Trespass and Protecting Food Safety Act* is good news for Ontario's agri-food industry

Sincerely,

Loyde Blackburn
Reeve, Madoc Township

A handwritten signature in black ink, appearing to read "Loyde Blackburn", written over a horizontal line.

February 11, 2020

The Honourable Ernie Hardeman,
Minister of Agriculture, Food and Rural Affairs
77 Grenville Street, 11th Floor
Toronto ON M5S 1B3

Re: Resolution Regarding Bill 156

Please be advised the Council of the Municipality of Chatham-Kent at its regular meeting held on February 10, 2020 passed the following resolution:

Whereas Bill 156: Security from Trespass and Protecting Food Safety Act is new legislation that is an important way to keep farms and food supply safe for all Ontarians,

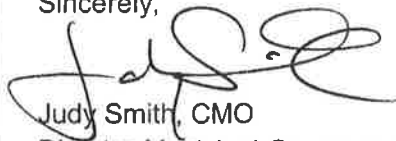
And Whereas Bill 156 provides a balanced approach to protecting farms while recognizing a citizen's right to protest;

And Whereas Bill 156 will ensure farm businesses have a legal standing to protect their farm, family and employees, livestock, crops and ultimately the entire food system;

Therefore be it resolved that the Municipality of Chatham-Kent support the new proposed legislation, Bill 156: Security from Trespass and Protecting Food Safety Act by circulating a letter of support to Ontario municipalities and the Minister of Agriculture, Food & Rural Affairs, the Honourable Ernie Hardeman.

If you have any questions or comments, please contact Judy Smith at ckclerk@chatham-kent.ca

Sincerely,



Judy Smith, CMO
Director Municipal Governance
Clerk /Freedom of Information Coordinator

C Ontario Municipalities



February 13, 2020

To:

The Honourable Doug Ford, Premier of Ontario,
The Honourable Ernie Hardeman, Minister of Agriculture, Food and Rural Affairs,
The Honourable Steve Clark, Minister of Municipal Affairs and Housing,
Andrea Horwath, Leader of the New Democratic Party of Ontario,
John Fraser, Interim Leader of the Liberal Party of Ontario,
Mike Schreiner, Leader of the Green Party of Ontario,
Monte McNaughton, MPP, Middlesex-Kent;
Association of Municipalities of Ontario; and
Ontario municipalities

RE: Southwest Middlesex Resolution regarding Government Bill 156

Please be advised that at its February 12, 2020 meeting, the Council of the Municipality of Southwest Middlesex passed the following resolution regarding Bill 156, *Security from Trespass and Protecting Food Safety Act, 2019*:

Moved by Councillor McGill
Seconded by Councillor Cowell

Whereas the Provincial Government of Ontario is considering Bill 156, *Security from Trespass and Protecting Food Safety Act, 2019*; and

Whereas Bill 156 is intended to protect farms, farm operations, and food safety and security by addressing unwanted trespassing; and

Whereas Ontario farmers are increasingly under threat of unwanted trespassers who are illegally entering property, barns and buildings, and safety of drivers of motor vehicles transporting farm animals which threatens the health and safety of the farm, employees, livestock and crops; and

Whereas additional protection for the agri-food industry to protect the security of the food chain, the farm owners, family and employees is the purpose of the *Security from Trespass and Protecting Food Safety Act, 2019*; and

Whereas unwanted trespassing occurs on all types of farm operations, including grain farmers, which has the potential to impact the safety and security of people and the food chain;

Now Therefore Be It Resolved That the Municipality of Southwest Middlesex supports the intent of Bill 156 and requests that the Province of Ontario expanding Bill 156 to identify and include protections against trespass for grain farm operations; and

That a copy of this Motion be sent to the Honourable Doug Ford, Premier of Ontario, The Honourable Ernie Hardeman, Minister of Agriculture, Food and Rural Affairs, the Honourable Steve Clark, Minister of Municipal Affairs and Housing, Andrea Horwath, Leader of the New Democratic Party of Ontario, John Fraser, Interim Leader of the Liberal Party of Ontario, Mike Schreiner, Leader of the Green Party of Ontario, and Monte McNaughton, MPP, Middlesex-Kent; and

That a copy of this motion be sent to the Association of Municipalities of Ontario (AMO), and Ontario municipalities.

• Carried



Township of Wainfleet

"Wainfleet - find your country side!"

February 19, 2020

Judy Smith, CMO
Director Municipal Governance
Clerk/Freedom of Information Coordinator
Municipality of Chatham-Kent
315 King St W.
Chatham ON N7M 5K8

SENT ELECTRONICALLY
maggied@chatham-kent.ca

Re: Council's support for Bill 156, Security from Trespass and Protecting Food Safety Act (enforcement for safety on family farms)

Dear Ms. Smith,

Thank you for your recent correspondence received by our office on February 11, 2020. Please be advised that at their regular meeting scheduled February 18, 2020, Council passed the following resolution:

"THAT Correspondence item C-051-2020 respecting new proposed legislation, Bill 156: Security from Trespass and Protecting Food Safety Act be supported."

CARRIED

If you have any questions, please do not hesitate to contact the undersigned.

Sincerely,

Meredith Ciuffetelli
Deputy Clerk
mciuffetelli@wainfleet.ca



Township of Douro-Dummer

894 South Street
PO Box 92
Warsaw ON K0L 3A0

www.dourodummer.on.ca

Clerk's Department

Crystal McMillan, CMO

Clerk

Ph 705-652-8392 Ext. 205

F 705-652-5044

crystal@dourodummer.on.ca

February 19, 2020

The Honourable Ernie Hardeman
Minister of Agriculture, Food and Rural Affairs
77 Greenville Street, 11th Floor
Toronto ON M5S 1B3

Dear Minister Hardeman:

Re: Resolution – Supporting Resolutions regarding Bill 156, Security from Trespass and Protecting Food Safety Act

The following resolution was passed by the Council for the Township of Douro-Dummer at their last regular meeting held on February 18, 2020.

Resolution Number 96-2020

Moved by: Deputy Mayor Moher

Seconded by: Councillor Watson

That the Resolutions from the County of Prince Edward, Township of South Glengarry, Township of Wellington North, Municipality of Chatham-Kent in support of Bill 156, Security from Trespass and Protecting Food Safety Act (4) all be received and supported. Carried

A copy of the four (4) Resolutions are enclosed for your information.

Thank you for consideration of this matter.

Sincerely,

Crystal McMillan, CMO
Clerk

cc: Dave Smith, MPP (Peterborough)
County of Prince Edward
Township of South Glengarry
Township of Wellington North
Municipality of Chatham-Kent



From the Office of the Clerk
The Corporation of the County of Prince Edward
332 Picton Main Street, Picton, ON K0K 2T0
T: 613.476.2148 x 1021 | F: 613.476.5727
clerks@pecounty.on.ca | www.thecounty.ca

February 10, 2020

Please be advised that during the regular meeting of Council on February 4, 2020 the following motion was carried;

RESOLUTION NO. 2020-058

DATE: February 4, 2020

MOVED BY: Councillor Prinzen

SECONDED BY: Councillor Bailey

Council's support for Bill 156, Security from Trespass and Protecting Food Safety Act (enforcement for safety on family farms)

WHEREAS the Township of Warwick, and many other municipalities have passed resolutions of support for Bill 156, Security from Trespass and Protecting Food Safety Act;

AND WHEREAS agriculture is the second largest industry in Ontario, contributing \$13.7 billion annually to Ontario's GDP and is essential for putting food on the tables of millions of people here and around the world;

AND WHEREAS in recent months there has been a steady increase in harassment of farmers and livestock transporters by activists opposed to animal agriculture and the consumption of animals;

AND WHEREAS maintaining proper biosecurity is essential to ensure the health and well-being of the animals cared for on these agricultural operations;

AND WHEREAS the recent attacks on farmers homes and businesses have resulted in no criminal charges laid, leaving farmers feeling unprotected by the Ontario legal system and afraid for the welfare of themselves, their families, their employees and the animals they care for;



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clerks@pecounty.on.ca | www.thecounty.ca

NOW THEREFORE BE IT RESOLVED

1. **THAT** the Council for the Corporation of The County of Prince Edward requests that Hon. Doug Downey work with MPP's and agricultural leaders to find a way forward to ensure stronger enforcement of existing laws - or new legislation - to ensure the safety of Ontario's farm families, employees and animals;
2. **AND THAT** this resolution be circulated to Hon. Doug Downey, Attorney General of Ontario; Hon. Doug Ford, Premier of Ontario; Hon. Sylvia Jones, Solicitor General and Hon. Ernie Hardeman, Minister of Agriculture, Food and Rural Affairs; AMO; and ROMA.



Mayor



CORPORATION OF THE TOWNSHIP OF SOUTH GLENGARRY

MOVED BY Sam McDonell

RESOLUTION NO 29-2020

SECONDED BY Martin Lang

DATE February 3, 2020

WHEREAS the Township of South Glengarry has a strong agricultural tradition and continues to play an important role in Ontario's agri-food sector.

AND WHEREAS the Township of South Glengarry recognizes the importance of the safety of those working in the agri-food sector and the need to protect the safety of our food chain.

AND WHEREAS in December 2019, the Ontario government introduced legislation in Bill 156 – Security from Trespass and Protecting Food Safety Act, 2019 which will ensure farm businesses have a legal standing to protect their farm, family and employees, livestock, crops and ultimately the entire food supply.

AND WHEREAS the Council of the Township of South Glengarry appreciates the effort being made by the Ontario government to protect those working in the agri-food sector.

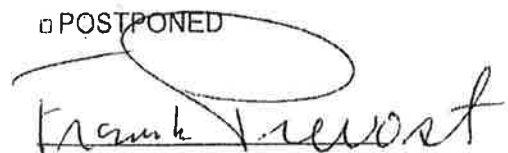
NOW THEREFORE BE IT RESOLVED THAT the Council of the Township of South Glengarry strongly supports Bill 156 and urges all members of the Legislative Assembly of Ontario to pass this legislation to protect all Ontario farm families and food processors.

AND FURTHER that this motion be forwarded to the Honourable Doug Ford, premier of Ontario, the Honourable Ernie Hardman, Minister of Agriculture, Food and Rural Affairs and all Ontario municipalities for their consideration.

CARRIED

DEFEATED

POSTPONED


Mayor Frank Prevost

Recorded Vote:	Yes	No
Mayor Prevost	—	—
Deputy Mayor Warden	—	—
Councillor Lang	—	—
Councillor Jaworski	—	—
Councillor McDonell	—	—



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www.simplyexplore.ca

February 10, 2020

Hon. Ernie Hardeman
Minister of Agriculture, Food & Rural Affairs
77 Grenville Street, 11th Floor
Toronto, Ontario M5S 1B3

Via Email: minister.omafra@ontario.ca

Dear Minister Hardeman,

Ontario farms have come under increasing threat from trespassers and activists who illegally enter property, barns and buildings, causing significant disruptions to the entire agri-food sector. These activists are trespassing under false pretenses to gain entry on to farm properties. They have seized private property and threatened the health and safety of Ontario farms, employees, livestock and crops. These individuals and organizations are causing health and safety concerns and undue stress to Ontario farmers, their families, and their businesses. Once peaceful protests have escalated to trespassing, invading, barn break-ins and harassment. These incidents distress farmers, their families and employees, and threaten the health of livestock and crops when activists breach biosecurity protocols, ultimately putting the entire food system at risk.

We strongly support the new proposed legislation, *Bill 156: Security from Trespass and Protecting Food Safety Act*. This new legislation is an important way to keep our farm and food supply safe for all Ontarians. Bill 156 provides a balanced approach to protecting farms while recognizing a citizen's right to protest. This new legislation will ensure farm businesses have a legal standing to protect their farm, family and employees, livestock, crops and ultimately the entire food system. *Bill 156: Security from Trespass and Protecting Food Safety Act* is good news for Ontario's agri-food industry.

Thank you for this important new legislation. Protection of our Ontario Agriculture should be the highest priority.

Sincerely,

Dan Yake
Acting Mayor

cc: Wellington Federation of Agriculture (via email)

February 11, 2020

The Honourable Ernie Hardeman,
Minister of Agriculture, Food and Rural Affairs
77 Grenville Street, 11th Floor
Toronto ON M5S 1B3

Re: Resolution Regarding Bill 156

Please be advised the Council of the Municipality of Chatham-Kent at its regular meeting held on February 10, 2020 passed the following resolution:

Whereas Bill 156: Security from Trespass and Protecting Food Safety Act is new legislation that is an important way to keep farms and food supply safe for all Ontarians,

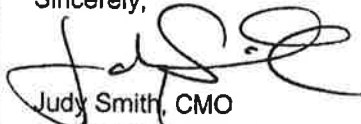
And Whereas Bill 156 provides a balanced approach to protecting farms while recognizing a citizen's right to protest;

And Whereas Bill 156 will ensure farm businesses have a legal standing to protect their farm, family and employees, livestock, crops and ultimately the entire food system;

Therefore be it resolved that the Municipality of Chatham-Kent support the new proposed legislation, Bill 156: Security from Trespass and Protecting Food Safety Act by circulating a letter of support to Ontario municipalities and the Minister of Agriculture, Food & Rural Affairs, the Honourable Ernie Hardeman.

If you have any questions or comments, please contact Judy Smith at ckclerk@chatham-kent.ca

Sincerely,



Judy Smith, CMO
Director Municipal Governance
Clerk /Freedom of Information Coordinator

C Ontario Municipalities



The Corporation of the Township of Madoc

15651 Highway 62, P.O. Box 503, Madoc, Ontario K0K 2K0

www.madoc.ca

613-473-2677

Fax: 613-473-5580

The Honourable Sylvia Jones
Solicitor General
George Drew Bldg, 18th Flr
25 Grosvenor Street
Toronto, Ontario
M7A 1Y6

Re: Town of Tecumseh Resolution on 911 misdials

Please be advised that the Township of Madoc Council passed the following motion to support the resolution of the Town of Tecumseh regarding 911 misdials, attached.

Motion # 20-31

Moved by: Councillor Rowe

Seconded by: Deputy Reeve Rollins

That Council direct the Clerk/Planning Coordinator to write a letter of support regarding 911 misdials

-Carried-

Sincerely,

A handwritten signature in black ink, appearing to read 'Amanda Cox'.

Amanda Cox
Clerk/Planning Coordinator
Township of Madoc



The Corporation of the Town of Tecumseh

December 20, 2019

Hon. Sylvia Jones
Solicitor General
George Drew Bldg, 18th Flr
25 Grosvenor Street
Toronto, Ontario
M7A 1Y6

Re: Town of Tecumseh Resolution on 911 Misdials

On behalf of Mayor Gary McNamara and Town Council, I am writing to advise that at its meeting on November 12, 2019, Tecumseh Town Council passed the following resolution:

Whereas the calls for service for 911 Misdials have risen dramatically in recent years, correlated with the rise in cell phone use; and

Whereas 911 Misdials must be responded to as if they were legitimate emergency calls; and

Whereas each 911 call is responded to with two OPP officers at an average time per call of 1.2 hours; and

Whereas each 911 call is a billable call to the municipality; and

Whereas in 2019 alone to date, 911 Misdials in Tecumseh number 1,082 calls, which is 28.8% of all billable calls for service to date; and

Whereas 911 Misdials are not unique to Tecumseh and in fact are common across the Province at an estimated cost of millions of dollars;

Now Therefore Be It Resolved That the Municipal, Federal and Provincial governments and relevant associations, including but not limited to, the Ontario Association of Police Services Boards (OAPSB), the Ontario Association of Chiefs of Police (OACP), the Federation of Canadian Municipalities (FCM) and the Association of Municipalities of Ontario (AMO), be requested to lobby the telecommunications industry and smart phone manufacturers to develop a solution to 911 Misdials.

A copy of the report to Town Council (CAO-2019-09) on 911 Misdials is attached for your information. Should you require anything further, please contact the undersigned at lmoy@tecumseh.ca or extension 116.

Yours very truly,



Laura Moy, Dipl.M.M., CMMIII HR Professional
Director Corporate Services & Clerk

LM/ep

Attachments

1. Report CAO-2019-09 911 Misdials

cc: Hon. Bill Blair, Minister of Public Safety and Emergency Preparedness
Irek Kusmierczyk, MP
Percy Hatfield, MPP
Federation of Canadian Municipalities
Association of Municipalities of Ontario
Ontario Association of Police Services Boards
Ontario Association of Chiefs of Police
Ontario Municipalities
Telus
Bell
Rogers

February 11, 2020

The Honourable Jeff Yurek
Minister of Environment, Conservation and Parks
College Park 5th Floor, 777 Bay Street
Toronto, ON M7A 2J3

Re: Resolution to Support Role of Conservation Authorities

Please be advised the Council of the Municipality of Chatham-Kent at its regular meeting held on February 10, 2020 passed the following resolution:

Whereas the Lower Thames Valley Conservation Authority and the St. Clair Region Conservation Authority and other Conservation Authorities have been protecting people and conserving and restoring watersheds with local communities for over 50 years, and

Whereas municipalities must work together to ensure resilient and healthy watersheds for residents, and

Whereas Conservation Authorities will be important partners in concrete and cost-effective initiatives to address the climate change,

Therefore be it Resolved: That the Municipality of Chatham-Kent supports the important role Conservation Authorities provide to local communities in delivering watershed management programs.

And that the Municipality of Chatham-Kent circulate that support to municipalities, conservation authorities and the Minister of Environment, Conservation and Parks in Ontario.

If you have any questions or comments, please contact Judy Smith at ckclerk@chatham-kent.ca

Sincerely,



Judy Smith, CMO
Director Municipal Governance
Clerk /Freedom of Information Coordinator

C Ontario Municipalities, LTVCA, SCRCA



February 20, 2020

RE: AMO's position on the Legislative Changes in Bill 132 with respect to the Aggregate Resources Act and the Safe Drinking Water Act.

Please be advised that Township of Puslinch Council, at its meeting held on January 2, 2020, considered the aforementioned topic and subsequent to discussion, the following was resolved:

Resolution No. 2020-010: Moved by Councillor Sepulis and
Seconded by Councillor Bailey

**That Council receives the Intergovernmental item 7.9 Queens Park Update; and
That Council direct staff to send correspondence in support of AMO's position on the
Legislative Changes in Bill 132 with respect to the Aggregate Resources Act and the Safe
Drinking Water Act.**

CARRIED

As per the above resolution, please accept a copy of this correspondence for your information and consideration.

Yours very truly,
Courtenay Hoytfox
Development and Legislative Coordinator

Courtenay Hoytfox

From: AMO Communications <Communicate@amo.on.ca>
Sent: Monday, December 16, 2019 11:17 AM
To: Courtenay Hoytfox
Subject: Queen's Park Update - December 16, 2019

AMO Update not displaying correctly? [View the online version](#) | [Send to a friend](#)
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December 16, 2019

Queen's Park Update

Cannabis

On December 12th, the government amended Ontario Regulation 478/18 under the *Cannabis License Act, 2018*. This opens Ontario's cannabis retail market in 2020. Retail applications begin on January 6, 2020 and the new changes in the regulation include:

- Ceasing the lottery for retail licenses
- Eliminating pre-qualification requirements for retailers
- Allowing licensed producers to open retail store connected to a production facility

On March 2, 2020, the restrictions on the total number of store authorizations permitted in the province will be revoked. Licensed operators will be allowed to have up to 10 stores until September 2020, up to 30 stores until September 2021 and up to 75 stores afterwards. Store applications will only be eligible in municipalities that have opted-in to sell cannabis.

For more information, visit www.agco.ca.

End of the Fall Legislative Session

The Legislative Assembly of Ontario ended its 2019 legislative session on December 12th and is adjourned until February 18, 2020. Here are some short summaries of Bills of municipal interest that have received Royal Assent.

Bill 132, *Better for People, Smarter for Business Act, 2019* – Received Royal Assent on Dec. 10th.

The legislative changes in Bill 132 of most municipal concern are to the *Aggregates Act*. While it is an improvement that a change will require an application process for below water table extraction, rather than just an amendment to a licence, it still allows the province to issue licences for below water table extraction while the *Safe Drinking Water Act*, Section 19 stipulates that owners of municipal drinking water sources are guilty of an offence if they fail to exercise care over a drinking water system, like a well. As aquifers are connected, a decision of the province to allow below water table extraction could lead to contamination of municipal drinking water sources.

Given the conflict between these two Acts, AMO had asked for a concurrent amendment to the *Safe Drinking Water Act* to indemnify Council members for decisions on *Aggregates Act* applications that the province makes. This amendment was not made to the legislation that now has Royal Assent. We believe this will result in municipal councils appealing all provincial decisions on below water table extraction to the Local Planning Appeal Tribunal (LPAT) to show appropriate due diligence.

As well through Bill 132, the *Highway Traffic Act* was amended to allow municipal governments to pass by-laws that will allow some off-road vehicles to be driven on municipal highways.

For more information on this omnibus bill, please refer to AMO's [Bill 132 submission](#).

Bill 138, Plan to Build Ontario Together Act, 2019 – Received Royal Assent on December 10th.

This omnibus Bill accompanied the 2019 Fall Economic Statement and affected 40 statutes. This included:

- Section 26.1 of the *Development Charges Act* is amended and will remove industrial development and commercial development from eligible development types that can be charged.
- Subsection 329 (2) of the *Municipal Act, 2001* and section 291 (2) of the *City of Toronto Act, 2006* has been amended regarding calculating property taxes when the permitted uses of land change.
- The *Supply Chain Management Act* specifies how the broader public sector may carry out supply chain management and procurement. AMO has confirmed that these provisions will not apply to municipalities.
- Section 37 of the *Planning Act* has been amended to set out a process for a person or public body to appeal a community benefits charge by-law to the Local Planning Appeal Tribunal.
- Section 40 (1) of the *Liquor Licence and Control Act* permits municipal councils to designate a recreational area under its jurisdiction to prohibit the possession of liquor.

Bill 136, Provincial Animal Welfare Services Act, 2019 – Received Royal Assent on December 5th.

This bill creates an animal welfare framework. Under the Act, in the event of a conflict between a municipal by-law and the *Provincial Animal Welfare Services Act*, the provision that affords the greater protection to animals will prevail. The legislation

requires an implementation of a full provincial government-based animal welfare enforcement model.

The province has confirmed that all enforcement mechanisms will be performed by them.

Bill 124, Protecting a Sustainable Public Sector for Future Generations Act, 2019

– Received Royal Assent on November 7th.

Under Bill 124, broader public sector employee salary increases will be limited to 1% for the next three years. AMO has been assured that this Act does not apply to employers that are a municipality, a local board as defined in the *Municipal Act*, and persons and organizations that are appointed or chosen under the authority of a municipality.

AMO Contact:

You can contact AMO's Policy Team at policy@amo.on.ca or 416-971-9856.

*Disclaimer: The Association of Municipalities of Ontario (AMO) is unable to provide any warranty regarding the accuracy or completeness of third-party submissions. Distribution of these items does not imply an endorsement of the views, information or services mentioned.



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Association of Municipalities of Ontario
200 University Ave. Suite 801, Toronto ON Canada M5H 3C6

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February 20, 2020

RE: Support for ministers to allow for electronic delegation

Please be advised that Township of Puslinch Council, at its meeting held on January 2, 2020 considered the aforementioned topic and subsequent to discussion, the following was resolved:

Resolution No. 2020-012: Moved by Councillor Bulmer and
Seconded by Councillor Goyda

That Council send a letter of support in principle with respect to the Township of Greater Madawaska's Council resolution to allow for electronic delegations to the Provincial Ministers.

CARRIED

As per the above resolution, please accept a copy of this correspondence for your information and consideration.

Yours very truly,
Courtenay Hoytfox
Development and Legislative Coordinator



Council Resolution Form

Date: 18 Nov 2019 No: Resolution No.261-19
 Moved By: Councillor Rigelhof Seconded by Disposition: CARRIED.
Councillor MacPherson
 Item No: 9.11.1

Description: Support for ministers to allow for electronic delegation

RESOLUTION:

WHEREAS Council has discussed lobbying the provincial ministers to allow for electronic delegation;

AND WHEREAS Council feel that it is unjust to have to attend expensive conferences to be able to have a delegation with Ministers or the Premier;

AND THEREFORE, Council requests that the Ministers and the Premier offer electronic delegations to small and rural Municipalities that do not have sufficient budget to attend conferences;

FURTHERMORE, that this resolution be sent to all Ontario Municipalities to request their support and sent to the Premier and all the Ministries for their consideration.

Recorded Vote Requested by:

	Yea	Nay
B. Hunt	_____	_____
L. Perrier	_____	_____
C. Rigelhof	_____	_____
J. Frost	_____	_____
G. MacPherson	_____	_____



MAYOR

Declaration of Pecuniary Interest:

.....
 Disclosed his/her/their interest(s), vacated he/her/their seat(s),
 abstained from discussion and did not vote



Northumberland
County

Resolution

Moved By

Agenda
Item 8b

Resolution No.
2020-02-19-55

Last Name Printed Ostrander

Seconded By

Council Date: February 19, 2020

Last Name Printed Latchford

"Whereas Northumberland County supports the important role that conservation authorities provide, including watershed management programs; and

Whereas Northumberland County believes that the Province should undertake consultations with municipalities prior to making any program or funding changes;

Now Therefore Be It Resolved That County Council receive the supporting resolutions from Ontario municipalities (including the Town of Orangeville, the Town of Collingwood and the Municipality of Strathroy-Caradoc; and

Further Be It Resolved That this resolution be forwarded to: Premier Doug Ford, the Minister of the Environment, Conservation and Parks, MPP David Piccini, the Association of Municipalities of Ontario, the Ganaraska Conversation Authority, the Lower Trent Conversation Authority, the Crowe Valley Conservation Authority and the Otonabee Region Conservation Authority, and all Ontario municipalities."

Recorded Vote
Requested by

_____ Councillor's Name

Carried

Warden's Signature

Deferred

_____ Warden's Signature

Defeated

_____ Warden's Signature

Ellis, Maddison

From: Tracy MacDonald <tmacdonald@orangeville.ca>
Sent: Monday, January 27, 2020 6:34 PM
Subject: Resolution - Environmental Awareness and Action

CAUTION: External E-Mail

Good afternoon,

The Town Orangeville passed the following resolution at its January 13, 2020 Council meeting:

13.1 Councillor Peters – Environmental Awareness and Action

Resolution 2020-14

Moved by Councillor Peters
Seconded by Councillor Post

That the Town of Orangeville supports continuation of the programs and services of the CVC, both mandatory and non-mandatory, and that no programs or services of the CVC or other CAs in Ontario be “wound down” at this time; and

That the Minister of the Environment, Conservation, and Parks give clear direction as to what programs and services are considered mandatory and non-mandatory and how those programs will be funded in the future; and

That the Minister of the Environment, Conservation, and Parks recognizes the strong and positive Provincial role Conservation Authorities (CAs) play in flood risk reduction programs and reinstates funding to the CAs of Ontario; and

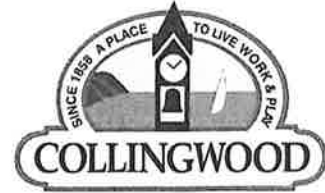
That this resolution be forwarded to the Minister of the Environment, Conservation, and Parks, Premier Doug Ford, MPP Sylvia Jones, the Association of Municipalities of Ontario, the Credit Valley Conservation Authority, Conservation Ontario, and all Ontario municipalities.

Carried.

Regards,

Tracy Macdonald | Assistant Clerk | Corporate Services
Town of Orangeville | 87 Broadway | Orangeville ON L9W 1K1
519-941-0440 Ext. 2256 | Toll Free 1-866-941-0440 Ext. 2256
tmacdonald@orangeville.ca | www.orangeville.ca

TOWN OF COLLINGWOOD



Becky Dahl, Deputy Clerk

97 Hurontario St. P.O. Box 157
Collingwood, ON L9Y 3Z5
Tel: (705) 445-1030 Ex. 3230
Fax: (705) 445-2448
Email: bdahl@collingwood.ca

January 21, 2020

The Honourable Jeff Yurek
Minister of Environment, Conservation and Parks
College Park 5th Floor, 777 Bay Street
Toronto, ON M7A 2J3

Re: Conservation Authorities

On behalf of the Council for the Corporation of the Town of Collingwood, I write to advise you of the following recommendation approved at its meeting held on January 20, 2020 for your consideration:

WHEREAS the Town of Collingwood has recently declared a Climate Emergency;

AND WHEREAS the Town of Collingwood has committed to nine core principles of sustainability;

AND WHEREAS the Town of Collingwood is a beneficiary of the upstream environmental remediation work done by the Nottawasaga Valley Conservation Authority (NVCA);

AND WHEREAS the Town of Collingwood is a member of the NVCA, with representation on its Board of Directors;

AND WHEREAS under the direction of the Board of Directors, the NVCA provides programs and services addressing local priorities to the residents of Collingwood and its other member municipalities, including inclusive outdoor education and recreation, water quality monitoring, preservation of species at risk as well as protecting life and property through a variety of measures;

AND WHEREAS the NVCA provides the Town of Collingwood with expert advice on the environmental impact of land use planning proposals and that the Municipality does not have staff with comparable expertise or experience;

AND WHEREAS the Ministry of the Environment, Conservation and Parks provides approximately one percent of the budget for programs and services currently delivered by the NVCA;

THEREFORE BE IT RESOLVED THAT the Town of Collingwood supports Conservation Authority regulations under Bill 108 being completed in consultation with municipalities, the NVCA and Conservation Ontario;

AND THAT the Town of Collingwood supports continuation of the critical programs and services included in the mandate of Conservation Authorities;

AND THAT during the fulsome review and consultations the Minister of Environment, Conservation and Parks continue to allow local municipalities' designated representatives

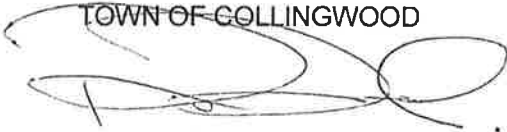
to determine which programs will be delivered and mandatory, along with the use of a Board-directed fair municipal levy as per current Regulation;

AND THAT this resolution be forwarded to the Minister of the Environment, Conservation and Parks, Premier Doug Ford, MPP Jim Wilson, the Association of Municipalities of Ontario, Nottawasaga Valley Conservation Authority, Conservation Ontario, all Ontario municipalities, and the County of Simcoe.

Should you require anything further, please do not hesitate to contact the undersigned at 705-445-1030 ext. 3230 or clerk@collingwood.ca.

Yours truly,

TOWN OF COLLINGWOOD

A handwritten signature in black ink, appearing to read 'Becky Dahl', is written over the printed name and title. The signature is fluid and cursive, with a large loop at the end.

Becky Dahl
Deputy Clerk, Clerk Services

c.c. Premier Doug Ford
Jim Wilson, MPP
Association of Municipalities of Ontario
Nottawasaga Valley Conservation Authority
Conservation Ontario
County of Simcoe
Ontario municipalities

Ellis, Maddison

From: Ruth Alcainho <ralcainho@strathroy-caradoc.ca>
Sent: Friday, January 24, 2020 10:50 AM
To: minister.mecp@ontario.ca; admin@ltvca.ca
Subject: Strathroy-Caradoc Regular Council Meeting January 20, 2020 - Approval of Resolution LTVC - Watershed Management Programs

CAUTION: External E-Mail

Please be advised the following resolution sent to member municipalities of the Lower Thames Valley Conservation Authority, was presented for consideration by Council at their regular meeting of Monday, January 20, 2020 and approved as follows:

Moved by Councillors Brennan and Kennes:

WHEREAS Conservation Authorities have been protecting people and conserving and restoring watersheds with local communities for over 50 years; and

WHEREAS Municipalities must work together to ensure resilient and healthy watersheds for residents, and

WHEREAS Conservation Authorities will be important partners in concrete and cost-effective initiatives to address climate change,

THEREFORE BE IT RESOLVED THAT: the Municipality of Strathroy-Caradoc supports the important role Conservation Authorities provide to local communities in delivering watershed management programs; and that this resolution be circulated to Municipalities, Conservation Authorities and the Provincial Government (Minister of Environment, Conservation and Parks), in Ontario. **Carried.**

Kind Regards,

Ruth

Ruth Alcainho
Deputy Clerk/Insurance Co-Ordinator
Legal & Legislative Services
Tel: 519-245-1105 Ext 237
Fax: 519-245-6353
Email: ralcainho@strathroy-caradoc.ca



Legal & Legislative Services
Municipality of Strathroy-Caradoc
52 Frank Street | Strathroy, ON | N7G 2R4

Visit us online at www.strathroy-caradoc.ca

▲
Back to Top

Ridge House Museum Advisory Committee

Minutes

Tuesday, Sep 24, 2019

7:00 PM

Call to Order

Present: Cl. John Wright
Sara Mervin
Edythe Marlatt
Frank Vink
Bob Wilson
Stephanie Saunders, Curator, Chatham-Kent Museum
Blair Newby, Assistant Curator, CKM/Curator, RHM
Dr. April Rietdyk, General Manager, Community Human Services
Deborah Furlan, Admin Assistant, Arts and Culture

Regrets: Heather Slater, Manager, Arts and Culture

1. Provision for Declaration of Pecuniary Interest

No member of the Board declared a pecuniary interest on any matter on the open session agenda.

2. Election of the Chair

Ms. Saunders acknowledged receipt of a resignation, Chairperson Mindy Bowls.

Mr. Vink nominated Ms. Mervin; Ms. Mervin accepted.

Committee voted, "That Sara Mervin be appointed chair for the remainder of the calendar year be approved."

Unanimously in favour. Ms. Mervin acclaimed.

3. Introduction – Blair Newby, Assistant Curator, CKM/Curator, RHM

Ms. Newby has 14 years of experience in the museum field. Ms. Newby has Bachelors in History from the University of Waterloo and Masters in Museum Studies from the University of Toronto.

Ms. Newby has previously worked at the Buxton National Historic Site and Museum as a summer student for six years and at the Chatham-Kent Black History society for five years as the Executive Director.

More recently, Ms. Newby worked in the Special Events department at Black Creek Pioneer Village coordinating events for four years and at the Multicultural History Society of Ontario as the Outreach officer for 3 three years.

Ms. Newby is truly excited about this opportunity and what the year ahead has in store for her as the Curator of Ridge House Museum.

The committee welcomed Ms. Newby.

4. Minutes of the Meeting of May 29, 2019

Ms. Marlatt moved, seconded by Cl. Wright.

“That the minutes of the May 29, 2019 Ridge House Museum Advisory Committee meeting be approved.”

The Chair put the Motion.

Motion Carried

5. Business Arising from the Minutes

None

6. Education and Training

None

7. New Business

A. Items for deaccessioning

None

B. Information Reports to be received

a) Curator's Report, by Ms. Newby, Curator

Attendance Summary:

- May
 - Paying: 0
 - Non-paying: 42
 - School: 0
 - Total: 42
- June
 - Paying: 6
 - Non-paying: 74
 - School: 0
 - Total: 80
- July
 - Paying: 0
 - Non-paying: 115
 - School: 0
 - Total: 115
- August
 - Paying: 0
 - Non-paying: 135
 - School: 0
 - Total: 135

Web Visitors:

- May:
 - Municipal website:
 - Facebook users/clicks: 1609/79
- June:
 - Municipal website:
 - Facebook users/clicks: 0/0
- July:
 - Municipal website:
 - Facebook users/clicks: 592/64
- August:
 - Municipal website:
 - Facebook users/clicks: 731/15

Staff Development:

- Paige Alexander and Courtney Pinsonneault have been hired as Museum Ambassadors.

- Blair Newby has been hired on contract as the Assistant Curator, CKM/Curator, RHM.
- Keirsten Smith has resigned from her position as a Museum Ambassador.
- Adele Steele, Kelsie VanDeVelde, and Lauren McKerrall have completed their contracts as Historical Interpreters (summer students).

Maintenance:

- Acquiring quotes and working with the heritage committee to complete lifecycle projects.

Curatorial Activities:

- 23 artifacts have been accessioned.
- Three research requests were received and two completed from May to August.

Conservation:

- The table top steeple clock and Regulator wall clock are back in working order.

Exhibitions:

- Discovery Den featured the theme of "On Your Mark, Get Set, Go!" in June, "Explore the Night" in July, and "Branch Out!" in August.

Interpretation/Education:

- Eleven children created outdoor tic tac toe games at the Creative Kids program on June 8.
- The RHM DIY Den for June, July and August were cancelled due to low enrollment.
- Creative Kids on July 6 to make galaxy play dough had eight registrations.
- Eight children participated in making a natural loom as part of the Creative Kids workshop in August.

Marketing/Public Relations:

- Posters, web postings, signage, and social media promotion were undertaken as required for all museum programming and exhibits.

Governance/Policy:

- No update.

Items of Interest:

- Upcoming Events:
 - Trick-or-Treat, October 31, 5-8PM
 - RHM Adult Gingerbread Workshop, December 5, 7-9PM
 - RHM Christmas Open House, December 14 (tentative), after Christmas Parade

Committee discussion re: Curator Report

The Committee asked whether Arts and Culture uses Instagram. Ms. Saunders replied that since the restructuring, staff are discussing use of Instagram either as a collective or as a museum, gallery, theatre. Museum staff to keep committee posted on decision re: use of Instagram.

Committee pleased new back door has assisted in maintaining keeping critters out.

Mr. Vink has been itemizing bits and pieces left at Ridgetown Municipal Centre (previously borrowed by an old curator). The four categories of items are (1) John Blue – 1840s; (2) Beatties (Highgate); (3) John L Smith (Morpeth) – innkeeper; letter about cast iron stove; and (4) Robert Grey (William Grey's brother)

Cl. Wright asked if Ridge House participates in the Golden Pumpkin event (trick or treating for little ones before dark). Museum staff will look into whether or not the Ridge House can get involved in the Golden Pumpkin. Museum staff to ask the Gingerbread Workshop patrons what would get adults out in the summer.

Cl. Wright moved, seconded by Ms. Marlatt:

“That the Curator’s Report be accepted as information.”

The Chair put the Motion.

Motion Carried

8. Non-Agenda Items

Cl. Wright was interested whether Ridge House has participated or would participate in the Kiwanis House Tour led by the Kiwanis Club of Ridgetown. Ms. Saunders replied that the Ridge House has not participated in the past but could explore participation in the future. Committee ideas to have costumed interpreters and to keep Discovery Den closed should the museum participate. Cl. Wright to get the MaryAnn Hawthorn's information to Ms. Saunders.

Mr. Vink requested removal of the mulberry tree as it is over-grown.

9. Time, Date and Place for the Next Meeting of the Board

The next meeting of the Committee will be held January 28, 2020 at the Ridge House Museum at 7:00 pm. Additional meetings in 2020 are May 26 and September 22.

10. Adjournment

Moved by Mr.Vink that the meeting be adjourned at 7:32 pm.

Chatham-Kent Age Friendly Community Advisory Committee

Date and Time: November 7, 2019, 1:00pm – 3:00pm

Location: Room 301A, Health & Family Services Building

Present: Karen Herman (Chair)
Meghan Bradley
Marjorie Crew
Sara Ebare
Tara Seney

Regrets: Barbara Ferren
Helen Kehoe
Jyl Panjer

Staff Present: Heather Bakker, Administrative Assistant, Public Health
Annie Lukacsovics, Age Friendly Coordinator

1. Welcome

2. Approval of the Agenda

Motion of Approval: Meghan Bradley
Seconded: Marjorie Crew
Carried.

3. Declaration of Pecuniary/Conflict of Interest

No members declared a pecuniary interest on any matter on the open session agenda.

4. Approval of Minutes of October 3, 2019

Motion of Approval: Marjorie Crew
Seconded: Tara Seney
Carried.

5. Business Arising from Minutes of October 3, 2019

- Follow-up to Sidewalk Winter Maintenance Policy – Marjorie updated that Council approved the policy to remain as status quo, the Municipality will plow sidewalks and residents are to complete prevention salting if needed; Council agreed to support the minimum Provincial standards.
- CK to the Power of Young People – CK^y Advisory Group representative – Annie introduced Victoria Bodnar, staff support for CK^y. Committee has been in

existence for one year and meets 3-4 times per year, will be looking at CKY participation at the AFC.

6. Guest Speaker: Sherri Saunders, Executive Director, Chatham-Kent CHC

Sherri spoke of the formation of the Chatham-Kent Ontario Health Team (OHT) and advised the committee on the status of the committee's progress. The creation of OHTs is in response to the Province's call to action to enhance residents health needs. OHT is local health care providers working together to provide coordinated care, including providers from multiple health sectors (e.g. primary care, hospital, home care, long-term care).

CK OHT partners include Thamesview Family Health Team, Chatham-Kent Health Team, Tilbury District Health Team, Chatham-Kent Community Health Centres, Chatham-Kent Health Alliance, March of Dimes Canada, TransForm, Municipality of Chatham-Kent (including Public Health, Employment & Social Services, Housing, Riverview Gardens), March of Dimes Canada, Alzheimer's Society, Erie St. Clair Behavioural Supports Ontario, Erie St. Clair LHIN, Canadian Mental Health Association Lambton Kent, Chatham-Kent Hospice, St. Andrew's Residence, Westover Treatment Centre, EMS. Collaborative partners include Prosperity Roundtable.

Vision – achieving the best health and well-being together.

At maturity, the CKOHT will serve 105,241 residents. Year one population – approximately 110,000 patients enrolled, being adults 55+ with at least one of the following criteria: heart failure or angina, COPD, dementia or diabetes.

Twenty-four patient advisors supported work to complete the application; the steering committee is co-chaired by a patient advisor. Twenty plus+ engagement session have occurred or are scheduled; all engagements will help develop the CKOHT Strategic Plan. Participation from francophone and indigenous communities, CK local immigration partnerships, physicians and NPs, patients, rural leaders, seniors and system partners.

Follow on Facebook and twitter, /ChathamKentOHT, @CK_OHT, www.ckoht.ca. Advise how can we improve, what is missing, how can we continue to engage? Presentation is attached to minutes.

7. Guest Speaker: Councillor Karen Kirkwood-Whyte re: update on affordable housing initiatives in Chatham-Kent

Previously, Prosperity roundtable held discussion on tiny homes in Chatham-Kent. Mayor Canniff supported the idea of tiny homes in his campaign. Since April 2019, Karen is working with a group of people who wanted to focus on tiny homes, has since evolved to small homes, not rental properties, affordable home ownership. Committee has a number of people that have passion, interest and expertise, have identified a piece of property, offer to purchase, and now completing environmental

assessments. Plan is for up to 30 little units, single, double and triple units, which will be owned by a non-profit association. Homes will be owned by individuals, with a life lease, with a co-op of residents to manage the residences. Next step is getting the interest of community to purchase homes. Working on another affordable housing initiative and will be looking at residents with support staff.

8. Housing Assessment Update

Report will not go to Council as planned, new date being scheduled.

9. Non-Agenda Business

November 27 – Senior Advisory Committee and Age Friendly Community Committee are invited to a joint Festive lunch.

Elder Abuse – Tara advised that she is supporting a conversation on Elder Abuse on December 13, at the Alexander Houle Community Room.

10. Next Meeting

Sara Ebare moved, seconded by Meghan Bradley:

That December 5th meeting be cancelled.

Motion Carried

11. Adjournment

Moved by Meghan to adjourn meeting 3:00pm CARRIED

CONFIRMED: _____, CHAIR

Municipality of Chatham-Kent
Infrastructure and Engineering Services
Engineering and Transportation

To: Mayor and Members of Council

From: Chris Thibert, P.Eng.
Director, Engineering & Transportation

Date: February 12, 2020

Subject: Construction and Assessment By-law – Ellen Street Curb and Gutter Local Improvement, Community of Blenheim

Recommendations

It is recommended that:

1. The Construction and Assessment By-law under the Municipal Act, 2001, Ontario Regulation 586/06 to undertake a curb and gutter Local Improvement on Ellen Street, from Mountford Street to Little Street, in the Community of Blenheim be approved
2. The Mayor and Clerk be authorized to sign the necessary agreements.

Background

The road surface of Ellen Street from Mountford Street to Little Street, in the community of Blenheim is in poor condition (Pavement Condition Index of 14) and is recommended to be addressed this year. The poor condition of the road can be attributed to the lack of an appropriate urban cross section to allow for proper drainage. The lack of drainage has led to the deterioration of the road surface and damaged adjoining properties.

The opportunity for local improvements for concrete curb and gutter was made available to the residents along Ellen Street. The public was informed that any new curb and gutter that currently do not exist within the project boundaries are considered an upgrade to the road and subject to local improvement charges in accordance with the Municipal Act and the Municipality of Chatham-Kent Local Improvement Policy. The applicable improvement charges would apply only to the local properties that benefit by fronting on the improvement works. However, before any improvements can be constructed they first must be petitioned successfully by the affected property owners and approved by Council.

Since the road surface is proposed to be improved, the watermain will also be replaced at this time to reduce the likelihood of future repairs in a newly constructed roadway.

The existing cast iron watermain will be upgraded to PVC and fire hydrants will be added to this area. This project is being designed and managed by Chatham-Kent Engineering with tendering proposed by early spring and construction during the summer or fall of 2020.

Comments

The Municipality of Chatham-Kent has received a petition from the residents on Ellen Street (Mountford Street to Little Street) that indicates an interest in obtaining curb and gutter improvements. The curb and gutter improvement falls under Ontario Regulation 586/06 (O. Reg. 586/06), Local Improvement Charges (LIC). Under O. Reg. 586/06, Section 9, where the improvement may proceed if a petition in favour of the undertaking is received from at least two-thirds (66%) of the property owners representing one half (50%) of the value of the property liable to be specially assessed for the works.

The Municipal Clerk tabulated the two petitions received and has signed the Clerk's Certificates dated January 27, 2020 (Appendix A), certifying the Sufficiency of Petition for both petitions. The petitions in favour of the curb and gutter improvement was sufficiently signed by two-thirds of the property owners on Ellen Street that represent one-half of the value of the property liable to be specially assessed for the works.

In accordance with the Regulation under O. Reg. 586/06, Sections 5 and 6, Council can now pass the Construction and Assessment By-laws for the Ellen Street curb and gutter improvements (Appendix B) providing the Municipality gives notice (Appendix C) of its intention to pass the By-Laws, to the public and to the owners of the property liable to be specially charged.

The notice advising of Council's intention to pass this by-law to the public and all property owners abutting the works liable to be specially assessed for this improvement was advertised in the local newspaper on February 20, 2020 and mailed to the property owners on February 14, 2020.

The curb and gutter local improvement will be assessed to the abutting owners according to the current special rate of \$85 per meter frontage. The property owner's share of the curb and gutter work is estimated at \$25,780.

Financing options will comply with the Municipality's Financing Policy.

Areas of Strategic Focus and Critical Success Factors

The recommendations in this report support the following areas of strategic focus:

Economic Prosperity:

Chatham-Kent is an innovative and thriving community with a diversified economy

A Healthy and Safe Community:

Chatham-Kent is a healthy and safe community with sustainable population growth

People and Culture:

Chatham-Kent is recognized as a culturally vibrant, dynamic, and creative community

Environmental Sustainability:

Chatham-Kent is a community that is environmentally sustainable and promotes stewardship of our natural resources

The recommendations in this report support the following critical success factors:

Financial Sustainability:

The Corporation of the Municipality of Chatham-Kent is financially sustainable

Open, Transparent and Effective Governance:

The Corporation of the Municipality of Chatham-Kent is open, transparent and effectively governed with efficient and bold, visionary leadership

Has the potential to support all areas of strategic focus & critical success factors

Neutral issues (does not support negatively or positively)

Consultation

The Municipal Clerk has been consulted throughout the process and has provided ongoing advice.

Financial Implications

There will be no financial implications associated with this local improvement.

Prepared by:

Reviewed by:

Brendan Falkner, P.Eng.
Engineering Technologist
Engineering and Transportation

Mark McFadden, P.Eng.
Manager, Infrastructure Services
Engineering and Transportation

Prepared by:

Reviewed by:

Chris Thibert, P.Eng.
Director
Engineering and Transportation

Thomas Kelly, P.Eng., MBA
General Manager
Infrastructure and Engineering Services

Consulted and confirmed the content of the consultation section of the report by:

Judy Smith, CMO
Director, Municipal Governance/Clerk
Municipal Governance

- c. Purchasing Officer, Corporate Services
Director, Financial Services/Treasurer, Corporate Services
Municipal Clerk, Corporate Services

Attachments: Appendix A - Clerk's Certificate, Sufficiency of Petition
Appendix B - Construction and Assessment By-law
Appendix C - Curb and Gutter, Public Notice

(RTC:\Infrastructure & Engineering\I&ES\2020\4212 – Ellen Street Curb and Gutter
Local Improvement community of Blenheim.doc)




**CLERKS CERTIFICATE
SUFFICIENCY OF PETITION**

To: The Council of The Corporation of the
Municipality of Chatham-Kent

I, Judy Smith, Clerk of the Corporation of the Municipality of Chatham-Kent do hereby certify:

That a petition under Section 6 of the Municipal Act, Ontario Regulation 586/06 for the construction of curb and gutter installation along Ellen Street (Mountford Street to Little Street), in the Community of Blenheim, to be constructed as a Local Improvement, has been sufficiently signed by at least two-thirds of the owners representing at least one-half of the value of the lots liable to be specifically charged for the work.

Dated this 27th day of January, 2020



Judy Smith, Clerk

BY- LAW NUMBER _____

OF THE CORPORATION OF THE
MUNICIPALITY OF CHATHAM-KENT

A By-law to authorize the construction of curb and gutter on Ellen Street, from Mountford Street to Little Street, in the Community of Blenheim as a local improvement under the provisions of the Municipal Act O. Reg. 586/06.

FINALLY PASSED the ____ day of _____, 2020.

WHEREAS a sufficient petition under Section 7 of the Municipal Act, O. Reg. 586/06 requesting the installation of curb and gutter along Ellen Street in the Community of Blenheim signed by at least a majority in number of two-thirds of owners representing at least one-half of the value of the lots liable to be specially assessed has been received by the Municipality of Chatham-Kent

AND WHEREAS Notice of the Intention of the Council to undertake such work was provided to all respective parties on February 14, 2020.

BE IT THEREFORE ENACTED by the Municipal Council of The Corporation of the Municipality of Chatham-Kent as follows:

1. The construction of curb and gutter on Ellen Street, from Mountford Street to Little Street, as a local improvement under the provisions of the Municipal Act, O. Reg. 586/06 is hereby authorized.
2. The Engineer of the Corporation of the Municipality of Chatham-Kent shall forthwith make such plans, profiles and specifications and furnish such information as may be necessary for the carrying on and executing of the work.

3. The work shall be carried on and executed under the superintendence and according to the direction and order of such Engineer.
4. The Mayor and Treasurer are authorized to agree with any bank or person for temporary advances of money to meet the cost of the work pending the completion of it to a maximum of \$25,780 as determined by the Engineer of the Corporation of the Municipality of Chatham-Kent.
5. The special assessment shall be paid by the options offered according to Council Interest and Finance Policies.
 - Schedule "A" Local Improvements Assessment annexed here to forms part of this by-law.

Financing for the cost of the work during the term of the work and when completed shall bear interest at such rate as the Council may determine and be made payable as per Municipal installment plan.

6. Any person whose lot is specially assessed may commute for a payment in cash the special rates imposed thereon by paying the portion of the cost of construction assessed upon such lot, without the interest, forthwith after the Special Assessment Roll has been certified by the Clerk, and at any time thereafter by the payment of such sum in a manner determined by Council Interest and Finance Policies.

THIS By-law shall come into full force and effect upon the final passing thereof.

READ A FIRST, SECOND AND THIRD TIME this ____ day of _____, 2019.

MAYOR – Darrin Canniff

CLERK – Judy Smith



NOTICE OF LOCAL IMPROVEMENT
Local Improvement Act Section 6
Ellen Street (Mountford Street to Little Street)
Community of Blenheim

Take notice that:

1. The Council of the Municipality of Chatham-Kent intends to construct a Curb and Gutter improvement on Ellen Street (Mountford Street to Little Street) in the Community of Blenheim as a local improvement and intends to specially assess a part of the cost upon the land abutting directly on the work and upon the land that is immediately benefited by the work.
2. The estimated cost of the Ellen Street work is \$25,780.
3. The estimated lifetime of the work is twenty five (25) years.
4. The special rate per metre frontage is \$85.
5. The special assessment may be paid in lump sum, five (5) or ten (10) annual instalments. Please note that this is not an invoice and more information will follow upon project completion.
6. The municipality has received a sufficient petition under clause 7(2)(c) with respect to this work as determined under Section 10 of O. Reg. 586/06.

THIS IS EXHIBIT "Q" TO THE AFFIDAVIT OF
BLAISE CHEVALIER , SWORN ON THE 2ND DAY OF
APRIL, 2024.

Digitally signed by
Lynn Kalp
Date: 2024.04.02
14:38:18 -0400

A COMMISSIONER, ETC.

**Linda Marie Kalp, a Commissioner, etc.
Province of Ontario, for the
Municipality of Chatham-Kent.
Expires August 31, 2026.**

Notice of Appointment for Examination By Engineer

On-site Meeting

To: All Property Owners Affected

Re: **Facey East Branch Section 4 Drain – Community of Zone**

Dear Landowner:

Please be advised that the Municipality of Chatham-Kent has received a request for a legal outlet across the CP Railway property under Section 4 of the Drainage Act. John Spriet, P. Eng. of the engineering firm of Spriet Associates London Limited has been appointed to prepare a report, plans and specifications for this project. If you have any concerns or problems with this drain, you are asked to bring them forward at this meeting.

You are hereby notified that the Engineer has established the following date, time and location to attend at and examine the site of the drainage works.

Date: October 27, 2020

Time: 9:30 a.m.

Location: On Zone Road 2 just north of the CP Rail tracks

As an owner affected by the proposed works, you are requested to attend at such time and place.

Due to the COVID-19 pandemic we are asking people to practice social distancing at the meeting and to wear a mask if you are comfortable doing so. Safety is our main concern.

Dated at the Municipality of Chatham-Kent this 1st day of October, 2020.











Ann Ford
Drainage Analyst
519.360.1998, Ext. 3311

Fairfield Line



Legend

-  Pumping Stations
-  Municipal Drains
 -  Open Drain
 -  Tile Drain
-  Settlement Areas
-  Road Network
-  Railway
-  Assessment Parcel

Notes

location is approx. 1.8km from Base Line on Zone Road 2

0.3 0 0.13 0.3 Miles

365031000326400
CANADIAN PACIFIC RAILWAY
C/O PROPERTY TAX DEPARTMENT
1290 CENTRAL PKY W FLR 8TH
MISSISSAUGA ON L5C 4R3

365031000109201
HUSTON FARMS INC
C/O LARRY HUSTON
30087 BRICK RD
THAMESVILLE ON N0P 2K0

365031000109300
MILLER ALEX FRANK
MILLER DARLENE ELLEN
29403 FLORENCE RD
THAMESVILLE ON N0P 2K0

Hydro One Networks Inc
Real Estate Services
Land Use Planning
Attention: Paul Dockrill
PO Box 4300
MARKHAM ON L3R 5Z5

Ministry of Agriculture, Food and Rural Affairs
Att: Drainage Unit
3rd Floor, 1 Stone Road W
GUELPH ON N1G 4Y2

Ministry of Natural Resources
Attn: SAR Program, Aylmer District
615 John St N
AYLMER ON N5H 2S8

Email, Bell
rachel.marks@bell.ca
aaron.kovacs@bell.ca

Email, Chatham-Kent Public Utilities Commission
Ckamfm@chatham-kent.ca

Email, Public Works

Email, Lower Thames Valley Conservation Authority
Jason.homewood@ltvca.ca
(Valerie.towsley@ltvca.ca
colin.little@ltvca.ca)
100 Thames Street
CHATHAM ON N7L 2Y8

Email, Entegrus Services
Attention: Engineering
email - Gary.Aitken@entegrus.com
320 Queen St
CHATHAM ON N7M 5K2

Email, Union Gas
Attention: Mike Cincurak
3840 Rhodes Drive
PO Box 700
WINDSOR ON N9A 6N7

Email, Engie Canada (Wind Farm)
andrew.clifford@engie.com
Attention: Andrew Clifford, East Lake St Clair Wind

Email, Pattern Energy (Wind Farm)
kevin.aikenhead@patternenergy.com
Attention: Kevin Aikenhead

Canadian Pacific Railway
Attention: Rhael Lemenin
2025 McCowan Road
SCARBOROUGH ON M1S 5K3

Enbridge
John.Bridges@enbridge.com

Notice of Engineer On-site

Mailed: October 1, 2020

Via: Canada Post

Ann Ford, Drainage Analyst

THIS IS EXHIBIT " R " TO THE AFFIDAVIT OF
BLAISE CHEVALIER , SWORN ON THE 2ND DAY OF
APRIL, 2024.

Lynn Kalp Digitally signed by Lynn Kalp
Date: 2024.04.02 14:35:56
+0400

A COMMISSIONER, ETC.

**Linda Marle Kalp, a Commissioner, etc.
Province of Ontario, for the
Municipality of Chatham-Kent.
Expires August 31, 2026.**

Facey East Branch Section 4 Drain – Community of Zone

Summary of Engineering On-site Meeting

October 27, 2020 @ 9:30 am
North of the CP Rail Tracks on Zone Road 2

In Attendance: Alex Miller, Landowner; John M. Spriet, P. Eng. (by phone conference), Spriet Associates London Limited; Blaise Chevalier, Drainage Superintendent; Ann Ford, Drainage Analyst.

Blaise Chevalier - Introduced municipal staff and the engineer for the project. He explained the reason for the meeting was due to a request from Alex Miller for a sufficient outlet for his property.

John Spriet – The survey has been completed across the CP tracks. A bore is needed to cross the railway so a soils report will be needed. The proposed pipe will be 400 mm diameter, to be installed by pipe ramming. Survey shots on the top of Alex's tile show 189 to 186, so the grade of the new drain will be 190.42. Depth will be four and a half to five feet deep. This will supply the outlet for sub drainage for Alex's property.

Alex Miller – Asked if he would have an open drain from the railway bore to his property line.

John Spriet – There would be an open ditch to Alex's property from the bore. The bore could be located beside the existing concrete crossing with the old crossing grouted or removed, whatever the railway wanted.

Alex Miller – The existing concrete crossing is not in good shape, maybe it could be lined with a steel pipe. There is some water that comes off of the CP Rail property farther to the northeast and it comes back around through his farm.

John Spriet – The areas needing drainage will show on the survey. He will reach out to CP now that the survey is completed and the on-site is done.

Blaise Chevalier – If any ditching is needed south of the railway on the Facey East Branch we can do that work under maintenance with existing reports.

THIS IS EXHIBIT " S " TO THE AFFIDAVIT OF
BLAISE CHEVALIER , SWORN ON THE 2ND DAY OF
APRIL, 2024.

Digitally signed by Lynn
Kalp
Date: 2024 04 02 14:40:38
+0400

Lynn Kalp
A COMMISSIONER, ETC.

**Linda Marie Kalp, a Commissioner, etc.
Province of Ontario, for the
Municipality of Chatham-Kent.
Expires August 31, 2026.**

Emily Crawford

From: Glenna Hall <Glenna_Hall@cpr.ca>
Sent: November 18, 2020 6:15 PM
To: Blaise Chevalier
Cc: Ann Ford; brandon@spriet.on.ca; Jack Carello
Subject: FW: Shaw Branch of Facey Drain East Branch (Zone Rd 2 - Bothwell)
Attachments: Capture.PNG

Hello Blaise,

I've copied in your regional contact Jack Carello who will be able to assist with your general queries.

Please note due to end of year wrap-ups and higher than usual application requests, newly submitted utility application forms will be reviewed beginning of year 2021, unless in the case of an emergency.

Regards,
Glenna

From: Blaise Chevalier <blaisec@chatham-kent.ca>
Sent: Wednesday, November 18, 2020 9:39 AM
To: Glenna Hall <Glenna_Hall@cpr.ca>
Cc: Ann Ford <ANNF@chatham-kent.ca>; Brandon Widner <brandon@spriet.on.ca>
Subject: Shaw Branch of Facey Drain East Branch (Zone Rd 2 - Bothwell)

This email did not originate from Canadian Pacific. Please exercise caution with any links or attachments.

Hi Glenna,

I've been given your contact information from our drainage consultant, Spriet Associates, who indicated they had worked with you on previous Drainage Act projects. They had recommended I reach out to you first as you may be able to direct me through the appropriate channels at CP Rail.

We've received a petition under Section 4 of the Drainage Act for outlet to a property located at the north-east corner of the intersection of Zone Rd 2 and the CP rail line, located between the villages of Bothwell and Kent Bridge. Based on preliminary site reviews and survey, the proposed project scope generally includes the installation of a new rail crossing consisting of a 400mm diameter pipe (there is an existing 900mm diameter concrete in the same vicinity) and some drainage swale improvements.

I've attached a site map detailing the location (yellow line). Can you advise who we should be reaching out to at CP at this point for review and comments?

Thanks.

Blaise Chevalier
Drainage Superintendent
Drainage, Asset and Waste Management
Municipality of Chatham-Kent

315 King St. West, PO Box 640

Chatham, ON N7M 5K8
Phone: 519.360.1998 Ext. 3318 Fax: 519.436.3240
E-mail: blaisec@chatham-kent.ca
www.chatham-kent.ca



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This communication may be confidential and subject to the Municipal Freedom of Information and Protection of Privacy Act (Ontario). Unauthorized use is strictly prohibited. If you are not the intended recipient, please delete this email immediately.

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FAIRFIELD LINE

ZONE RD 2

PAGEY DRAIN EAST BRANCH

SNOBLEN DRAIN NO. 1

SNOBLEN DRAIN NO. 2

SNOBLEN DRAIN

DANE RD

Fairfield Line Over

THIS IS EXHIBIT " T " TO THE AFFIDAVIT OF
BLAISE CHEVALIER , SWORN ON THE 2ND DAY OF
APRIL, 2024.

Lynn Kalp Digitally signed by Lynn Kalp
Date: 2024.04.02 14:41:17
+05'00'

A COMMISSIONER, ETC.

**Linda Marie Kalp, a Commissioner, etc.
Province of Ontario, for the
Municipality of Chatham-Kent.
Expires August 31, 2026.**

Emily Crawford

From: Blaise Chevalier
Sent: November 27, 2020 1:44 PM
To: 'Jack Carello'
Cc: Ann Ford; 'brandon@spriet.on.ca'; John M Spriet
Subject: RE: Shaw Branch of Facey Drain East Branch (Zone Rd 2 - Bothwell)
Attachments: Capture.PNG; 220060-01.pdf

Hi Jack,

Glenna Hall had forwarded me your way a few weeks ago. I just wanted to forward a copy the preliminary drawings for this project I just received from Spriet Associates to add to this file. I know she said you guys are likely backed up to January for new files at this point so just let me know once you've had the chance to get a look at this.

Thanks,

Blaise Chevalier

*Drainage Superintendent
Drainage, Asset and Waste Management
Municipality of Chatham-Kent*

315 King St. West, PO Box 640
Chatham, ON N7M 5K8
Phone: 519.360.1998 Ext. 3318 Fax: 519.436.3240
E-mail: blaisec@chatham-kent.ca
www.chatham-kent.ca



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From: Glenna Hall <Glenna_Hall@cpr.ca>
Sent: November 18, 2020 6:15 PM
To: Blaise Chevalier <blaisec@chatham-kent.ca>
Cc: Ann Ford <ANNF@chatham-kent.ca>; brandon@spriet.on.ca; Jack Carello <Jack_Carello@cpr.ca>
Subject: FW: Shaw Branch of Facey Drain East Branch (Zone Rd 2 - Bothwell)

Hello Blaise,

I've copied in your regional contact Jack Carello who will be able to assist with your general queries.

Please note due to end of year wrap-ups and higher than usual application requests, newly submitted utility application forms will be reviewed beginning of year 2021, unless in the case of an emergency.

Regards,
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Hi Glenna,

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I've attached a site map detailing the location (yellow line). Can you advise who we should be reaching out to at CP at this point for review and comments?

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BLAISE CHEVALIER , SWORN ON THE 2ND DAY OF
APRIL, 2024.

Digitally signed by Lynn
Kalp
Date: 2024.04.02 14:41:55
-04'00'
Lynn Kalp

A COMMISSIONER, ETC.

**Linda Marle Kalp, a Commissioner, etc.
Province of Ontario, for the
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Expires August 31, 2026.**

Emily Crawford

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1290 Central Pkwy West – Suite 800
Mississauga ON L5C 4R3
O 905-803-3417 C 416-992-2676

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THIS IS EXHIBIT "V" TO THE AFFIDAVIT OF
BLAISE CHEVALIER , SWORN ON THE 2nd DAY
APRIL, 2024.

Digitally signed by

Lynn Kalp

Lynn Kalp
Date: 2024.04.02

144235-04'00

A COMMISSIONER, ETC.

**Linda Marle Kalp, a Commissioner, etc.
Province of Ontario, for the
Municipality of Chatham-Kent.
Expires August 31, 2026.**

Facey East Shaw Branch Section 4 Drain – Community of Zone

Summary of Phone Meeting

December 14, 2020 @ 1:00 pm

In Attendance: Jack Carello, CP Rail; Brandon Widner, P. Eng., Spriet Associates London Limited; Blaise Chevalier, Drainage Superintendent; Ann Ford, Drainage Analyst.

Blaise Chevalier – The purpose of the meeting is to see what is required of CP Rail regarding the landowner petition for drainage under the Drainage Act (site map was sent by email).

Brandon Widner – The proposal would be for a 16 inch, 10.9 mm thickness smoothwall steel pipe installed by pipe ramming. The existing pipe is only 900 mm. Work would be completed in two days if it went well.

Jack Carello – There is an existing culvert east of the proposed location, could it be used.

Brandon Widner – The existing culvert is 500 meters from the area needing a drain outlet. The crossing Jack mentioned is farther upstream on the Facey Drain. We would need 500 meters of ditching if the grade would even allow it doesn't believe it will.

The existing culvert at the proposed location is a 36 inch concrete culvert for surface flows. We propose the new crossing beside it slightly to the west a couple meters. We need depth that the existing culvert doesn't allow.

Jack Carello – Mentioned there could be a utility protocol, geo text reporting, and track monitoring required.

Brandon Widner – Happy to go through the process. Under Section 26 CP Rail will be responsible for costs.

Jack Carello – Asked if CP Rail could install the crossing themselves and then no charges would go to CP Rail. Asked about the crossing north of the tracks that also crosses Zone Road 2 (southwest of the proposed location). Trying to avoid pipes under the tracks if we can work with the existing rather than more pipes.

Blaise Chevalier and Brandon Widner – Yes, CP Rail could do the installation themselves. The only charges then to CP Rail then would be a small amount of outlet assessment. It would be cheaper if CP installed the culvert themselves. The ditch to the southwest could be looked at but the profile need three to four feet of channel and there would be a cost to CP Rail for that.

Jack Carello – Wants to meet on-site to do a walk through and look at the existing structures.

Blaise Chevalier and Brandon Widner – We can have a site meeting. Survey shots will be done prior to have more information at the site visit.

THIS IS EXHIBIT " W" TO THE AFFIDAVIT OF
BLAISE CHEVALIER , SWORN ON THE 2ND DAY OF
APRIL, 2024.

Digitally signed by
Lynn Kalp
Date: 2024.04.02
14:43:18 -0400

A COMMISSIONER, ETC.

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Province of Ontario, for the
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Emily Crawford

From: Blaise Chevalier
Sent: January 25, 2021 8:18 AM
To: Rheal Lemelin; Jack Carello
Cc: Ann Ford; brandon@spriet.on.ca; John M Spriet
Subject: RE: Shaw Branch of Facey Drain East Branch (Zone Rd 2 - Bothwell) - CP Mile +/- 47.59 Windsor Sub.

Morning Rheal,

That works. We'll see you then at the Zone Road 2 crossing.

Thanks,

Sent with BlackBerry Work
(www.blackberry.com)

From: Rheal Lemelin <Rheal_Lemelin@cpr.ca>
Date: Tuesday, Jan 19, 2021, 1:51 PM
To: Blaise Chevalier <blaisec@chatham-kent.ca>, Jack Carello <Jack_Carello@cpr.ca>
Cc: Ann Ford <ANNF@chatham-kent.ca>, brandon@spriet.on.ca <brandon@spriet.on.ca>, John M Spriet <john@spriet.ca>
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Hi Blaise, I can meet with you on Feb February 03 around 11:00 at the nearest road crossing of mile 47.59 Windsor Sub.

Rheal Lemelin | Manager Bridge Maintenance Toronto | 2025 McCown Rd., Scarborough, ON. M1S 5K3
C 416 525 9094 | O 416 609 7880



From: Blaise Chevalier <blaisec@chatham-kent.ca>
Sent: Wednesday, January 13, 2021 11:36 AM
To: Rheal Lemelin <Rheal_Lemelin@cpr.ca>; Jack Carello <Jack_Carello@cpr.ca>
Cc: Ann Ford <ANNF@chatham-kent.ca>; brandon@spriet.on.ca; John M Spriet <john@spriet.ca>
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Hi Rheal,

With the new COVID regulations coming into effect, I was wondering if a site visit was still a possibility for you? Just hoping to keep this project moving along if possible.

Thanks,

Blaise Chevalier

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Good morning Rheal,

Just following up to our call we had earlier this week with Jack. Based on our discussion, Jack suggested it might be beneficial to have a site visit to review the proposal with you as all as any potential alternatives.

Would you happen to have some availability in the new year to meet at this location?

Thanks,

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We've received a petition under Section 4 of the Drainage Act for outlet to a property located at the north-east corner of the intersection of Zone Rd 2 and the CP rail line, located between the villages of Bothwell and Kent Bridge. Based on preliminary site reviews and survey, the proposed project scope generally includes the installation of a new rail crossing consisting of a 400mm diameter pipe (there is an existing 900mm diameter concrete in the same vicinity) and some drainage swale improvements.

I've attached a site map detailing the location (yellow line). Can you advise who we should be reaching out to at CP at this point for review and comments?

Thanks.

Blaise Chevalier

*Drainage Superintendent
Drainage, Asset and Waste Management
Municipality of Chatham-Kent*

315 King St. West, PO Box 640
Chatham, ON N7M 5K8
Phone: 519.360.1998 Ext. 3318 Fax: 519.436.3240
E-mail: blaisec@chatham-kent.ca
www.chatham-kent.ca

<image003.png>

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THIS IS EXHIBIT " X" TO THE AFFIDAVIT OF
BLAISE CHEVALIER , SWORN ON THE 2ND DAY OF
APRIL, 2024.

Digitally signed by Lynn

Kalp

Date: 2024.04.02

14.43.58/0400

Lynn Kalp

A COMMISSIONER, ETC.

**Linda Marie Kalp, a Commissioner, etc.
Province of Ontario, for the
Municipality of Chatham-Kent.
Expires August 31, 2026.**

Facey East Shaw Branch Drain – Community of Zone

Summary of On-site Meeting

February 3, 2021 @ 11:00 am

In Attendance: Rheal Lemelin, CP Rail; Brandon Widner, P. Eng., Spriet Associates London Limited; Blaise Chevalier, Drainage Superintendent; Ann Ford, Drainage Analyst.

Blaise Chevalier – The purpose of the site meeting is to further discuss what is required of CP Rail regarding the landowner petition for drainage under the Drainage Act. The added cost due to the utility under the Drainage Act is to CP Rail.

Brandon Widner – The utility in this case CP Rail has the right to do the work themselves at their cost. Pipe to be installed by bore. The land rises from the possible bore site to Zone Road 2. Looking to put the new pipe beside the existing crossing. If no soil testing is required work should be simple.

Rheal Lemelin – Work cannot be done by open cut. He will not do the work for CP. CP does not need soil testing or a hydraulic study done.

Brandon Widner – Need flagging for the rail. Any cost go to CP Rail.

Rheal Lemelin – Yes. Flagging is necessary. He will speak with Jack Carello. There can be no interruption of the track.

Blaise Chevalier – The engineer will finalize the report. The report will be emailed to Jack Carello and Rheal Lemelin.

(The report was emailed with the Notice for the Consideration with the Drainage Board March 16, 2021.)

THIS IS EXHIBIT "Y" TO THE AFFIDAVIT OF
BLAISE CHEVALIER , SWORN ON THE 2ND DAY
OF APRIL, 2024.

Lynn Kalp

Digitally signed by Lynn
Kalp
Date: 2024.04.02
14:44:40 -04 00'

A COMMISSIONER, ETC.

**Linda Marle Kalp, a Commissioner, etc.
Province of Ontario, for the
Municipality of Chatham-Kent.
Expires August 31, 2026.**

Emily Crawford

From: Rheal Lemelin <Rheal_Lemelin@cpr.ca>
Sent: February 10, 2021 1:47 PM
To: Blaise Chevalier; Jack Carello
Cc: Ann Ford; brandon@spriet.on.ca; John M Spriet
Subject: RE: Shaw Branch of Facey Drain East Branch (Zone Rd 2 - Bothwell) - CP Mile +/- 47.59 Windsor Sub.

If possible make 10"

From: Blaise Chevalier <blaisec@chatham-kent.ca>
Sent: Wednesday, February 10, 2021 12:51 PM
To: Jack Carello <Jack_Carello@cpr.ca>
Cc: Ann Ford <ANNF@chatham-kent.ca>; brandon@spriet.on.ca; John M Spriet <john@spriet.ca>; Rheal Lemelin <Rheal_Lemelin@cpr.ca>
Subject: RE: Shaw Branch of Facey Drain East Branch (Zone Rd 2 - Bothwell) - CP Mile +/- 47.59 Windsor Sub.

This email did not originate from Canadian Pacific. Please exercise caution with any links or attachments.

Hi Jack,

Thanks for the response - to confirm, is that inclusive of 12" (meaning 12" and smaller)? The current sizing proposal is for a 12" diameter crossing.

Thanks,

Sent with BlackBerry Work
(www.blackberry.com)

From: Jack Carello <Jack_Carello@cpr.ca>
Date: Wednesday, Feb 10, 2021, 9:33 AM
To: Blaise Chevalier <blaisec@chatham-kent.ca>
Cc: Ann Ford <ANNF@chatham-kent.ca>, brandon@spriet.on.ca <brandon@spriet.on.ca>, John M Spriet <john@spriet.ca>, Rheal Lemelin <Rheal_Lemelin@cpr.ca>
Subject: RE: Shaw Branch of Facey Drain East Branch (Zone Rd 2 - Bothwell) - CP Mile +/- 47.59 Windsor Sub.

Hi Blaise,

If the proposed installation pipe stays under 12" then a Geotechnical report and track settlement plan would not be required.

Regards,



Jack Carello, Civil Tech, SR/WA
Manager Utilities & Flagging
Engineering - Eastern & Western
Region
1290 Central Pkwy West – Suite 800
Mississauga ON L5C 4R3
O 905-803-3417 C 416-992-2676

From: Blaise Chevalier <blaisec@chatham-kent.ca>
Sent: February 8, 2021 12:37 PM
To: Rheal Lemelin <Rheal_Lemelin@cpr.ca>; Jack Carello <Jack_Carello@cpr.ca>
Cc: Ann Ford <ANNF@chatham-kent.ca>; brandon@spriet.on.ca; John M Spriet <john@spriet.ca>
Subject: RE: Shaw Branch of Facey Drain East Branch (Zone Rd 2 - Bothwell) - CP Mile +/- 47.59 Windsor Sub.

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Good afternoon gentlemen,

Thanks for coming down and meeting with us Rheal, despite the new position (and slightly larger geographic area).

Spriets are currently working towards finishing a preliminary report and wanted to confirm that a geotechnical report is NOT required from your end. I just wanted to follow up with you two since, as Rheal indicated at our meeting, it was a little unclear whether this work falls under Rheal or Jack's department. I know Rheal indicated that this wouldn't be required for him.

Can you confirm this?

Thanks,

Blaise Chevalier

*Drainage Superintendent
Drainage, Asset and Waste Management
Municipality of Chatham-Kent*

315 King St. West, PO Box 640
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From: Rheal Lemelin <Rheal_Lemelin@cpr.ca>
Sent: January 19, 2021 1:51 PM
To: Blaise Chevalier <blaisec@chatham-kent.ca>; Jack Carello <Jack_Carello@cpr.ca>
Cc: Ann Ford <ANNF@chatham-kent.ca>; brandon@spriet.on.ca; John M Spriet <john@spriet.ca>
Subject: RE: Shaw Branch of Facey Drain East Branch (Zone Rd 2 - Bothwell) - CP Mile +/- 47.59 Windsor Sub.

Hi Blaise, I can meet with you on Feb February 03 around 11:00 at the nearest road crossing of mile 47.59 Windsor Sub.

Rheal Lemelin | Manager Bridge Maintenance Toronto | 2025 McCown Rd., Scarborough, ON. M1S 5K3
C 416 525 9094 | O 416 609 7880



From: Blaise Chevalier <blaisec@chatham-kent.ca>
Sent: Wednesday, January 13, 2021 11:36 AM
To: Rheal Lemelin <Rheal_Lemelin@cpr.ca>; Jack Carello <Jack_Carello@cpr.ca>
Cc: Ann Ford <ANNF@chatham-kent.ca>; brandon@spriet.on.ca; John M Spriet <john@spriet.ca>
Subject: RE: Shaw Branch of Facey Drain East Branch (Zone Rd 2 - Bothwell) - CP Mile +/- 47.59 Windsor Sub.

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Hi Rheal,

With the new COVID regulations coming into effect, I was wondering if a site visit was still a possibility for you? Just hoping to keep this project moving along if possible.

Thanks,

Blaise Chevalier

*Drainage Superintendent
Drainage, Asset and Waste Management
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From: Blaise Chevalier

Sent: December 18, 2020 3:07 PM

To: Rheal Lemelin <Rheal_Lemelin@cpr.ca>; 'Jack Carello' <Jack_Carello@cpr.ca>

Cc: Ann Ford <ANNF@chatham-kent.ca>; brandon@spriet.on.ca; John M Spriet <john@spriet.ca>

Subject: RE: Shaw Branch of Facey Drain East Branch (Zone Rd 2 - Bothwell) - CP Mile +/- 47.59 Windsor Sub.

Good morning Rheal,

Just following up to our call we had earlier this week with Jack. Based on our discussion, Jack suggested it might be beneficial to have a site visit to review the proposal with you as all as any potential alternatives.

Would you happen to have some availability in the new year to meet at this location?

Thanks,

Blaise Chevalier

Drainage Superintendent

Drainage, Asset and Waste Management

Municipality of Chatham-Kent

315 King St. West, PO Box 640

Chatham, ON N7M 5K8

Phone: 519.360.1998 Ext. 3318 Fax: 519.436.3240

E-mail: blaisec@chatham-kent.ca

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From: Jack Carello <Jack_Carello@cpr.ca>

Sent: December 3, 2020 5:10 PM

To: Blaise Chevalier <blaisec@chatham-kent.ca>

Cc: Ann Ford <ANNF@chatham-kent.ca>; brandon@spriet.on.ca; John M Spriet <john@spriet.ca>; Rheal Lemelin <Rheal_Lemelin@cpr.ca>

Subject: RE: Shaw Branch of Facey Drain East Branch (Zone Rd 2 - Bothwell) - CP Mile +/- 47.59 Windsor Sub.

Let's try the week after. Mon/Tues btwn 1pm – 3pm.

From: Rheal Lemelin <Rheal_Lemelin@cpr.ca>

Sent: December 2, 2020 5:13 PM

To: Jack Carello <Jack_Carello@cpr.ca>

Cc: Blaise Chevalier <blaisec@chatham-kent.ca>; Ann Ford <ANNF@chatham-kent.ca>; brandon@spriet.on.ca; John M Spriet <john@spriet.ca>

Subject: Re: Shaw Branch of Facey Drain East Branch (Zone Rd 2 - Bothwell) - CP Mile +/- 47.59 Windsor Sub.

Hi Jack, I will not be back to work till next Thursday, off on bereavement leave.

Rheal

Sent from my iPhone

On Dec 2, 2020, at 5:10 PM, Jack Carello <Jack_Carello@cpr.ca> wrote:

Next Wed/Thurs btwn 10:30 & noon works for me.

Rheal - Do these dates/times work with your schedule.

From: Blaise Chevalier <blaisec@chatham-kent.ca>

Sent: December 1, 2020 7:37 PM

To: Jack Carello <Jack_Carello@cpr.ca>

Cc: Ann Ford <ANNF@chatham-kent.ca>; brandon@spriet.on.ca; John M Spriet <john@spriet.ca>; Rheal Lemelin <Rheal_Lemelin@cpr.ca>

Subject: RE: Shaw Branch of Facey Drain East Branch (Zone Rd 2 - Bothwell) - CP Mile +/- 47.59 Windsor Sub.

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Hi Jack,

That works for me - do you have any potential dates/times that would work for you and I can coordinate with Spriets?

Thanks

Sent with BlackBerry Work
(www.blackberry.com)

From: Jack Carello <Jack_Carello@cpr.ca>

Date: Tuesday, Dec 01, 2020, 5:09 PM

To: Blaise Chevalier <blaisec@chatham-kent.ca>

Cc: Ann Ford <ANNF@chatham-kent.ca>, brandon@spriet.on.ca <brandon@spriet.on.ca>, John M Spriet <john@spriet.ca>, Rheal Lemelin <Rheal_Lemelin@cpr.ca>

Subject: RE: Shaw Branch of Facey Drain East Branch (Zone Rd 2 - Bothwell) - CP Mile +/- 47.59 Windsor Sub.

Hi Blaise,

It would be best to set up a conference call to discuss this proposal further.

Regards,

<image002.png>

Jack Carello, SR/WA
Manager Utilities & Flagging
Engineering Public Works
1290 Central Pkwy West – Suite 800
Mississauga ON L5C 4R3
O 905-803-3417 C 416-992-2676

From: Blaise Chevalier <blaisec@chatham-kent.ca>
Sent: November 27, 2020 1:44 PM
To: Jack Carello <Jack_Carello@cpr.ca>
Cc: Ann Ford <ANNF@chatham-kent.ca>; brandon@spriet.on.ca; John M Spriet <john@spriet.ca>
Subject: RE: Shaw Branch of Facey Drain East Branch (Zone Rd 2 - Bothwell)

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Hi Jack,

Glenna Hall had forwarded me your way a few weeks ago. I just wanted to forward a copy the preliminary drawings for this project I just received from Spriet Associates to add to this file. I know she said you guys are likely backed up to January for new files at this point so just let me know once you've had the chance to get a look at this.

Thanks,

Blaise Chevalier

*Drainage Superintendent
Drainage, Asset and Waste Management
Municipality of Chatham-Kent*

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Chatham, ON N7M 5K8
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From: Glenna Hall <Glenna_Hall@cpr.ca>
Sent: November 18, 2020 6:15 PM
To: Blaise Chevalier <blaisec@chatham-kent.ca>
Cc: Ann Ford <ANNF@chatham-kent.ca>; brandon@spriet.on.ca; Jack Carello <Jack_Carello@cpr.ca>
Subject: FW: Shaw Branch of Facey Drain East Branch (Zone Rd 2 - Bothwell)

Hello Blaise,

I've copied in your regional contact Jack Carello who will be able to assist with your general queries.

Please note due to end of year wrap-ups and higher than usual application requests, newly submitted utility application forms will be reviewed beginning of year 2021, unless in the case of an emergency.

Regards,
Glenna

From: Blaise Chevalier <blaisec@chatham-kent.ca>
Sent: Wednesday, November 18, 2020 9:39 AM
To: Glenna Hall <Glenna_Hall@cpr.ca>
Cc: Ann Ford <ANNF@chatham-kent.ca>; Brandon Widner <brandon@spriet.on.ca>
Subject: Shaw Branch of Facey Drain East Branch (Zone Rd 2 - Bothwell)

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Hi Glenna,

I've been given your contact information from our drainage consultant, Spriet Associates, who indicated they had worked with you on previous Drainage Act projects. They had recommended I reach out to you first as you may be able to direct me through the appropriate channels at CP Rail.

We've received a petition under Section 4 of the Drainage Act for outlet to a property located at the north-east corner of the intersection of Zone Rd 2 and the CP rail line, located between the villages of Bothwell and Kent Bridge. Based on preliminary site reviews and survey, the proposed project scope generally includes the installation of a new rail crossing consisting of a 400mm diameter pipe (there is an existing 900mm diameter concrete in the same vicinity) and some drainage swale improvements.

I've attached a site map detailing the location (yellow line). Can you advise who we should be reaching out to at CP at this point for review and comments?

Thanks.

Blaise Chevalier
Drainage Superintendent
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THIS IS EXHIBIT "Z" TO THE AFFIDAVIT OF
BLAISE CHEVALIER , SWORN ON THE 2ND DAY OF
APRIL, 2024.

Lynn Kalp

Digitally signed by Lynn
Kalp
Date: 2024.04.02
14:45:24 -04'EDT

A COMMISSIONER, ETC.

**Linda Marie Kalp, a Commissioner, etc.
Province of Ontario, for the
Municipality of Chatham-Kent.
Expires August 31, 2026.**

SHAW BRANCH OF THE FACEY EAST DRAIN

Municipality of Chatham-Kent

Community of Zone



**SPRIET
ASSOCIATES
ENGINEERS & ARCHITECTS**

155 York Street
London, Ontario N6A 1A8
Tel. (519) 672-4100
Fax (519) 433-8351
E-mail MAIL@SPRIET.ON.CA

Our Job No. 220060

February 19, 2021

London, Ontario
February 19, 2021

SHAW BRANCH OF THE FACEY EAST DRAIN

Municipality of Chatham-Kent

Community of Zone

To the Drainage Board of the
The Municipality of Chatham-Kent

Members of the Drainage Board:

We are pleased to present our report on the construction of the Shaw Branch of the Facey East Municipal Drain serving parts of Lots 3 & 4, Concession 3 (Community of Zone) in the Municipality of Chatham-Kent.

AUTHORIZATION

This report was prepared pursuant to Section 4 of the Drainage Act. Instructions were received from your Municipality with respect to a motion of Council. The work was initiated by a petition signed by the owners whose lands contain over 60 percent of the area requiring drainage.

DRAINAGE AREA

The total watershed area as described above contains approximately 9.3 hectares. The area requiring drainage for the Shaw Branch is described as the lands located northwest adjacent to the CP Railway in Lot 4, Concession 3.

EXISTING DRAINAGE CONDITIONS

At a site meeting held with respect to the project and through later discussions, the owners reported the following:

- that the petitioning landowner, A. & D. Miller (Roll No. 1-093), requested a deeper outlet to allow for the systematic tiling of approximately 6.0 hectares of land, the landowner also indicated also that the lands were subject to frequent ponding along the south limit of his property.
- the Drainage Superintendent for the Municipality indicated that this would require a crossing under the CP Rail property and that the drain would be tributary to the Facey East Drain
- a subsequent site meeting was held with officials from CP Rail to discuss a potential crossing and they indicated that any borings under 300mm in diameter did not require a geotechnical report



EXISTING DRAINAGE CONDITIONS (cont'd)

A field investigation and survey were completed and, upon reviewing our findings, we note the following:

- that the lands within the area requiring drainage are currently serviced by a 900mm diameter surface culvert that does not contain sufficient outlet to allow for subsurface drainage
- that construction of a new crossing under C.P. Rail lines would necessitate maintenance work on the Facey East Drain downstream of the proposed work

Preliminary design, cost estimates and assessments were prepared, and provided to the owners to review the findings and preliminary proposals. Further input and requests were provided by the affected owners at that time and at later dates. Based on the proposed design it was decided to proceed with the petition.

DESIGN CONSIDERATIONS

The proposed drain was designed, with respect to capacity, using the Drainage Coefficient method contained in the "DRAINAGE GUIDE FOR ONTARIO", Publication 29 by the Ontario Ministry of Agriculture, Food, and Rural Affairs. The Drainage Coefficient defines a depth of water that can be removed in a 24-hour period and is expressed in millimetres per 24 hours. The coefficient used for the Shaw Branch was 38mm.

We would like to point out that there have been indications of sandy soil conditions, but no formal soil investigation has been made.

All of the proposed work has been generally designed and shall be constructed in accordance with the DESIGN AND CONSTRUCTION GUIDELINES FOR WORK UNDER THE DRAINAGE ACT.

RECOMMENDATIONS

We are therefore recommending the following:

- that a new branch drain, to be known as the Shaw Branch, be constructed commencing at the East Branch of the Facey Drain and travel northwesterly under the CP Rail allowance to just within the limits of the lands of A. & D. Miller (Roll No. 1-093) for a total length of 43 lineal meters
- that the crossing under the railway be done by jack and bore to minimize disruption to rail traffic
- that a swale be constructed from the lands of A. & D. Miller (Roll No. 1-093) east to the existing 900mm diameter surface culvert to ensure that the lands receive adequate surface drainage



RECOMMENDATIONS (cont'd)

- that a catch basin be installed on the upstream end of the branch to alleviate surface ponding and provide a visible connection point to the drain
- that the Facey East Drain be cleaned out under maintenance to provide a sufficient outlet for the Shaw Branch

Due to the indications of poor soil conditions our design includes the use of sealed sewer pipe on a crushed stone bedding to minimize settlement and the incursion of soil particles.

In accordance with the principals of Section 14(2) of the Drainage Act, the existing surface waterway beside along the route of the tile drain shall be part of the drainage works for future maintenance. The width available for the waterway shall be equal to the maintenance working width as noted on the Contract Drawings.

ENVIRONMENTAL CONSIDERATIONS AND MITIGATION MEASURES

There are no significant wetlands or sensitive areas within the affected watershed area or along the route of the drains. The proposed construction of the Shaw Branch of the Facey East Drain includes quarry stone outlet protection, surface inlets, and waterway which greatly help reduce the overland surface flows and any subsequent erosion. A temporary flow check of silt fencing is to be installed in the ditch downstream of the tile outlet for the duration of the construction.

SUMMARY OF PROPOSED WORK

The proposed work consists of approximately 10 lineal meters of open ditch construction including quarry stone rip-rap bank protection and bank seeding; approximately 33 lineal meters of 250mm (10") HDPE sewer pipe and steel pipe including related appurtenances.

SCHEDULES

Four schedules are attached hereto and form part of this report, being Schedule 'A' - Allowances, Schedule 'B' - Cost Estimate, Schedule 'C' - Assessment for Construction, and Schedule 'D' - Assessment for Maintenance.

Schedule 'A' - Allowances. In accordance with Sections 29 and 30 of the Drainage Act, allowances are provided for right-of-way and damages to lands and crops along the route of the drain as defined below.

Schedule 'B' - Cost Estimate. This schedule provides for a detailed cost estimate of the proposed work which is in the amount of \$ 36,500.00. This estimate includes engineering and administrative costs associated with this project.

Schedule 'C' - Assessment for Construction. This schedule outlines the distribution of the total estimated cost of construction over the roads and lands which are involved.



SCHEDULES (cont'd)

Schedule 'D' - Assessment for Maintenance. In accordance with Section 38 of the Drainage Act, this schedule outlines the distribution of future repair and/or maintenance costs for portions of, or the entire drainage works.

Drawing No. 1, Job No. 220060, and specifications form part of this report. They show and describe in detail the location and extent of the work to be done and the lands which are affected.

ALLOWANCES

DAMAGES: Section 30 of the Drainage Act provides for the compensation to landowners along the drain for damages to lands and crops caused by the construction of the drain. The amount granted is based on \$3,613.00/ha. for closed drain installed with wheel machine. This base rate is multiplied by the hectares derived from the working widths shown on the plans and the applicable lengths.

RIGHT-OF-WAY Section 29 of the Drainage Act provides for an allowance to the owners whose land must be used for the construction, repair, or future maintenance of a drainage works.

For tile drains where the owners will be able to continue to use the land, the allowance provides for the right to enter upon such lands, and at various times for the purpose of inspecting such drain, removing obstructions, and making repairs. Also, the allowance provides for the restrictions imposed on those lands to protect the right-of-way from obstruction or derogation. The amounts granted for right-of-way on tile drains is based on a percentage of the value of the land designated for future maintenance. Therefore, the amounts granted are based on \$6,670.00/ha. This value is multiplied by the hectares derived from the width granted for future maintenance and the applicable lengths.

For open ditches, the allowance provides for the loss of land due to the construction provided for in the report. The amounts granted are based on the value of the land, and the rate used was \$33,360.00/ha. When any buffer strip is incorporated and/or created, the allowance granted is for any land beyond a 1.8-meter width deemed to have always been part of the drain. For existing open ditches, the right-of-way to provide for the right to enter and restrictions imposed on those lands, is deemed to have already been granted.

ASSESSMENT DEFINITIONS

In accordance with the Drainage Act, lands that make use of a drainage works are liable for assessment for part of the cost of constructing and maintaining the system. These liabilities are known as benefit, outlet liability and special benefit as set out under Sections 22, 23, 24 and 26 of the Act.

BENEFIT as defined in the Drainage Act means the advantages to any lands, roads, buildings or other structures from the construction, improvement, repair or maintenance of a drainage works such as will result in a higher market value or increased crop production or improved appearance or better control of surface or sub-surface water, or any other advantages relating to the betterment of lands, roads, buildings or other structures.



ASSESSMENT DEFINITIONS (cont'd)

OUTLET liability is assessed to lands or roads that may make use of a drainage works as an outlet either directly or indirectly through the medium of any other drainage works or of a swale, ravine, creek or watercourse.

In addition, a Public Utility or Road Authority shall be assessed for and pay all the increased cost to a drainage works due to the construction and operation of the Public Utility or Road Authority. This may be shown as either benefit or special assessment.

ASSESSMENT

A modified "Todgham Method" was used to calculate the assessments shown on Schedule 'C'- Assessment for Construction. This entailed breaking down the costs of the drain into sections along its route. Special Assessments were then extracted from each section.

The remainder is then separated into Benefit and Outlet costs. The Benefit cost is distributed to those properties receiving benefit as defined under "Assessment Definitions", with such properties usually being located along or close to the route of the drain. The Outlet Costs are distributed to all properties within the watershed area of that section on an adjusted basis. The areas are adjusted for location along that section, and relative run-off rates. Due to their different relative run-off rates, forested lands have been assessed for outlet at lower rates than cleared lands. Also, railways have been assessed for outlet at higher rates than cleared farmlands.

The actual cost of the work involving this report, with the exception of Special Assessments, is to be assessed on a pro-rata basis against the lands and roads liable for assessment for special benefit, benefit, and outlet as shown in detail below and on Schedule 'C' - Assessment for Construction. The Special Assessments shall be levied as noted in the Section "Special Assessment".

SPECIAL ASSESSMENT

In accordance with Section 26 of the Drainage Act, a Special Assessment has been made against CP Railway Inc. being the increased cost to the drainage work for boring a 250mm diameter smooth wall steel pipe across their right-of-way on the Shaw Branch due to the construction and operation of their rail line. The Special Assessment shall be made up of the actual cost of this work and both the final and estimated values of the Special Assessment are to be calculated as follows:

Drain	Cost of Work	Less Equivalent Drain Cost (Fixed)	Plus Administration Cost	Plus Interest & Net H.S.T.	Special Assessment
250mm pipe	\$14,000.00	\$1,280.00	\$6,900.00	\$490.00	\$20,110.00

The above special assessments shall not apply for future maintenance purposes.



SPECIAL ASSESSMENT (cont'd)

If any additional work is required to the drainage works due to the existence of buried utilities such as gas pipelines, communications cables, etc. or if any of the utilities require relocation or repair, then, the extra costs incurred shall be borne by the utility involved in accordance with the provisions of Section 26 of the Drainage Act.

GRANTS

In accordance with the provisions of Section 85 of the Drainage Act, a grant **may** be available for assessments against privately owned parcels of land which are used for agricultural purposes and eligible for the Farm Property Class Tax rate. Section 88 of the Drainage Act directs the Municipality to make application for this grant upon certification of completion of this drain. The Municipality will then deduct the grant from the assessments prior to collecting the final assessments.

MAINTENANCE

Upon completion of construction, all owners are hereby made aware of Sections 80 and 82 of the Drainage Act which forbid the obstruction of or damage or injury to a municipal drain.

After completion, the Shaw Branch of the Facey East Drain shall be maintained by the Municipality of Chatham-Kent at the expense of all upstream lands and roads assessed in Schedule 'D' - Assessment for Maintenance and in the same relative proportions until such time as the assessment is changed under the Drainage Act.

Special Assessments shall **not** be pro-rated for future maintenance purposes.

Repairs or improvements to any railway culvert or sub-surface crossing required by the performance of this work and for future repair and/or replacement, shall be the responsibility of the applicable Railway Authority, entirely at their cost.

Respectfully submitted,

SPRIET ASSOCIATES LONDON LIMITED



JMS:bv

J.M. Spriet, P.Eng.



SCHEDULE 'A' - ALLOWANCES

SHAW BRANCH OF THE FACEY EAST DRAIN

**Municipality of Chatham - Kent
Community of Zone**

In accordance with Sections 29 and 30 of the Drainage Act, we determine the allowances payable to owners entitled thereto as follows:

<u>CONCESSION</u>	<u>LOT</u>	<u>ROLL NUMBER (Owner)</u>	<u>Section 29 Right-of-Way</u>	<u>Section 30 Damages</u>	<u>TOTALS</u>
SHAW BRANCH					
3	Pt.3 & 4	1-092-01 (Huston Farms Inc.)	\$ 140.00	\$ 160.00	\$ 300.00
3	Pt.3 & 4	1-093 (A. & D. Miller)	40.00	230.00	270.00
Total Allowances			\$ 180.00	\$ 390.00	\$ 570.00
TOTAL ALLOWANCES ON THE SHAW BRANCH					\$ 570.00
TOTAL ALLOWANCES ON THE SHAW BRANCH OF THE FACEY EAST DRAIN					\$ 570.00

SHAW BRANCH OF THE FACEY EAST DRAIN**Municipality of Chatham - Kent
Community of Zone**

We have made an estimate of the cost of the proposed work which is outlined in detail as follows:

SHAW BRANCH

Clearing & Grubbing	\$	500.00
10 meters of open ditch construction	\$	1,000.00
Levelling of excavated material	\$	300.00
Seeding of ditch banks and buffer strips (Approx 100m ²)	\$	100.00
Installation of the following H.D.P.E. pipe, including bedding and backfill		
17 meters of 200mm dia. HDPE pipe	\$	1,700.00
Supply of the above listed pipe	\$	500.00
16 meters of 250mm dia., 7.9mm thickness smooth wall steel pipe		
Supply	\$	2,000.00
Installation under CP Railway by boring	\$	12,000.00
Supply and install 600mm X 600mm ditch inlet catchbasins including grate, ditching	\$	2,000.00
Supply and installation of quarry stone rip-rap at outlet and overflow swale (Approx 12 cu.m)	\$	1,500.00
Tile connections and contingencies	\$	1,000.00
Allowances under Sections 29 & 30 of the Drainage Act	\$	570.00

ADMINISTRATION

Interest and Net Harmonized Sales Tax	\$	880.00
Survey, Plan and Final Report	\$	7,900.00
Expenses	\$	780.00
Supervision and Final Inspection	\$	<u>3,770.00</u>
TOTAL ESTIMATED COST	\$	<u><u>36,500.00</u></u>

SCHEDULE 'C' - ASSESSMENT FOR CONSTRUCTION

SHAW BRANCH OF THE FACEY EAST DRAIN

Municipality of Chatham - Kent
Community of Zone

Job No. 220060

February 19, 2021

* = Non-agricultural

CON.	LOT	HECTARES AFFECTED	ROLL No. (OWNER)	BENEFIT	OUTLET	TOTAL
SHAW BRANCH						
3	Pt.3 & 4		1-092-01 (Huston Farms Inc.)	\$ 300.00	\$	300.00
3	Pt.3 & 4	9.30	1-093 (A. & D. Miller)	2,870.00	4,731.00	7,601.00
R.O.W.		1.00	3-264 (Canadian Pacific Railway)	5,860.00	2,629.00	8,489.00
TOTAL ASSESSMENT ON LANDS				\$ 9,030.00	\$ 7,360.00	\$ 16,390.00

SPECIAL ASSESSMENT against the Canadian Pacific Railway for the increased cost of a 16m - 250mm dia. Smooth wall steel pipe under their Railway

\$ 20,110.00

TOTAL ASSESSMENT ON THE SHAW BRANCH

\$ 36,500.00

SCHEDULE 'D' - ASSESSMENT FOR MAINTENANCE

SHAW BRANCH OF THE FACEY EAST DRAIN

Municipality of Chatham - Kent

Community of Zone

Job No. 220060

February 19, 2021

CON.	LOT	HECTARES AFFECTED	ROLL No. (OWNER)	PERCENTAGE OF MAINTENANCE COST
SHAW BRANCH				
3	Pt.3 & 4		1-092-01 (Huston Farms Inc.)	1.3 %
3	Pt.3 & 4	9.3	1-093 (A. & D. Miller)	51.9
R.O.W.		1.0	3-264 (Canadian Pacific Railway)	46.8
				=====
			TOTAL ASSESSMENT ON LANDS	100.0 %
				=====
			TOTAL ASSESSMENT FOR MAINTENANCE OF THE SHAW BRANCH	<u>100.0 %</u>

**SPECIFICATIONS FOR CONSTRUCTION
OF
MUNICIPAL DRAINAGE WORKS**

G E N E R A L I N D E X

SECTION A	General Work	Pages 1 to 6
SECTION B	Open Drain	Pages 7 to 9
SECTION C	Tile Drain	Pages 10 to 15
STANDARD DETAILED DRAWINGS		SDD-01 to SDD-05



SECTION A - GENERAL WORK

INDEX

<u>SECTION NUMBER</u>	<u>PAGE NO.</u>
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A.2 WORKING AREA AND ACCESS.....	1
A.3 ROAD CROSSINGS.....	1
A.4 SURPLUS EXCAVATED MATERIAL AND GRAVEL.....	3
A.5 FENCES.....	3
A.6 LIVESTOCK.....	4
A.7 STANDING CROPS.....	4
A.8 RAILWAYS, HIGHWAYS, UTILITIES.....	4
A.9 LOCATION OF UTILITIES.....	4
A.10 IRON BARS.....	4
A.11 STAKES.....	4
A.12 RIP-RAP.....	5
A.13 GABION BASKETS.....	5
A.14 RESTORATION OF LAWNS.....	5
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SECTION A

GENERAL WORK

A.1 COMMENCEMENT AND COMPLETION OF WORK

The work must commence immediately after the Contractor is notified of the acceptance of his tender or at a later date, if set out as a condition of the tender. If weather creates poor ground or working conditions the Contractor may be required, at the discretion of the Engineer, to postpone or halt work until conditions become acceptable.

As noted on the drawn, the contractor must first arrange for a preconstruction meeting to be held on the site with the Contractor and affected owners attending to review in detail the construction scheduling, access and other pertinent details. The Contractor's costs for attending this meeting shall be included in his lump sum tender price. If the Contractor leaves the job site for a period of time after initiation of work, he shall give the Engineer and the Superintendent a minimum of twenty-four (24) hours' notice prior to returning to the project.

The work must be proceeded with in such a manner as to ensure its completion at the earliest possible date and within the time limit set out in the tender or in the contract documents.

A.2 WORKING AREA AND ACCESS

The working area available to the Contractor to construct the drain and related works including an access route to the drain shall be as specified on the drawings.

Should the specified widths become inadequate due to unusual conditions, the Contractor shall notify the Engineer immediately in order that negotiations with the affected owners can take place.

Where a Contractor exceeds the specified widths due to the nature of his operations and without authorization, he shall be held responsible for the costs of all additional damages and the amount shall be deducted from his contract price and paid to the affected owners by the Municipality.

A.3 ROAD CROSSINGS

.1 General

- .1 **Scope**: These specifications apply to all road crossings - Municipal, County, Regional, or Highway Roads. Where the word "Authority" is used, it shall be deemed to apply to the appropriate owning authority. These specifications in no way limit the Authority's Specifications and Regulations governing the construction of drains on their Road Allowance. The Authority will supply no labour, equipment or materials for the construction of the road crossing unless otherwise noted on the drawings.
- .2 **Road Occupancy Permit**: Where applicable the Contractor must submit an Application for a Road Occupancy Permit to the Authority and allow a minimum of 5 working days (exclusive of holidays) for its review and issuance.
- .3 **Road Closure Request and Construction Notification**: The Contractor shall submit written notification of construction and request for road closure (if applicable) to the Road Authority/Public Works Manager and the Drainage Engineer or Superintendent for review and approval a minimum of five (5) working days (exclusive of holidays) prior to proceeding with any work on road allowance. It shall be the Road Authority's responsibility to notify all the applicable emergency services, schools, etc. of the road closure or construction taking place.
- .4 **Traffic Control**: Where the Contractor is permitted to close the road to through traffic, the Contractor shall provide for and adequately sign the detour route to the satisfaction of the Road Authority. Otherwise, the Contractor shall keep the road open to traffic at all times. The Contractor shall provide, for the supply, erection and maintenance, suitable warning signs and/or flagmen in accordance with the Manual of Uniform Traffic Control Devices and to the satisfaction of the Road Authority to notify the motorists of work on the road ahead.

A.3 **ROAD CROSSINGS** (cont'd)

- .5 **Site Meeting/Inspection:** A site meeting shall be held with the affected parties to review in detail the crossing and/or its related works. The Authority's Inspector and/or the Drainage Engineer will inspect the work while in progress to ensure that the work is done in strict accordance with the specifications.
- .6 **Weather:** No construction shall take place during inclement weather or periods of poor visibility.
- .7 **Equipment:** No construction material and/or equipment is to be left within 3 meters of the edge of pavement overnight or during periods of inclement weather.

.2 **Jacking and Boring**

- .1 **Material:** The bore pipe shall consist of new, smooth wall steel pipe, meeting the requirements of H20 loading for road crossings and E80 loading for railway crossings. The minimum size, wall thickness and length shall be as shown on the drawings. Where welding is required, the entire circumference of any joint shall be welded using currently accepted welding practices.
- .2 **Site Preparation and Excavation:** Where necessary, fences shall be carefully taken down as specified in the General Conditions. Prior to any excavation taking place, all areas which will be disturbed shall be stripped of topsoil. The topsoil is to be stockpiled in locations away from the bore operation, off the line of future tile placement and out of existing water runs or ditches. The bore pit shall be located at the upstream end of the bore unless otherwise specified or approved. Bore pits shall be kept back at least 1 meter from the edge of pavement and where bore pits are made in any portion of the shoulder, the excavated material shall be disposed of off the road allowance and the pit backfilled with thoroughly compacted Granular "A" for its entire depth.
- .3 **Installation:** The pipe shall be installed in specified line and grade by a combination of jacking and boring. Upon completion of the operations, both ends of the bore pipe shall be left uncovered until the elevation has been confirmed by the Engineer or Superintendent. The ends of the bore pipe shall be securely blocked off and the location marked by means of a stake extending from the pipe invert to 300mm above the surrounding ground surface.
- .4 **Unstable Soil or Rock:** The Contractor shall contact the Engineer immediately should unstable soil be encountered or if boulders of sufficient size and number to warrant concern are encountered. Any bore pipe partially installed shall be left in place until alternative methods or techniques are determined by the Engineer after consultation with the Contractor, the Superintendent and the owning authority.
- .5 **Tile Connections:** Prior to commencement of backfilling, all tile encountered in excavations shall be reconnected using material of a size comparable to the existing material. Where the excavation is below the tile grade, a compacted granular base is to be placed prior to laying the tile. Payment for each connection will be made at the rate outlined in the Form of Tender and Agreement.
- .6 **Backfill:** Unless otherwise specified, the area below the proposed grade shall be backfilled with a crushed stone bedding. Bore pits and excavations outside of the shoulder area may be backfilled with native material compacted to a density of 95% Standard Proctor. All disturbed areas shall be neatly shaped, have the topsoil replaced and hand seeded. Surplus material from the boring operation shall be removed from the site at the Contractor's expense.
- .7 **Restoration:** The entire affected area shall be shaped and graded to original lines and grades, the topsoil replaced, and the area seeded down at the rate of 85 kg/per ha. unless otherwise specified or in accordance with the M.T.O. Encroachment Permit. Fences shall be restored to their original condition in accordance with the General Conditions.
- .8 **Acceptance:** All work undertaken by the Contractor shall be to the satisfaction of the Engineer.

A.3 **ROAD CROSSINGS** (cont'd)

.3 **Open Cut**

- .1 **Material**: The culvert or sub-drain crossing pipe material shall be specified on the drawings.
- .2 **Site Preparation and Excavation**: Where necessary, fences shall be carefully taken down as specified in the general conditions. Prior to any excavation taking place, the areas which will be disturbed shall be stripped of topsoil. The topsoil is to be stockpiled in locations away from the construction area.
- .3 **Installation**: The pipe shall be installed using bedding and cover material in accordance with Standard Detailed Drawing No. 2 or detail provided on drawings.
- .4 **Unstable Soil or Rock**: The Contractor shall contact the Engineer immediately should unstable soil be encountered or if boulders of sufficient size and number to warrant concern are encountered.
- .5 **Tile Connections**: Prior to commencement of backfilling, all tiles encountered in excavations shall be reconnected using material of a size comparable to the existing material. Where the excavation is below the tile grade, a compacted granular base is to be placed prior to laying the tile. Payment for connections not shown on the drawings shall be an extra to the contract.
- .6 **Backfill**: Backfill from the top of the cover material up to the underside of road base shall meet the requirements for M.T.O. Granular "B". The backfill shall be placed in lifts not exceeding 300mm in thickness and each lift shall be thoroughly compacted to produce a density of 98% Standard Proctor. Granular "B" road base for County Roads and Highways shall be placed to a 450mm thickness and Granular "A" shall be placed to a thickness of 200mm, both meeting M.T.O. requirements. Granular road base materials shall be thoroughly compacted to produce a density of 100% Standard Proctor.

Where the road surface is paved, the Contractor shall be responsible for placing an HL-4 Hot Mix Asphalt patch of the same thickness as the existing pavement. The asphalt patch shall be flush with the existing roadway on each side and not overlap. If specified, the asphalt patch shall not be placed immediately over the road base and the Granular "A" shall be brought up flush with the existing asphalt and a liberal amount of calcium chloride shall be spread on the gravel surface. The asphalt patch must be completed within the time period set out on the drawing.

The excavated material from the trench beyond a point 2.5 meters from the travelled portion or beyond the outside edge of the gravel shoulder, may be used as backfill in the trench in the case of covered drains. This material should be compacted in layers not exceeding 600mm.

A.4 **SURPLUS EXCAVATED MATERIAL AND GRAVEL**

Excess excavated material from open cut installation through roads, railways, laneways and lawn/grass areas, shall be removed and disposed of off-site by the Contractor as part of their lump sum installation price. If as a result of any work, gravel or crushed stone is required and not all the gravel or crushed stone is used in the construction of the works, the Contractor shall haul away such surplus gravel or stone unless otherwise approved.

A.5 **FENCES**

No earth shall be placed against fences and all fences removed by the Contractor are to be replaced by him in as good condition as found. In general, the Contractor will not be allowed to cut existing fences but shall disconnect existing fences at the nearest anchor post or other such fixed joint and shall carefully roll it back out of the way. Where the distance to the closest anchor post or fixed joint exceeds 50 meters, the Contractor will be allowed to cut and splice in accordance with accepted methods and to the satisfaction of the owner and the Engineer or Superintendent. Where existing fences are deteriorated to the extent that existing materials are not salvageable for replacement, the Contractor shall notify the Engineer or the Superintendent prior to dismantling. Fences damaged beyond salvaging by the Contractor's negligence shall be replaced with new materials, similar to those existing, at the Contractor's expense. The replacement of the fences shall be done to the satisfaction of the owner and the Engineer or Superintendent. The site examination should indicate to the Contractor such work, if any, and an allowance should be made in the tendered price.

The Contractor shall not leave any fence open when he is not at work in the immediate vicinity.

A.6 LIVESTOCK

The Contractor shall provide each property owner with 48 hours' notice prior to removing any fences along fields which could possibly contain livestock. Thereafter, the property owner shall be responsible to keep all livestock clear of the construction areas until further notified. Where necessary, the Contractor will be directed to erect temporary fences. The Contractor shall be held responsible for loss or injury to livestock or damage caused by livestock, where the injury or damage is caused by his failure to notify the property owner or through negligence or carelessness on the part of the Contractor.

The Contractor constructing a tile drain shall not be held responsible for damages or injury to livestock occasioned by leaving trenches open for inspection by the Engineer if he notifies the owner at least 48 hours prior to commencement of the work on that portion. The Contractor will be held liable for such damages or injury if the backfilling of such trenches is delayed more than 1 day after acceptance by the Engineer.

A.7 STANDING CROPS

The Contractor shall not be held responsible for damages to standing crops within the working area available and the access route provided if he notifies the owner thereof at least 48 hours prior to commencement of the work on that portion.

A.8 RAILWAYS, HIGHWAYS, UTILITIES

A minimum of forty-eight (48) hours' notice to Railways, Highways and Utilities, exclusive of Saturdays, Sundays and Holidays, shall be required by the Contractor prior to any work being performed and in the case of a pipe being installed by open cutting or boring under a Highway or Railway, a minimum of 72 hours' notice is required.

A.9 UTILITIES

The attention of the Contractor is drawn to the presence of utilities along the course of the drain. The Contractor will be responsible for determining the location of all utilities and will be held liable for any damage to all utilities caused by his operations. The Contractor shall co-operate with all authorities to ensure that all utilities are protected from damage during the performance of the work. The cost of any necessary relocation work shall be borne by the utility. No allowance or claims of any nature will be allowed on account for delays or inconveniences due to utilities relocation, or for inconveniences and delays caused by working around or with existing utilities not relocated.

A.10 IRON BARS

The Contractor shall be held liable for the cost of an Ontario Land Surveyor to replace any iron bars destroyed during the course of construction.

A.11 STAKES

At the time of the survey, stakes are set along the course of the drain at intervals of 50 meters. The Contractor shall ensure that the stakes are not disturbed unless approval is obtained from the Engineer. Any stakes removed by the Contractor without the authority of the Engineer, shall be replaced at the expense of the Contractor. At the request of the Contractor, any stakes which are removed or disturbed by others or by livestock, shall be replaced at the expense of the drain.

A.12 **RIP-RAP**

Rip-rap shall be specified on the drawings and shall conform to the following:

- .1 **Quarry Stone**: shall range in size from 150mm to 300mm evenly distributed and shall be placed to a 300mm thickness on a filter blanket at a 1.5 to 1 slope unless otherwise noted. Filter blanket to be Mirafi 160N or approved equal.
- .2 **Broken Concrete**: may be used in areas outside of regular flows if first broken in maximum 450mm sized pieces and mixed to blend with quarry stone as above. No exposed reinforcing steel shall be permitted.
- .3 **Shot Rock**: shall range in size from 150mm to 600mm placed to a depth of 450mm thickness on a filter blanket at a 1.5:1 slope unless otherwise noted. Filter blanket to be Mirafi 160N or approved equal.

A.13 **GABION BASKETS**

Supply and install gabion basket rip-rap protection as shown on the drawings.

Gabion baskets shall be as manufactured by Maccaferri Gabions of Canada Ltd. or approved equal and shall be assembled and installed in strict accordance with the manufacturer's recommendations.

The gabion fill material shall consist solely of fractured field stone or gabion stone graded in size from 100mm to 200mm (4" to 8") and shall be free of undersized fragments and unsuitable material.

A.14 **RESTORATION OF LAWNS**

- .1 **General**: Areas noted on the drawings to be restored with seeding or sodding shall conform to this specification, and the Contractor shall allow for all costs in his lump sum bid for the following works.
- .2 **Topsoil**: Prior to excavation, the working area shall be stripped of existing topsoil. The topsoil stockpile shall be located so as to prevent contamination with material excavated from the trench. Upon completion of backfilling operations, topsoil shall be spread over the working area to a depth equal to that which previously existed but not less than the following:
 - Seeding and sodding - minimum depth of 100mm
 - Gardens - minimum depth of 300mm

In all cases where a shortfall of topsoil occurs, whether due to lack of sufficient original depth or rejection of stockpiled material due to Contractor's operations, imported topsoil from acceptable sources shall be imported at the Contractor's expense to provide the specified depths. Topsoil shall be uniformly spread, graded, and cultivated prior to seeding or sodding. All clods or lumps shall be pulverized, and any roots or foreign matter shall be raked up and removed as directed.

.3 **Sodding**

- .1 **Materials**: Nursery sod to be supplied by the Contractor shall meet the current requirements of the Ontario Sod Growers Association for No. 1 Bluegrass Fescue Sod.
- .2 **Fertilizer**: Prior to sod placement, approved fertilizer shall be spread at the rate of 5kg/100m² of surface area and shall be incorporated into such surfaces by raking, discing or harrowing. All surfaces on which sod is to be placed shall be loose at the time of placing sod to a depth of 25mm.
- .3 **Placing Sod**: Sod shall be laid lengthwise across the face of slopes with ends close together. Sod shall be counter sunk along the joints between the existing grade and the new sodding to allow for the free flow of water across the joint. Joints in adjacent rows shall be staggered and all joints shall be pounded and rolled to a uniform surface.

On slopes steeper than 3 to 1, and in unstable areas, the Engineer may direct the Contractor to stake sod and/or provide an approved mesh to prevent slippages. In all cases where such additional work is required, it will be deemed an extra to the contract and shall be paid for in accordance with the General Conditions. No sod shall be laid when frozen nor upon frozen ground nor under any other condition not favourable to the growth of the sod. Upon completion of sod laying the Contractor shall thoroughly soak the area with water to a depth of 50mm. Thereafter it will be the responsibility of the property owner to maintain the area in a manner so as to promote growth.

A.14 **RESTORATION OF LAWNS (cont'd)**

.4 **Seeding**: Seed to be supplied by the Contractor shall be "high quality grass seed" harvested during the previous year, and shall be supplied to the project in the supplier's original bags on which a tag setting out the following information is affixed:

- Year or Harvest - recommended rate of application
- Type of Mixture - fertilizer requirements

Placement of seed shall be by means of an approved mechanical spreader. All areas on which seed is to be placed shall be loose at the time of placing seed, to a depth of 25mm. Seed and fertilizer shall be spread in accordance with the supplier's recommendations unless otherwise directed by the Engineer. Thereafter it will be the responsibility of the property owner to maintain the area in a manner so as to promote growth.

.5 **Settlement**: The Contractor shall be responsible during the one-year guarantee period for the necessary repair of restored areas due to trench settlement. Areas where settlement does not exceed 50mm may be repaired by top dressing with fine topsoil. In areas where settlement exceeds 50mm, the Contractor will be required to backfill the area with topsoil and restore with seeding and/or sodding as originally specified.

A.15 **RESTORATION OF ROADS AND LANEWAYS**

.1 **Gravel**: Restoration shall be in accordance with the applicable standard detailed drawing or as shown on the drawings.

.2 **Asphalt and Tar and Chip**: Prior to restoration all joints shall be neatly sawcut. Restoration shall be as a in gravel above with the addition of the following:

- .1 Roads shall have the finished grade of Granular 'A', allow two courses of hot-mix asphalt (M.T.O. 310), 80mm HL6 and 40mm HL3 or to such greater thickness as may be required to match the existing.
- .2 Laneways shall have the finished grade of Granular 'A' allow one 50mm minimum course of hot-mix asphalt (HL3) or greater as may be required to match existing.

SECTION B - OPEN DRAIN

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SECTION B

OPEN DRAIN

B.1 PROFILE

The profile drawing shows the depth of cuts from the ground beside the stake to the final invert of the ditch in meters and decimals of a meter and also the approximate depth of cuts from the existing bottom of the ditch to the elevation of the ditch bottom. These cuts are established for the convenience of the Contractor; however, benchmarks will govern the final elevation of the drain. Benchmarks have been established along the course of the drain and their locations and elevations are noted on the profile drawing. A uniform grade shall be maintained between stakes in accordance with the profile drawing.

B.2 ALIGNMENT

The drain shall be constructed in a straight line and shall follow the course of the present drain or water run unless otherwise noted on the drawings. Where it is necessary to straighten any bends or irregularities in alignment not noted on the drawings, the Contractor shall contact the Engineer or Superintendent before commencing the work.

B.3 CLEARING AND GRUBBING

Prior to commencement of work, all trees, scrub, fallen timber and debris shall be removed from the side slopes of the ditch and for such a distance on the working side so as to eliminate any interference with the construction of the drain or the spreading of the spoil. The side slopes shall be neatly cut and cleared flush with slope whether or not they are affected directly by the excavation. With the exception of large stumps causing damage to the drain, the side slope shall not be grubbed. All other cleared areas shall be grubbed and the stumps put into piles for disposal by the owner.

All trees or limbs 150mm (6") or larger, that it is necessary to remove, shall be considered as logs and shall be cut and trimmed, and left in the working width separate from the brush, for use or disposal by the owner. Trees or limbs less than 150mm in diameter shall be cut in lengths not greater than 5 meters and placed in separate piles with stumps spaced not less than 75 meters apart in the working width, for the use or disposal of the owner. In all cases, these piles shall be placed clear of excavated materials, and not be piled against standing trees. No windrowing will be permitted. The clearing and grubbing and construction of the drain are to be carried out in two separate operations and not simultaneously at the same location.

B.4 EXCAVATION

The bottom width and the side slopes of the ditch shall be those shown on the profile drawing.

Unless otherwise specified on the drawings, only the existing ditch bottom is to be cleaned out and the side slopes are not to be disturbed. Where existing side slopes become unstable because of construction, the Contractor shall immediately contact the Engineer or Superintendent. Alternative methods of construction and/or methods of protection will then be determined, prior to continuing the work.

Where an existing drain is being relocated or where a new drain is being constructed, the Contractor shall, unless otherwise specified, strip the topsoil for the full width of the drain, including the location of the spoil pile. Upon completion of levelling, the topsoil shall be spread to an even depth across the full width of the spoil.

B.5 EXCAVATED MATERIAL

Excavated material shall be deposited on either or both sides of the drain as indicated on the drawings or as directed by the Engineer or Superintendent. A buffer strip of not less than 3 meters in width through farmed lands and 2 meters in width through bush areas shall be left along the top edges of the drain. The buffer strip shall be seeded and/or incorporated as specified on the drawings. The material shall be deposited beyond the specified buffer strip.



B.5 EXCAVATED MATERIAL (cont'd)

No excavated material shall be placed in tributary drains, depressions, or low areas which direct water into the ditch so that water will be trapped behind the spoil bank. The excavated material shall be placed and levelled to a minimum width to depth ratio of 50 to 1 unless instructed otherwise. The edge of the spoil bank away from the ditch shall be feathered down to the existing ground; the edge of the spoil bank nearest the ditch shall have a maximum slope of 2 to 1. The material shall be levelled such that it may be cultivated with ordinary farm equipment without causing undue hardship on machinery and personnel. No excavated material shall cover any logs, scrub, debris, etc. of any kind.

Where it is necessary to straighten any unnecessary bends or irregularities in the alignment of the ditch, the excavated material from the new cut shall be used for backfilling the original ditch. Regardless of the distance between the new ditch and the old ditch no extra compensation will be allowed for this work and must be included in the Contractor's lump sum price for the open work.

Any stones 150mm or larger left exposed on top of the levelled excavated material shall be removed and disposed of as an extra to the contract unless otherwise noted on plans.

B.6 EXCAVATION THROUGH BRIDGES AND CULVERTS

The Contractor shall excavate the drain to the full specified depth and width under all bridges. Where the bridge or culvert pipe is located within a road allowance, the excavated material shall be levelled within the road allowance. Care shall be taken not to adversely affect existing drainage patterns. Temporary bridges may be carefully removed and left on the bank of the drain but shall be replaced by the Contractor when the excavation is completed unless otherwise specified. Permanent bridges must be left intact. All necessary care and precautions shall be taken to protect the structure. The Contractor shall notify the Engineer or Superintendent if excavation may cause the structure to undermine or collapse.

B.7 PIPE CULVERTS

Where specified on the drawings, the existing culvert shall be carefully removed, salvaged and either left at the site for the owner or reinstalled at a new grade or location. The value of any damage caused to the culvert due to the Contractor's negligence in salvage operation will be determined and deducted from the contract price.

All pipe culverts shall be installed in accordance with the standard detail drawings as noted on the drawings. If couplers are required, 5 corrugation couplers shall be used for up to and including 1200mm dia. pipe and 10 corrugation couplers for greater than 1200mm dia.

B.8 MOVING DRAINS OFF ROADS

Where an open drain is being removed from a road allowance, it must be reconstructed wholly on the adjacent lands with a minimum distance of 2.0 meters between the property line and the top of the bank, unless otherwise noted on the drawings. The excavated material shall be used to fill the existing open ditch and any excess excavated material shall be placed and levelled on the adjacent lands beyond the buffer strip, unless otherwise noted. Any work done on the road allowance, with respect to excavation, disposal of materials, installation of culverts, cleaning under bridges, etc., shall be to the satisfaction of the Road Authority and the Engineer.

B.9 TRIBUTARY OUTLETS

The Contractor shall guard against damaging the outlets of tributary drains. Prior to commencement of excavation on each property the Contractor shall contact the owner and request that all known outlet pipes be marked by the owner. All outlets so marked or visible or as noted on the profile, and subsequently damaged by the Contractor's operations will be repaired by the Contractor at his cost. All outlet pipes repaired by the Contractor under direction of the Drainage Superintendent or Engineer which were not part of the Contract shall be considered an extra to the contract price.



B.10 SEDIMENT BASINS AND TRAPS

The Contractor shall excavate sediment basins prior to commencement of upstream work as shown on the plan and profile. The dimension of the basin will be in a parabolic shape with a depth of 450mm below the proposed ditch bottom and the basin will extend along the drain for a minimum length of 15 meters.

A sediment trap 300mm deep and 5 meters long with silt fence placed across ditch bottom on the downstream end of the trap shall be constructed prior to and maintained during construction, to prevent silt from flushing downstream. The silt fence shall be removed and disposed of after construction.

B.11 SEEDING

.1 **Delivery:** The materials shall be delivered to the site in the original unopened containers which shall bear the vendor's guarantee of analysis and seed will have a tag showing the year of harvest.

.2 **Hydro Seeding:** Areas specified on drawings shall be hydro seeded and mulched upon completion of construction in accordance with O.P.S.S. 572 and with the following application rates:

Primary Seed (85 kg/ha.):	50% Creeping Red Fescue 40% Perennial Ryegrass 5% White Clover
Nurse Crop	Italian (Annual) Ryegrass at 25% of Total Weight
Fertilizer (300 kg/ha.)	8-32-16
Hydraulic Mulch (2000 kg/ha.)	Type "B"
Water (52,700 litres/ha.)	

Seeding shall not be completed after September 30.

.3 **Hand Seeding:** Hand seeding shall be completed daily with the seed mixture and fertilizer and application rate shown under "Hydro Seeding" above. Placement of the seed shall be by means of an approved mechanical spreader. Seeding shall not be completed after September 30.



SECTION C - TILE DRAIN

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SECTION C

TILE DRAIN

C.1 PIPE MATERIALS

- .1 **Concrete Tile:** All tile installed under these specifications shall be sound and of first quality and shall meet all A.S.T.M. Specifications current at the time of tendering. Concrete tile shall conform to Designation C412 "Extra Quality" except that the minimum compression strengths shall be increased by 25%. Heavy Duty tile shall conform to Designation C412 "Heavy Duty Extra Quality".
- .2 **Corrugated Steel Pipe:** Unless otherwise specified, all metal pipe shall be corrugated, riveted steel pipe or helical corrugated steel pipe with a minimum wall thickness of 1.6mm (16 gauge) and shall be fully galvanized.
- .3 **Plastic Tubing:** The plans will specify the type of tubing or pipe, such as non-perforated or perforated (with or without filter material).
 - i) Corrugated Plastic Drainage Tubing shall conform to the current O.F.D.A. Standards
 - ii) Heavy Duty Corrugated Plastic Pipe shall be "Boss 1000" manufactured by the Big 'O' Drain Tile Co. Ltd. or approved equal
- .4 **Concrete Sewer Pipe:** The Designations for concrete sewer pipe shall be C14 for concrete sewer pipe 450mm (18") diameter or less; and C76 for concrete sewer pipe greater than 450mm (18") diameter. Where closed joints are specified, joints shall conform to the A.S.T.M. Specification C443.

Where concrete sewer pipe "seconds" are permitted the pipe should exhibit no damages or cracks on the barrel section and shall be capable of satisfying the crushing strength requirements for No.1, Pipe Specifications (C14 or C76). The pipe may contain cracks or chips in the bell or spigot which could be serious enough to prevent the use of rubber gaskets, but which are not so severe that the joint could not be mortared conventionally.
- .5 **Plastic Sewer Pipe:** The plans will specify the type of sewer pipe, such as non-perforated or perforated (with or without filter material). All plastic sewer pipe and fittings shall be "Boss Poly-Tite", ULTRA-RIB", "Challenger 3000" or approved equal with a minimum stiffness of 320 kpa at 5% deflection.
- .6 **Plastic Fittings:** All plastic fittings shall be "Boss 2000" or "Challenger 2000" with split coupler joints or approved equal.

C.2 TESTING

The manufacturer shall provide specimens for testing if required. The random selection and testing procedures would follow the appropriate A.S.T.M. requirements for the material being supplied. The only variation is the number of tiles tested: 200mm to 525mm dia. - 5 tile tested, 600mm to 900mm dia. - 3 tile tested. The drain will be responsible for all testing costs for successful test results. Where specimens fail to meet the minimum test requirements, the manufacturer will be responsible for the costs of the unsuccessful tests. Alternately, the Engineer may accept materials on the basis of visual inspections and the receipt in writing from the Manufacturer of the results of daily production testing carried out by the Manufacturer for the types and sizes of the material being supplied.

C.3 LINE

Prior to stringing the tile, the Contractor shall contact the Superintendent or the Engineer in order to establish the course of the drain.

Where an existing drain is to be removed and replaced in the same trench by the new drain or where the new drain is to be installed parallel to an existing drain, the Contractor shall excavate test holes to locate the existing drain (including repairing drainage tile) at intervals along the course of the drain as directed by the Engineer and/or the Superintendent. The costs for this work shall be included in the tender price.

Where an existing drain is to be removed and replaced in the same trench by the new drain, all existing tiles shall be destroyed, and all broken tile shall be disposed of offsite.



C.3 **LINE** (cont'd)

The drain shall run in as straight a line as possible throughout its length, except that at intersections of other water courses or at sharp corners, it shall run on a curve of at least a 15-meter radius. The new tile drain shall be constructed at an offset from and generally parallel with any ditch or defined watercourse in order that fresh backfill in the trench will not be eroded by the flow of surface water. The Contractor shall exercise care not to disturb any existing tile drain or drains which parallel the course of the new drain, particularly where the new and the existing tile act together to provide the necessary capacity.

C.4 **CLEARING AND GRUBBING**

Prior to commencement of drain construction, all trees, scrub, fallen timber and debris shall be cleared and grubbed from the working area. Unless otherwise specified, the minimum width to be cleared and grubbed shall be 20 meters in all hardwood areas and 30 meters in all softwood areas (willow, poplar, etc.), the width being centred on the line of the drain.

All trees or limbs 150mm (6") or larger, that it is necessary to remove, shall be considered as logs and shall be cut and trimmed, and left in the working width separate from the brush, for use or disposal by the owner. Trees or limbs less than 150mm in diameter shall be cut in lengths not greater than 5 meters and placed in separate piles with stumps spaced not less than 75 meters apart in the working width, for the use or disposal of the owner. In all cases, these piles shall be placed clear of excavated materials, and not be piled against standing trees. No windrowing will be permitted. The clearing and grubbing and construction of the drain are to be carried out in two separate operations and not simultaneously at the same location.

C.5 **PROFILE**

The profile drawing shows the depth of cuts from the ground beside the stake to the final invert of the drain in meters and decimals of a meter. These cuts are established for the convenience of the Contractor; however, benchmarks will govern the final elevation of the drain. Benchmarks have been established along the course of the drain and their locations and elevations are noted on the profile drawing.

C.6 **GRADE**

The Contractor shall provide and maintain in good working condition, an approved system of establishing a grade sight line to ensure the completed works conform to the profile drawing. In order to confirm the condition of his system and to eliminate the possibility of minor errors on the drawings, he shall ensure his grade sight line has been confirmed to be correct between a minimum of two control points (bench marks) and shall spot check the actual cuts and compare with the plan cuts prior to commencement of tile installation. He shall continue this procedure from control point to control point as construction of the drain progresses. When installing a drain towards a fixed point such as a bore pipe, the Contractor shall uncover the pipe and confirm the elevation, using the sight line, a sufficient distance away from the pipe in order to allow for any necessary minor grade adjustments to be made in order to conform to the as built elevation of the bore pipe. All tile improperly installed due to the Contractor not following these procedures shall be removed and replaced entirely at the Contractor's cost.

When following the procedures and a significant variation is found, the Contractor shall immediately cease operations and advise the Engineer.

C.7 **EXCAVATION**

- .1 **Trench:** Unless otherwise specified, all trenching shall be done with a recognized farm tiling machine approved by the Engineer or Superintendent. The machine shall shape the bottom of the trench to conform to the outside diameter of the pipe for a minimum width of one-half of the outside diameter. The minimum trench width shall be equal to the outside diameter of the tile to be installed plus 100mm (4") on each side unless otherwise approved. The maximum trench width shall be equal to the outside diameter of the tile to be installed plus 250mm (10") on each side unless otherwise approved.



C.7 **EXCAVATION** (cont'd)

- .2 **Scalping**: Where the depths of cuts in isolated areas along the course of the drain as shown on the profile exceed the capacity of the Contractor's tiling machine, he shall lower the surface grade in order that the tiling machine may trench to the correct depth. Topsoil is to be stripped over a sufficient width that no subsoil will be deposited on top of topsoil. Subsoil will then be removed to the required depth and piled separately. Upon completion of backfilling, the topsoil will then be replaced to an even depth over the disturbed area. The cost for this work shall be included in his tender price.
- .3 **Excavator**: Where the Contractor's tiling machine consistently does not have the capacity to dig to the depths required or to excavate the minimum trench width required, he shall indicate in the appropriate place provided on the tender form his proposed methods of excavation.
Where the use of an excavator is either specified on the drawings or approved as evidenced by the acceptance of his tender on which he has indicated the proposed use of a backhoe he shall conform to the following requirements:
a) the topsoil shall be stripped and replaced in accordance with Section .2 "Scalping".
b) all tile shall be installed on a bed of 19mm crushed stone with a minimum depth of 150mm which has been shaped to conform to the lower segment of the tile.
c) the Contractor shall allow for the cost of the preceding requirements (including the supply of the crushed stone) in his lump sum tender price unless it is otherwise provided for in the contract documents.
- .4 **Backfilling Ditch**: Where the contract includes for a closed drain to replace an open drain and the ditch is to be backfilled, the Contractor shall install the tile and backfill the trench prior to backfilling the ditch unless otherwise noted. The distance the trench shall be located away from the ditch shall be as noted on the drawings, (beyond area required for stockpiling topsoil and backfilling). After tile installation is complete topsoil (if present) shall be stripped and stockpiled within the above limits prior to backfilling of ditch. Only tracked equipment shall be permitted to cross backfilled tile trench and must be at 90 degrees to line of tile.

C.8 **INSTALLATION**

The tile is to be laid with close fitting joints and in regular grade and alignment in accordance with the plan and profile drawings. The tiles are to be bevelled, if necessary, to ensure close joints (in particular around curves). Where, in heavy clay soils, the width of a joint exceeds 10mm the joint shall be wrapped with filter cloth as below. Where the width of a joint exceeds 12mm the tile shall first be removed and the joint bevelled to reduce the gap. The maximum deflection of one tile joint shall be 15 degrees. Where a drain connects to standard or ditch inlet catchbasins or junction box structures, the Contractor shall include in his tender price for the supply and installation of compacted Granular 'A' bedding under areas backfilled from the underside of the pipe to undisturbed soil. The connections will then be grouted.

Where a tile drain passes through a bore pit, the Tile Contractor shall include in his tender price for the supply and placement of compacted Granular "A" bedding from the underside of the pipe down to undisturbed soil within the limits of the bore pit.

As above and where soil conditions warrant, the Engineer may require (or as specified on the drawings) that each tile joint be wrapped with synthetic filter cloth. The width of the filter cloth shall be 300mm wide for tile sizes of 150mm to 300mm and 400mm wide for sizes of 350mm to 750mm. The filter cloth shall cover the full perimeter of the tile and overlap a minimum of 100mm or as specified on the drawings. The type of cloth shall be Mirafi 140NL for loam soils and 150N for sandy soil. Any such work not shown on the drawings shall be considered as an addition to the contract price unless specified on the drawings.

C.9 **ROAD AND LANEWAY SUB-SURFACE CROSSINGS**

All road and laneway crossings may be made with an open cut in accordance with standard detailed drawings in the specifications or on the drawings. The exact location of the crossing shall be verified and approved by the Road Authority and the Engineer and/or Superintendent.



C.10 BACKFILLING

As the laying of the tile progresses, blinding up to the springline including compaction by tamping (by hand) is to be made on both sides of the tile. No tile shall be backfilled until inspected by the Engineer or Drainage Superintendent unless otherwise approved by the Engineer.

The remainder of the trench shall be backfilled with special care being taken in backfilling up to a height approximately 150mm above the top of the tile to ensure that no tile breakage occurs. During the backfilling operation no equipment shall be operated in a way that would transfer loads onto the tile trench. Surplus material is to be mounded over the tile trench so that when settlement takes place the natural surface of the ground will be restored. Upon completion, a minimum cover of 600mm is required over all tile. Where stones larger than 150mm are present in the backfill material, they shall be separated from the material and disposed of by the Contractor.

Where a drain crosses a lawn area, the backfilling shall be carried out as above except that, unless otherwise specified, the backfill material shall be mechanically compacted to eliminate settlement.

C.11 UNSTABLE SOIL

The Contractor shall immediately contact the Engineer or Superintendent if quicksand is encountered, such that installation with a tiling machine is not possible. The Engineer shall, after consultation with the Superintendent and Contractor, determine the action necessary and a price for additions or deletions shall be agreed upon prior to further drain installation. Where directed by the Engineer, test holes are to be dug to determine the extent of the affected area. Cost of test holes shall be considered an addition to the contract price.

C.12 ROCKS

The Contractor shall immediately contact the Engineer or Superintendent if boulders of sufficient size and number are encountered such that the Contractor cannot continue trenching with a tiling machine. The Engineer or Superintendent may direct the Contractor to use some other method of excavating to install the drain. The basis of payment for this work shall be determined by the Engineer and Drainage Superintendent.

If only scattered large stones or boulders are removed on any project, the Contractor shall haul same to a nearby bush or fence line, or such other convenient location as approved by the Landowners(s).

C.13 BROKEN, DAMAGED TILE OR EXCESS TILE

The Contractor shall remove and dispose of off-site all broken (existing or new), damaged or excess tile or tiles. If the tile is supplied by the Municipality, the Contractor shall stockpile all excess tile in readily accessible locations for pickup by the Municipality upon the completion of the job.

C.14 TRIBUTARY DRAINS

Any tributary tile encountered in the course of the drain shall be carefully taken up by the Contractor and placed clear of the excavated earth. If the tributary tile drains encountered are clean or reasonably clean, they shall be connected into the new drain. Where existing drains are full of sediment, or contain pollutants, the decision to connect those drains to the new drain shall be left to the Engineer or Superintendent. Each tributary tile connection made by the Contractor shall be located and marked with a stake and no backfilling shall take place until the connection has been approved by the Engineer or Superintendent.

For tributary drains 150mm dia. or smaller connected to new tiles 250mm dia. or larger, and for 200mm dia. connected to 350mm dia. or larger, the Contractor shall neatly cut a hole in the middle of a tile length. The connections shall be made using a prefabricated adaptor. All other connections shall be made with prefabricated wyes or tees conforming to Boss 2000 split coupler or approved equal.

Where an open drain is being replaced by a new tile drain, existing tile outlets entering the ditch from the side opposite the new drain shall be extended to the new drain. All existing metal outlet pipes shall be carefully removed, salvaged, and left for the owner. Where the grade of the connection passes through the newly placed backfill in the ditch, the backfill material below the connection shall be thoroughly compacted and metal pipe of a size compatible with the tile outlet shall be installed so that a minimum length of 2 meters at each end is extending into undisturbed soil.



C.14 **TRIBUTARY DRAINS** (cont'd)

Where locations of tiles are shown on the drawings the Contractor shall include in his tender price, all costs for connecting those tiles to the new drain regardless of length.

Where tiles not shown on the drawings are encountered in the course of the drain, and are to be connected to the new drain, the Contractor shall be paid for each connection at the rate outlined in the Form of Tender and Agreement.

C.15 **OUTLET PIPES**

Corrugated steel pipe shall be used to protect the tile at its outlet. It shall have a hinged metal grate with a maximum spacing between bars of 40mm. The corrugated steel pipe shall be bevelled at the end to generally conform to the slope of the ditch bank and shall be of sufficient size that the tile can be inserted into it to provide a solid connection. The connection will then be grouted immediately.

The installation of the outlet pipe and the required rip-rap protection shall conform to the standard detailed drawing as noted on the drawing.

C.16 **CATCHBASINS AND JUNCTION BOXES**

- .1 **Catchbasins**: Unless otherwise noted or approved, catchbasins shall be in accordance with O.P.S.D. 705.010, 705.030. All catchbasins shall include two - 150mm riser sections for future adjustments. All ditch inlet catchbasins shall include one 150mm riser section for future adjustments. The catchbasin top shall be a "Bird Cage" type substantial steel grate, removable for cleaning and shall be inset into a recess provided around the top of the structure. The grate shall be fastened to the catchbasin with bolts into the concrete. Spacing of bars on grates for use on 600mmx600mm structures shall be 65mm centre to centre. Spacing of bars on grates for use on structures larger than 600mmx600mm shall be 90mm with a steel angle frame.

The exact location and elevation of catchbasins shall be approved by the Road Authority or the Engineer/Superintendent. Catchbasins offset from the drain shall have "Boss 2000" 200mm diameter leads or approved equal unless otherwise noted and the leads shall have a minimum of 600mm of cover. The leads shall be securely grouted at the structures and the drain.

- .2 **Junction Boxes**: Junction boxes shall be the precast type unless otherwise approved. Dimensions for precast junction boxes shall conform to those for catchbasins. The inside dimensions of the box shall be a minimum of 100mm larger than the outside diameter of the largest pipe being connected. The minimum cover over the junction box shall be 600mm. Benching to spring line shall be supplied with all junction boxes.
- .3 **Connections**: Catchbasins and junction boxes shall not be ordered until elevations of existing pipes being connected have been verified in the field as indicated on the drawings. All connections shall be securely grouted at both the inside and outside walls of the structure.

- .4 **Installation**: Where the native material is clay, all catchbasins shall be backfilled with an approved granular material placed and compacted to a minimum width of 300mm on all sides with the following exception. Where the native material is sandy or granular in nature it may be used as backfill. Filter cloth shall be placed between the riser sections of all catchbasins.

Where the Contractor has over excavated or where ground conditions warrant, the structure shall be installed on a compacted granular base.

The Contractor shall include in his tender price for the construction of a berm behind all ditch inlet structures. The berm shall be constructed of compacted clay keyed 300mm into undisturbed soil. Topsoil shall be distributed to a 65mm thickness and seeded unless otherwise specified. The Contractor shall also include for regrading, shaping and seeding of road ditches for a maximum of 15 meters each way from all catchbasins.



C.17 BLIND INLETS

Where specified, blind inlets shall be installed along the course of the drain in accordance with details on the drawings.

C.18 GRASSED WATERWAY

Topsoil to be stripped from construction area and stockpiled prior to construction of waterway. Waterway to be graded into a parabolic shape to the width shown on the drawings. Topsoil to be relevelled over the waterway and other areas disturbed by construction.

Waterway to be prepared for seeding by harrowing and then seeded by drilling followed by rolling. Seeding rate to be 85 Kg/Ha with the following mixture:

- 30% Canon Canada Bluegrass
 - 25% Koket Chewings Fescue
 - 30% Rebel Tall Fescue
 - 15% Diplomat Perennial Rye
- Plus #125 Birdsfoot Trefoil (25% of Total Weight)

C.19 BACKFILLING EXISTING DITCHES

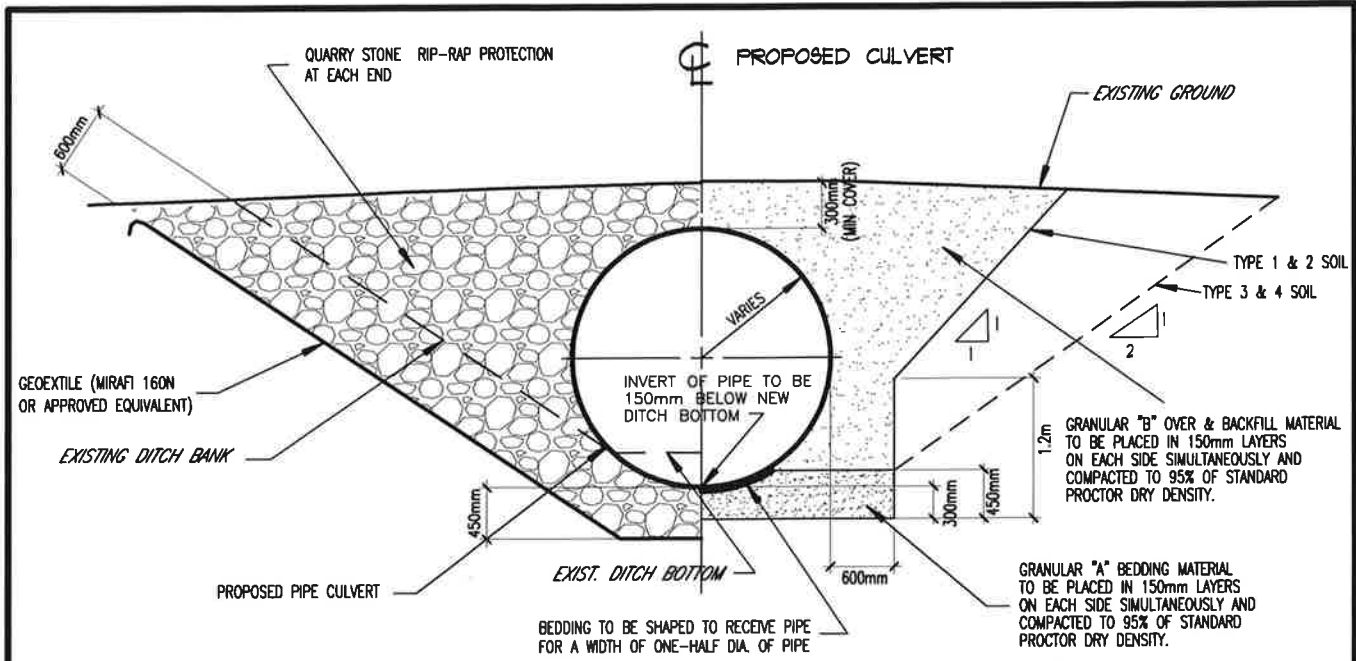
The Contractor shall backfill the ditch sufficiently for traversing by farm machinery. If sufficient material is not available from the old spoil banks to fill in the existing ditch, the topsoil shall be stripped and the subsoil shall be bulldozed into the ditch and the topsoil shall then be spread over the backfilled ditch unless otherwise specified on the contract drawings. The Contractor shall ensure sufficient compaction of the backfill and if required, repair excess settlement up to the end of the warranty period. The final grade of the backfilled ditch shall provide an outlet for surface water.

C.20 RECOMMENDED PRACTICE FOR CONSTRUCTION OF SUBSURFACE DRAINAGE SYSTEM

Drainage guide for Ontario, Ministry of Agriculture, Food and Rural Affairs Publication Number 29 and its amendments, dealing with the construction of Subsurface Drainage systems, shall be the guide to all methods and materials to be used in the construction of tile drains except where superseded by other specifications of this contract.

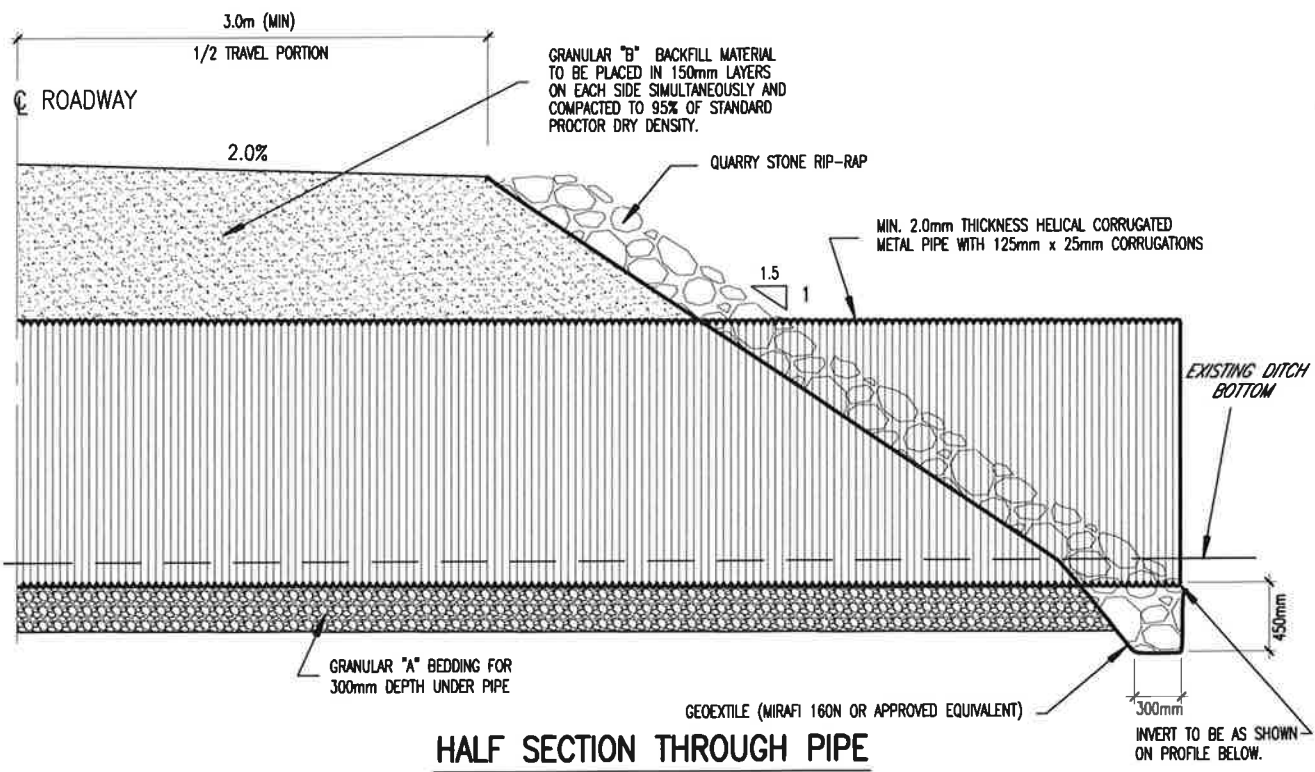
The requirements of licensing of operators, etc. which apply to the installation of closed drains under the Tile Drainage Act shall also be applicable to this contract in full unless approval otherwise is given in advance by the Engineer.





HALF ELEVATION


HALF SECTION



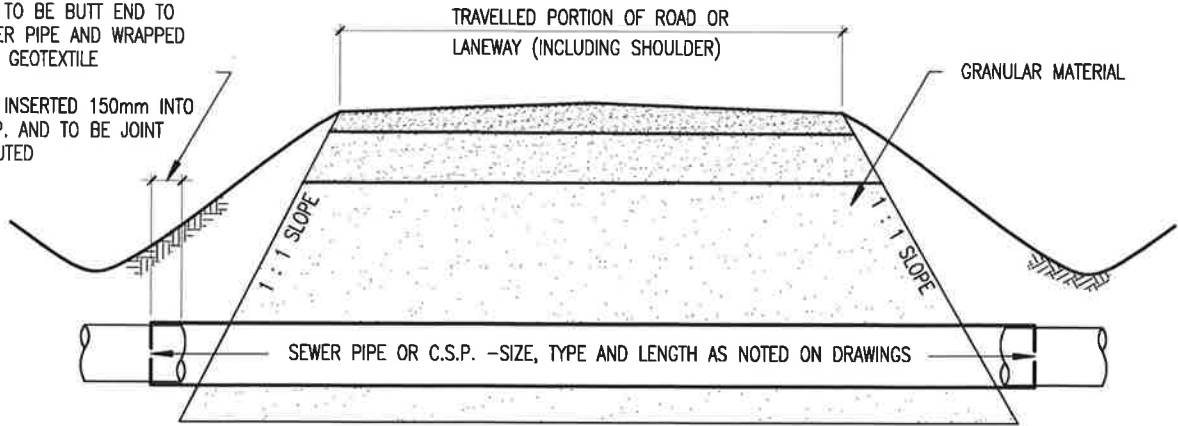
HALF SECTION THROUGH PIPE

NOTES

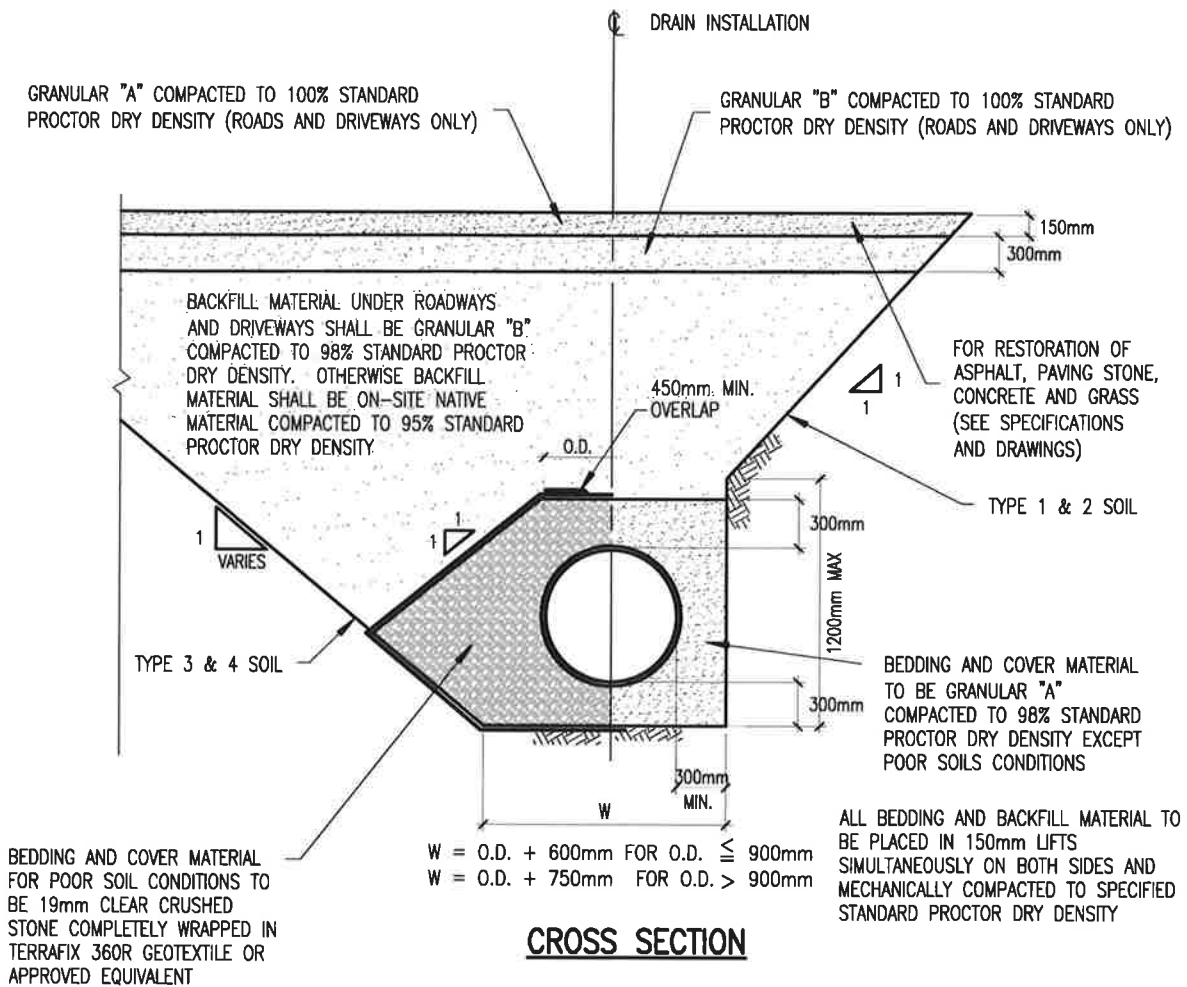
- 1) WHERE THE CULVERT IS TO BE INSTALLED IN POOR SOIL CONDITIONS, THE BEDDING MATERIAL SHALL BE 19mm CRUSHED STONE COMPLETELY WRAPPED IN GEOTEXTILE SUCH AS MIRAFI 160N OR APPROVED EQUIVALENT.

TYPICAL FARM CULVERT INSTALLATION DETAIL		
Scale: N.T.S.	Approved by:	Date: January 1983
Drawn by: jk	M.P.D.	Revised: November 2000
ELEVATION & SECTION		STANDARD DETAILED DRAWING
 SPRIET ASSOCIATES LONDON LIMITED CONSULTING ENGINEERS ARCHITECTS		No. 01

1. TILE TO BE BUTT END TO SEWER PIPE AND WRAPPED WITH GEOTEXTILE
2. TILE INSERTED 150mm INTO C.S.P. AND TO BE JOINT GROUTED



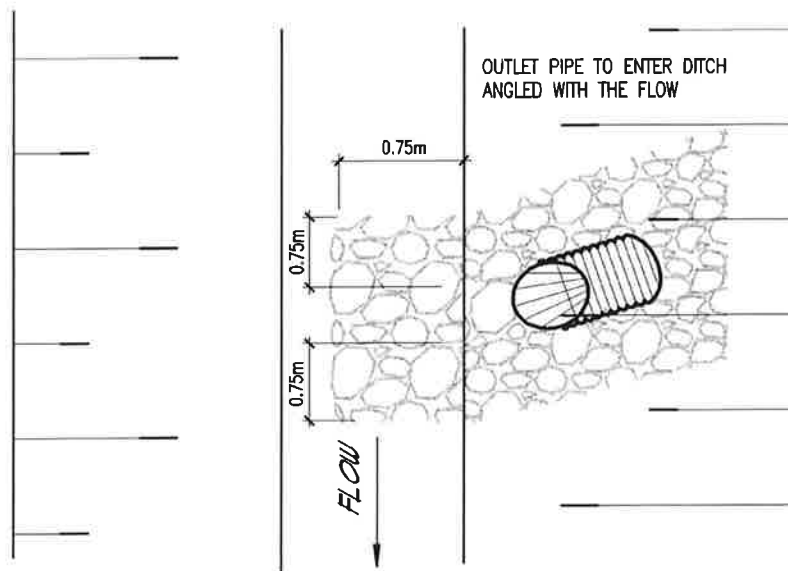
SECTION THROUGH PIPE



TYPICAL INSTALLATION DETAIL FOR SEWER PIPE UNDER DRIVEWAYS AND TRAVELLED PORTIONS OF ROADS

Scale: N.T.S.	Approved by: M.P.D.	Date: January 1983
Drawn by: jk	Revised: JULY 2018	

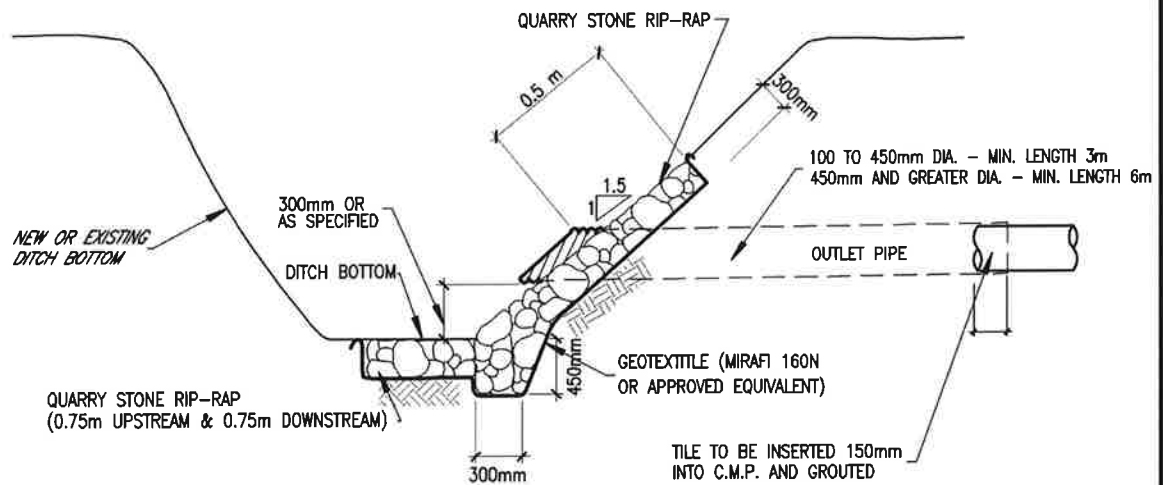
ELEVATION & SECTION		STANDARD DETAILED DRAWING No. 02
SPRIET ASSOCIATES LONDON LIMITED CONSULTING ENGINEERS ARCHITECTS		



PLAN

NOTES

1. WHERE THE DISTURBED AREA EXCEEDS THE MIN. WIDTHS, RIP-RAP TO EXTEND TO A MIN. OF 600mm BEYOND THE DISTURBED AREA



TYPICAL OUTLET RIP-RAP

NOTES

1. RIP-RAP TO EXTEND UP THE SLOPE 0.5 METER ABOVE TOP OF OUTLET
2. WHERE SURFACE RUN ENTERS DITCH AT OUTLET PIPE, A ROCK CHUTE SHALL BE INSTALLED (SEE S.D.D. No. 05) AND PIPE SHALL BE INSTALLED ADJACENT TO ROCK CHUTE.
3. HINGED RODENT GATE TO BE AFFIXED TO END OF OUTLET PIPE.

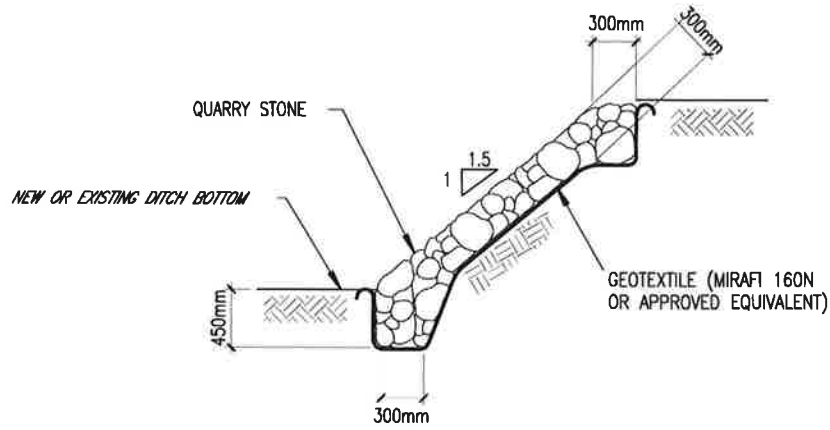
TYPICAL OUTLET RIP-RAP THROUGH SIDE SLOPE OF DITCH

Scale: N.T.S.	Approved by:	Date: November 2000
Drawn by: jk	M.P.D.	Revised: January 2009

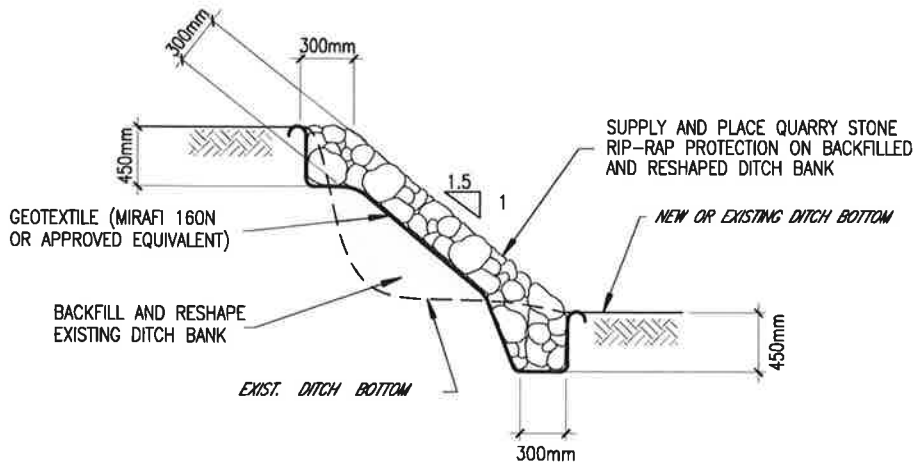
PLAN & SECTION

SPRIET ASSOCIATES LONDON LIMITED
CONSULTING ENGINEERS ARCHITECTS

STANDARD
DETAILED
DRAWING
No. 03



TYPICAL DITCH BANK RIP-RAP



**TYPICAL DITCH BANK RIP-RAP
WITH BACKFILLING OF WASHOUT**

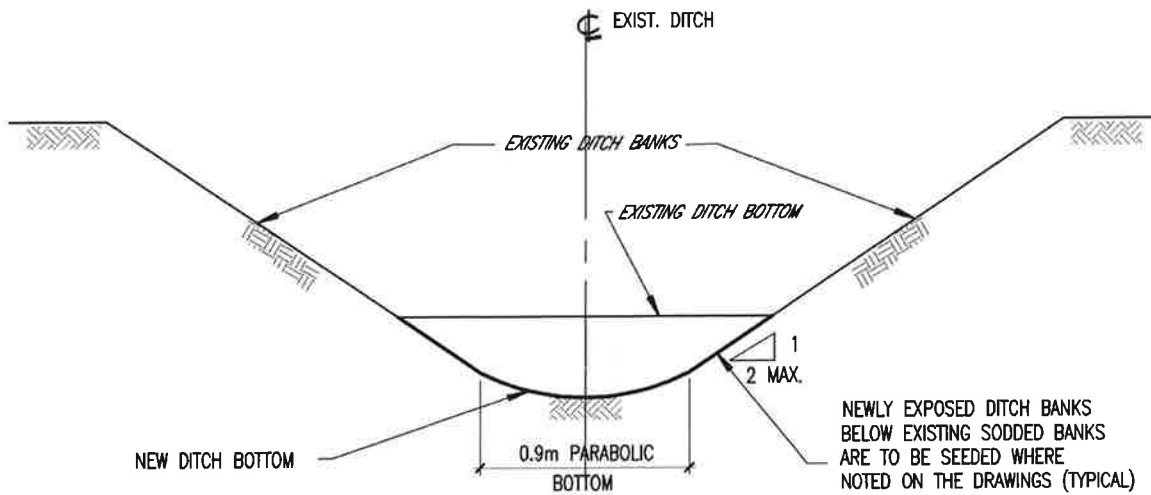
TYPICAL DITCH BANK RIP-RAP DETAILS

Scale: N.T.S.	Approved by:	Date: July 2000
Drawn by: jk	M.P.D.	Revised: November 2000

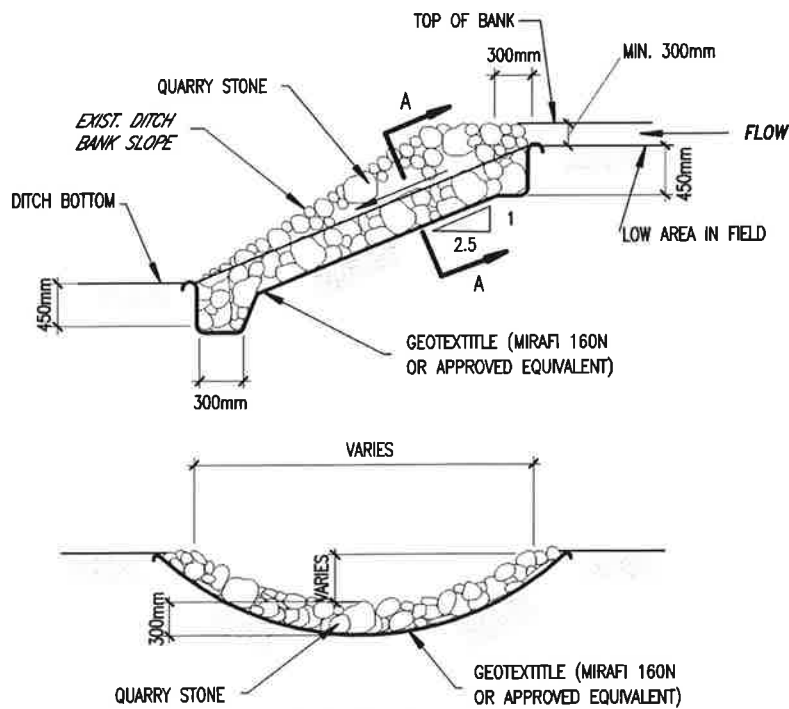
SECTIONS

SPRIET ASSOCIATES LONDON LIMITED
CONSULTING ENGINEERS ARCHITECTS

STANDARD
DETAILED
DRAWING
No. **04**




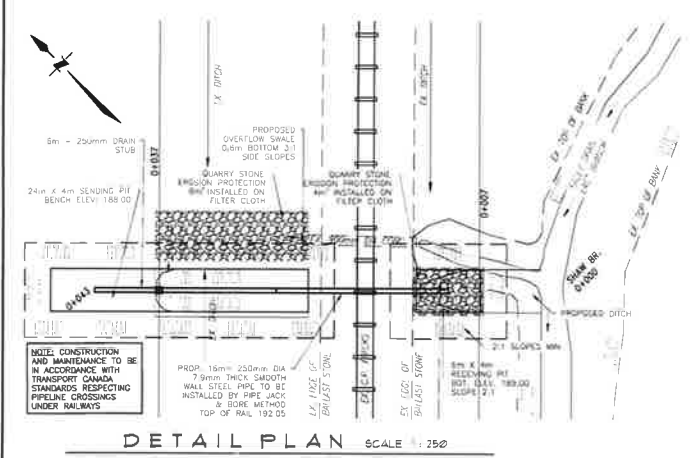
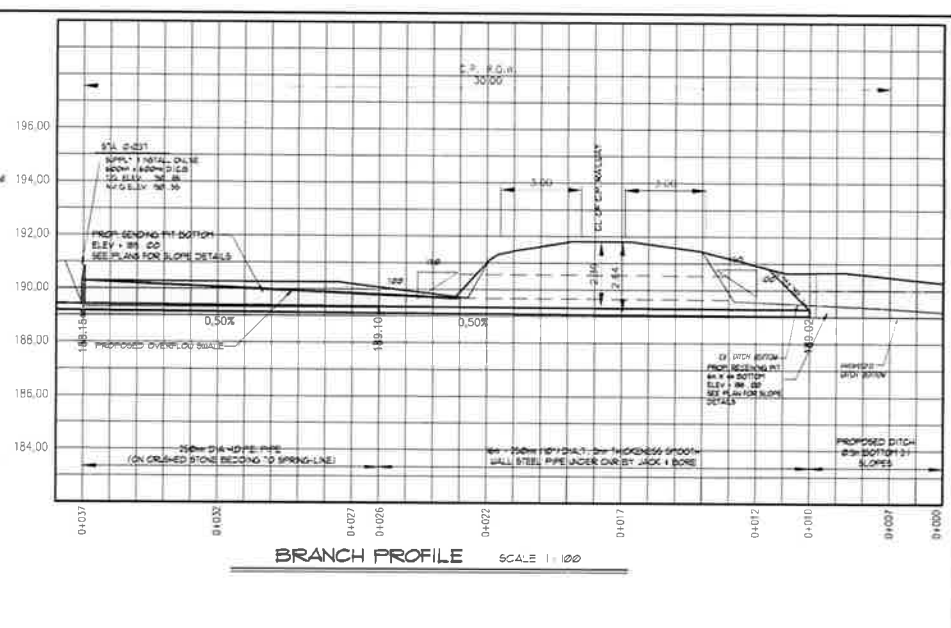
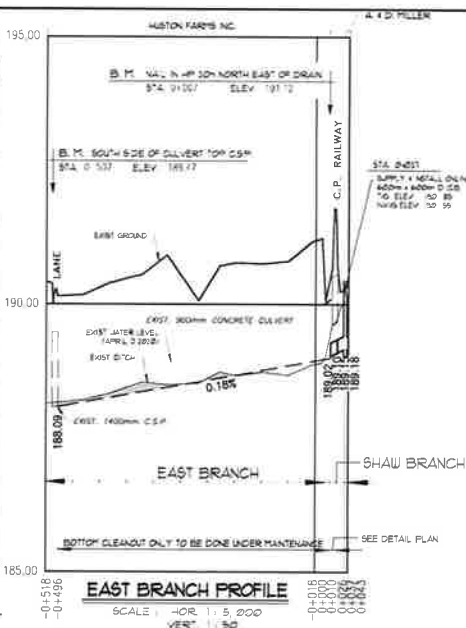
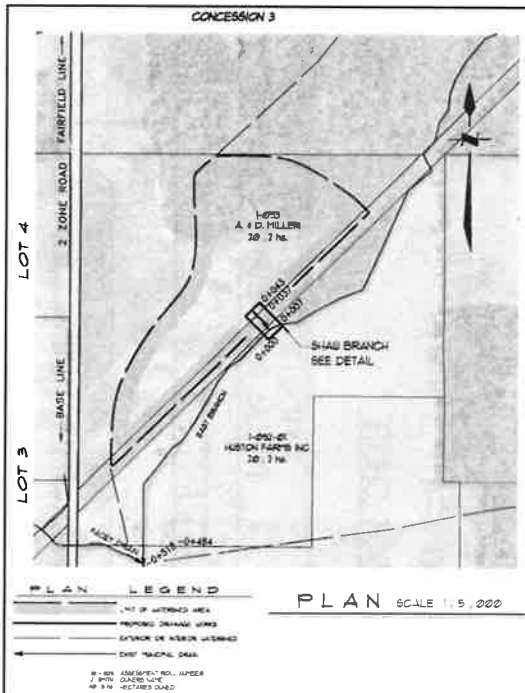
TYPICAL DITCH BOTTOM CLEANOUT



SECTION A-A

TYPICAL ROCK CHUTE

TYPICAL DITCH BOTTOM CLEANOUT TYPICAL ROCK CHUTE CONSTRUCTION		
Scale: N.T.S.	Approved by:	Date: November 2000
Drawn by: jk	M.P.D.	Revised:
SECTIONS		STANDARD DETAILED DRAWING No. 05
 SPRIET ASSOCIATES LONDON LIMITED CONSULTING ENGINEERS ARCHITECTS		



GENERAL NOTES

- OUR SPECIFICATIONS DATED JANUARY 2010 APPLY TO THIS PROJECT.
 - THE WORKING WIDTH AVAILABLE TO THE CONTRACTOR TO CONSTRUCT THE NEW DRAINS SHALL CONSIST OF THOSE LANDS IMMEDIATELY ADJACENT TO THE DRAIN AND CONNECTIONS AND SHALL NOT EXCEED THE FOLLOWING AVERAGE WIDTHS:
 - OPEN PORTIONS: 9 meters (INCLUDING 3m BUFFER)
 - CLOSED PORTIONS: 5 meters
 THE WORKING WIDTH FOR PURPOSES OF FUTURE MAINTENANCE SHALL BE 10m.
 - ALL OWNERS ALONG THE COURSE OF THE DRAIN SHALL MAKE AN ACCESS ROUTE FROM THE NEAREST ROAD TO THE DRAIN LOCATION AVAILABLE TO THE CONTRACTOR. THE AVERAGE WIDTH OF THIS ROUTE SHALL NOT EXCEED 8 METERS. THE ACCESS ROUTE SHALL ALSO APPLY FOR FUTURE MAINTENANCE PURPOSES.
 - ALL UTILITIES TO BE LOCATED AND EXPOSED PRIOR TO CONSTRUCTION SO THAT THE NEW TILE GRADES CAN BE CONFIRMED. IF THERE IS A CONFLICT IN ELEVATION BETWEEN THE PROPOSED DRAIN AND THE UTILITY, THE ENGINEER IS TO BE NOTIFIED IMMEDIATELY.
 - CONTRACTOR TO NOTIFY ALL UTILITIES 2 HOURS PRIOR TO HIS SCHEDULED TIME FOR STARTING THE ABOVE WORK.
 - THE COST FOR THIS WORK SHALL BE INCLUDED IN THE ITEM ON THE EXTENT OF WORK AND NO EXTRA PAYMENT SHALL BE MADE TO THE CONTRACTOR, EXCEPT IF ROAD RESTORATION IS REQUIRED.
 - ALL TREES, SCRUB, BRUSH, ETC. TO BE CLEARED AND GRABBED IN ACCORDANCE WITH SECTION B 3 AND C 4 SPECIFICATIONS.
 - RIP-RAP TO BE SUPPLIED AND INSTALLED IN ACCORDANCE WITH SECTION A 12 IN THE SPECIFICATIONS.
 - CONTRACTOR TO ARRANGE A PRE-CONSTRUCTION MEETING WITH THE ENGINEER, DRAINAGE SUPERVISOR, AND THE AFFECTED OWNERS. ALL PARTIES SHALL RECEIVE 48 HOURS NOTICE TO THE MEETING.
- CLOSED PORTIONS**
- ALL PIPE TO CONFORM TO SECTION C 1 IN THE SPECIFICATIONS.
 - SEWER PIPE TO BE CONCRETE, H D B E PLASTIC 310 MPA (BELL & SPIGOT WITH RUBBER GASKETS, CONFORMING TO C.S.A. 1016-08), PVC ULTRA R B OR PVC SDR 35.
 - ALL CAT-BASINS SHALL BE SUPPLIED AND INSTALLED IN ACCORDANCE WITH SECTION C 16 IN THE SPECIFICATIONS.
 - EXACT LOCATION OF NEW DRAIN TO BE DETERMINED AT THE TIME OF CONSTRUCTION BY DRAINAGE SUPERVISOR OR ENGINEER.
 - SLIT FENCE TO BE PLACED ACROSS DITCH BOTTOM AT STA. 0+020 DURING CONSTRUCTION TO PREVENT SLIT FROM FLASHING DOWNSTREAM AND ARE TO BE MAINTAINED AS NECESSARY DURING CONSTRUCTION. SLIT FENCE AND SLIT TO BE REMOVED AND DISPOSED OF AFTER CONSTRUCTION.

- OPEN PORTIONS**
- DITCH TO BE CONSTRUCTED IN ACCORDANCE WITH SPECIFICATIONS UNLESS OTHERWISE NOTED ON PROFILES AND IN SECTIONS.
 - A 3 METER WIDE BUFFER STRIP OF NEW OR EXISTING VEGETATION BETWEEN THE TOP OF THE BANK AND THE CULTIVATED LANDS ON BOTH SIDES OF THE DITCH SHALL BE MAINTAINED AS PART OF THE OPEN PORTION OF THE DRAIN.
 - NEWLY EXPOSED DITCH BANKS ARE TO BE HAND SEEDED UPON COMPLETION OF CONSTRUCTION IN ACCORDANCE WITH SECTION B 11 IN THE SPECIFICATIONS.

SHAW BRANCH OF THE FACEY EAST DRAIN

Chatham-Kent Municipality of Chatham-Kent

Storage Submittal

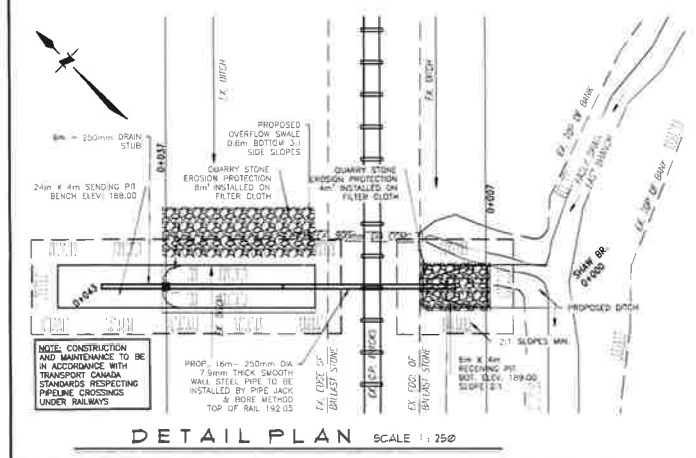
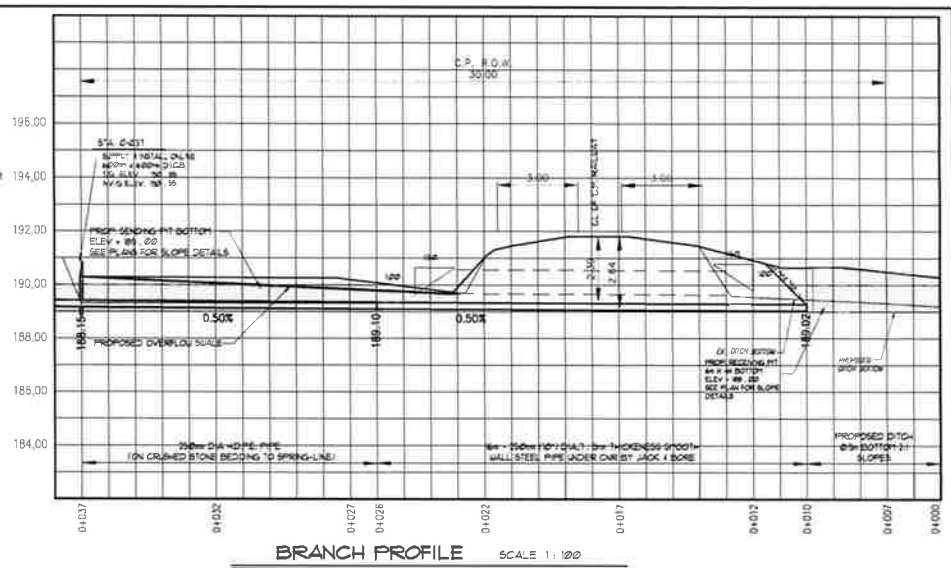
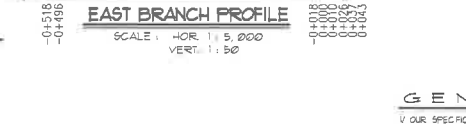
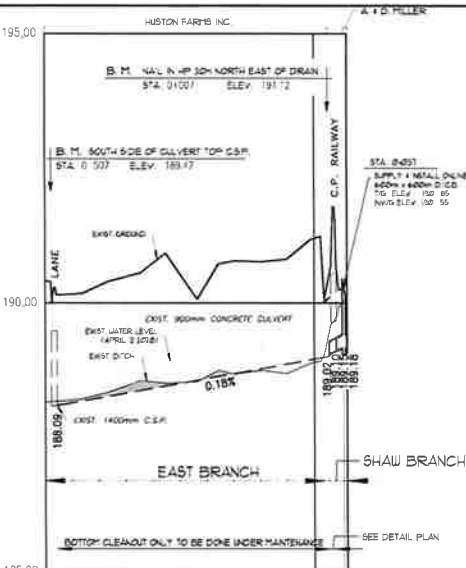
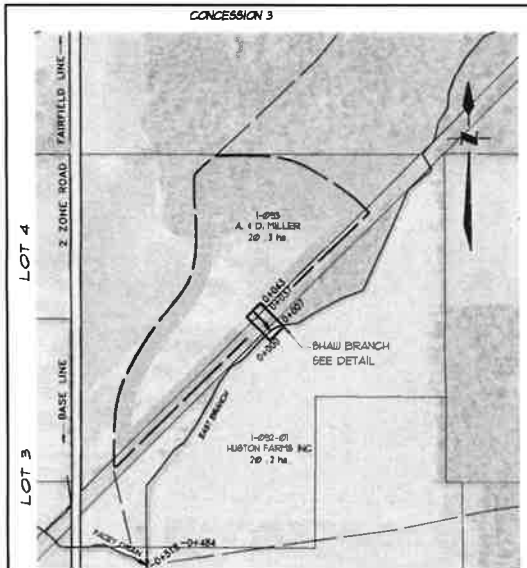
BLAISE CHEVALIER
519-360-1938

REV.	REVISIONS	DATE

Drawn By: JUS No. 220060
Date: FEB. 19 2021
Field Book: GPS-RTG

PLAN, PROFILE & DETAIL 1 of 1

SPRIET ASSOCIATES LIMITED
LONDON CONSULTING ENGINEERS
725 YORK STREET - 2ND FLOOR LONDON ONTARIO N6A 1K6
(519) 572-4100 FAX (519) 572-4101



GENERAL NOTES

- OUR SPECIFICATIONS DATED JANUARY 2000 APPLY TO THIS PROJECT.
- THE WORKING WIDTH AVAILABLE TO THE CONTRACTOR TO CONSTRUCT THE NEW DRAINS SHALL CONSIST OF THOSE LANDS IMMEDIATELY ADJACENT TO THE DRAIN AND CONNECTIONS AND SHALL NOT EXCEED THE FOLLOWING AVERAGE WIDTHS:
 - OPEN PORTIONS = 18 meters (INCLUDING 3m BUFFER)
 - CLOSED PORTIONS = 15 meters
- THE WORKING WIDTH FOR PURPOSES OF FUTURE MAINTENANCE SHALL BE 10m.
- ALL OWNERS ALONG THE COURSE OF THE DRAIN SHALL MAKE AN ACCESS ROUTE FROM THE NEAREST ROAD TO THE DRAIN LOCATION AVAILABLE TO THE CONTRACTOR THE AVERAGE WIDTH OF THIS ROUTE SHALL NOT EXCEED 8 METERS. THE ACCESS ROUTE SHALL ALSO APPROPRIATE FOR FUTURE MAINTENANCE PURPOSES.
- ALL UTILITIES TO BE LOCATED AND EXPOSED PRIOR TO CONSTRUCTION SO THAT THE NEW TILE GRADES CAN BE CONFIRMED. IF THERE IS A CONFLICT IN ELEVATION BETWEEN THE PROPOSED DRAIN AND THE UTILITY, THE ENGINEER IS TO BE NOTIFIED IMMEDIATELY.
 - BY CONTRACTOR TO NOTIFY ALL UTILITIES 72 HOURS PRIOR TO HIS SCHEDULED TIME FOR STARTING THE ABOVE WORK.
 - THE COST FOR THIS WORK SHALL BE INCLUDED IN THE BID ON THE EXTENT OF WORK AND NO EXTRA PAYMENT SHALL BE MADE TO THE CONTRACTOR, EXCEPT IF ROAD RESTORATION IS REQUIRED.
- ALL TREES, SCRUBS, BRUSH, ETC. TO BE CLEARED AND GRUBBED IN ACCORDANCE WITH SECTION B.3 AND C.4 SPECIFICATIONS.
- RIP-RAP TO BE SUPPLIED AND INSTALLED IN ACCORDANCE WITH SECTION 4.12 IN THE SPECIFICATIONS.
- CONTRACTOR TO ARRANGE A PRE-CONSTRUCTION MEETING WITH THE ENGINEER, DRAINAGE SUPERINTENDENT AND THE AFFECTED OWNERS. ALL PARTIES SHALL RECEIVE 48 HOURS NOTICE TO THE MEETING.
- CLOSED PORTIONS
- ALL PIPE TO CONFORM TO SECTION C.11 IN THE SPECIFICATIONS.
 - SEWER PIPE TO BE CONCRETE H.D.P.E. PLASTIC 300 RPA (BELL 150) WITH RUBBER GASKETS, CONFORMING TO C.S.A. 606-081, PVC ULTRA RIB OR PVC 500R 33.
- ALL CATCH-BASINS SHALL BE SUPPLIED AND INSTALLED IN ACCORDANCE WITH SECTION C.16 IN THE SPECIFICATIONS.
- EXACT LOCATION OF NEW DRAIN TO BE DETERMINED AT TIME OF CONSTRUCTION BY DRAINAGE SUPERINTENDENT OR ENGINEER.
- SILT FENCE TO BE PLACED ACROSS DITCH BOTTOM AT STA. 0 + 920 DURING CONSTRUCTION TO PREVENT SILT FROM FLOWING DOWNSTREAM AND ARE TO BE MAINTAINED AS NECESSARY DURING CONSTRUCTION. SILT FENCE AND SILT TO BE REMOVED AND DISPOSED OF AFTER CONSTRUCTION.

- OPEN PORTIONS**
- DITCH TO BE CONSTRUCTED IN ACCORDANCE WITH SPECIFICATIONS UNLESS OTHERWISE NOTED ON PROFILES AND IN SECTIONS.
 - A 3 METER WIDE BUFFER STRIP OF NEW EXISTING VEGETATION BETWEEN THE TOP OF THE BANK AND THE CULTIVATED LANDS ON BOTH SIDES OF THE DITCH SHALL BE MAINTAINED AS PART OF THE OPEN PORTION OF THE DRAIN.
 - NEULY EXPOSED DITCH BANKS ARE TO BE HAND SEEDING UPON COMPLETION OF CONSTRUCTION IN ACCORDANCE WITH SECTION B.11 IN THE SPECIFICATIONS.

SHAW BRANCH OF THE FACEY EAST DRAIN

Chatham-Kent Municipality of Chatham-Kent

Drainage Superintendent: BLAISE CHEVALIER
513-360-1938

No.	REVISIONS	DATE

Drawn By: NAR Field Book: GPS/RTS Job No: 220260 Drawing No: 1 of 1

DATE: FEB. 16, 2007

PLAN, PROFILE & DETAIL

SPRIET ASSOCIATES LIMITED
LONDON CONSULTING ENGINEERS

100 - 1000 BROADVIEW AVE. TORONTO, ONT. M6K 3K7
TEL: (416) 491-1100 FAX: (416) 491-1101

THIS IS EXHIBIT " AA TO THE AFFIDAVIT OF
BLAISE CHEVALIER , SWORN ON THE 2ND DAY OF
APRIL, 2024.

Digitally signed by
Lynn Kalp
Date: 2024.04.02
17:53:54 -0500

A COMMISSIONER, ETC.

**Linda Marie Kalp, a Commissioner, etc.
Province of Ontario, for the
Municipality of Chatham-Kent.
Expires August 31, 2026.**



Municipality of Chatham-Kent
Infrastructure and Engineering Services
Drainage Department
315 King St. West.
P.O. Box 640 Chatham, Ontario N7M 5K8
Tel: 519.360.1998 Fax: 519.436.3240

NOTICE OF CONSIDERATION FOR THE REPORT OF THE ENGINEER

You are hereby notified that the Engineer, J. M. Spriet, P. Eng, of Spriet Associates London Limited, appointed to this drain, did on February 19, 2021, file a report proposing the construction of the **Shaw Branch of the Facey East Drain** in the Community of **Zone**. The estimated cost of the drainage work is \$36,500.00. The assessment against your land and your compensation allowances, if any, are shown in the attached report.

The Drainage Board of the Municipality of Chatham-Kent will meet:

DATE: Tuesday, **March 16, 2021**

TIME: **6:15 P.M.**

GoTo Webinar: <https://attendee.gotowebinar.com/register/4793279572906323980>
(see attachment for instructions, please keep for future meetings)

Due to COVID-19 this meeting is being held electronically, appeals must be served in writing to the Drainage Division of the Municipality of Chatham-Kent at least five (5) days prior to the Consideration stating the reason for the appeal. Call for questions or instructions to appeal.

APPEALS AGAINST ASSESSMENT ARE NOT CONSIDERED AT THIS MEETING.

If the report is adopted, you will receive a copy of the provisionally adopted by-law indicating the assessments and notifying you of the date of the first sitting of the Court of Revision. You are hereby requested to take notice that the proposed work included in the report will be commenced after all appeals have been finally resolved.

DATED at the Municipality of Chatham-Kent this 22th day of February, 2021.

Ann Ford
Drainage Analyst
519.352.8401, Ext. 3311

Brigan Barlow

Digitally signed by Brigan Barlow
Date: 2021.02.22 14:41:30 -05'00'

Brigan Barlow
Manager Drainage Services
Ext. 3320

365031000326400
CANADIAN PACIFIC RAILWAY
C/O PROPERTY TAX DEPARTMENT
1290 CENTRAL PKY W FLR 8TH
MISSISSAUGA ON L5C 4R3

365031000109201
HUSTON FARMS INC
C/O LARRY HUSTON
30087 BRICK RD
THAMESVILLE ON NOP 2K0

365031000109300
MILLER ALEX FRANK
MILLER DARLENE ELLEN
29403 FLORENCE RD
THAMESVILLE ON NOP 2K0

Hydro One Networks Inc
Real Estate Services
Land Use Planning
Attention: Paul Dockrill
PO Box 4300
MARKHAM ON L3R 5Z5

Ministry of Agriculture, Food and Rural Affairs
Att: Drainage Unit
3rd Floor, 1 Stone Road W
GUELPH ON N1G 4Y2

Email, Bell
rachel.marks@bell.ca
aaron.kovacs@bell.ca

Email, Chatham-Kent Public Utilities Commission
Ckamfm@chatham-kent.ca

Email, Public Works

Email, Lower Thames Valley Conservation Authority
Jason.homewood@ltvca.ca
(Valerie.towsley@ltvca.ca
colin.little@ltvca.ca) Elizabeth.Phillip@ltvca.ca
100 Thames Street
CHATHAM ON N7L 2Y8

Email, Entegrus Services
Attention: Engineering
email - Gary.Aitken@entegrus.com
320 Queen St
CHATHAM ON N7M 5K2

Email, Union Gas
Attention: Mike Cincurak
3840 Rhodes Drive
PO Box 700
WINDSOR ON N9A 6N7

Email, Engie Canada (Wind Farm)
andrew.clifford@engie.com
Attention: Andrew Clifford, East Lake St Clair Wind

Email, Pattern Energy (Wind Farm)
kevin.aikenhead@patternenergy.com
Attention: Kevin Aikenhead

Canadian Pacific Railway
Attention: Rhael Lemenin
2025 McCowan Road
SCARBOROUGH ON M1S 5K3

✓ Email, Enbridge
John.Bridges@enbridge.com

Email, Ministry of Natural Resources and Forestry
mnr.f.a.y.l@ontario.ca

Email, (DFO) Fisheries Protection
fisheriesprotection@dfo-mpo.gc.ca

Notice of Consideration

Mailed: February 22, 2021

Via: Canada Post

Ann Ford, Drainage Analyst

THIS IS EXHIBIT " BB TO THE AFFIDAVIT OF
BLAISE CHEVALIER , SWORN ON THE 2ND DAY OF
APRIL, 2024.

Digitally signed by Lynn
Kalp
Date: 2024.04.02 13:54:29
UTC-04'
Lynn Kalp

A COMMISSIONER, ETC.

**Linda Marie Kalp, a Commissioner, etc.
Province of Ontario, for the
Municipality of Chatham-Kent.
Expires August 31, 2026.**

**Municipality of Chatham-Kent
Recommendations of the Drainage Board
To
Chatham-Kent Council**

Drainage Board Meeting – March 16, 2021

Members present were Chairman Brian Anderson, Vice Chairman Grant Guy, Second Vice Chairman Ron Gelderland, members Louis Roesch, Scott McGeachy, and Steve Gleeson.

A summary of the recommendations of the Board with respect to the drainage matters considered at the March 16, 2021 meeting are set forth below.

Summary of Recommendations of the Drainage Board

1. Ousterhout Drain
Community of Howard

That 3rd and final reading be given to the By-law with respect to the Ousterhout Drain.

2. Vic Pyne Drain
Community of Howard

That 3rd and final reading be given to the By-law with respect to the Vic Pyne Drain.

3. Urquhart Drain and Pump Works
Community of Dover

That 3rd and final reading be given to the By-law with respect to the Urquhart Drain and Pump Works.

4. Reaume-Peltier Pump
Community of Tilbury East

That the Engineer's report on the Reaume-Peltier Pump dated December 10, 2020 be adopted as presented and Council give 1st and 2nd reading to the By-law with respect to the Reaume-Peltier Pump.

5. Poppe Drainage System
Community of Tilbury East

That the Engineer's report on the Poppe Drainage System dated December 10, 2020 be adopted as presented and Council give 1st and 2nd reading to the By-law with respect to the Poppe Drainage System.

6. Shaw Branch of the Facey East Drain
Community of Zone

That the Engineer's report on the Shaw Branch of the Facey East Drain dated February 19, 2021 be adopted as presented and Council give 1st and 2nd reading to the By-law with respect to the Shaw Branch of the Facey East Drain.

That the following engineering appointments be approved:

- Burgess Drain – Spriet Associates London Limited,
- Section 4 Moore Road Drain – Spriet Associates London Limited,
- Section 4 Duffus Drain – Spriet Associates London Limited,
- Allen Pump Works – Spriet Associates London Limited,
- Section 4 Knotts Creek Branch Drain – M. Gerrits Consulting Inc.,
- Malott Drain – M. Gerrits Consulting Inc.,
- Section 4 Road Petition West Branch Larsh Drain Extension – Spriet Associates London Limited
- Section 4 Road Petition Rammelaere Drain East Branch – Spriet Associates London Limited.

THIS IS EXHIBIT " CC" TO THE AFFIDAVIT OF
BLAISE CHEVALIER , SWORN ON THE 2ND DAY OF
APRIL, 2024.

Digitally signed by Lynn
Kalp
Date: 2024.04.02
12:25:58 -0400

Lynn Kalp

A COMMISSIONER, ETC.

**Linda Marie Kalp, a Commissioner, etc.
Province of Ontario, for the
Municipality of Chatham-Kent.
Expires August 31, 2026.**



Chatham-Kent

Municipality of Chatham-Kent Council Agenda – Electronic Meeting

Monday, March 22, 2021
6:00 P.M.

A livestream of the electronic Council Meeting will be available at:

- [Chatham-Kent's Facebook Page](#)
- [YourTV CK's Facebook Page](#)
- [YourTV CK's YouTube Channel](#)

1. [Call to Order](#)

2. [Land Acknowledgement](#)

3. [Land Acknowledgement](#)

4. [Approval of Supplementary Agenda](#)

5. [Disclosures of Pecuniary Interest \(Direct or Indirect\) for Closed Session Agenda Items and the General Nature There Of](#)

6. [Recess to Closed Session - 4:00 p.m.](#)

Councillor Carmen McGregor, Closed Session Chair

That Council moved into a Closed Session Meeting of Council pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reasons:

7. [Disclosures of Pecuniary Interest \(Direct or Indirect\) for Open Session Agenda Items and the General Nature There Of](#)

8. [Recognition](#)

- a. [Recognition of the 2020 Accessibility Advisory Committee Award Winners \(presented by Mike Gerard, Chair\)](#)

9. [Deputations – items on current agenda](#)




As per By-law 113-2020: 3.10(g) -- Unless otherwise approved by the Chair, an Electronic Meeting shall not permit public deputations, except by way of electronic submission received in advance of the meeting, which shall be submitted to the Municipal Clerk's office at ckclerk@chatham-kent.ca prior to 3:00 p.m. the day of the meeting, and shall be provided to members in advance of the meeting if possible. The Clerk shall verbally read out the written deputation at the beginning of the meeting;

10. [Consent Agenda](#)






11. [Council Meeting Minutes](#)

- a. [Council Meeting Minutes from its meeting held on March 1, 2021](#)
- b. [Council Meeting Minutes from its meeting held on March 8, 2021](#)







12. [Committee Reports](#)

- a. [Library Board Minutes from its meeting held on December 15, 2020](#) 
- b. [Blenheim Landfill Liaison Committee minutes from its meeting held on December 8, 2020](#) 
- c. [Ridge Landfill Liaison Committee minutes from its meeting held on December 8, 2020](#) 
- d. [Drainage Board Recommendations from its meeting held on March 16, 2021](#) 




13. **Information Reports**

- a. [2020 Statement of Remuneration & Expenses for Elected and Appointed Officials](#) 
- b. [Chatham-Kent Accessibility Advisory Committee 2020-2021 Accessibility Report and Terms of Reference](#) 
- c. [Activities, Leisure, and Learning \(A.L.L.\) for Kids Program Changes](#) 
- d. [Provincial Child Care and Early Years Funding Re-Investment](#) 
- e. [Community Engagement Survey Results](#) 


14. **Tender Awards**



















- a. [Tender Award: Contract T20-361 – Sinclair Line over Nesbitt Drain Culvert Replacement, Community of Harwich](#) 
- b. [Structural steel repairs to the Tupperville Bridge over the Sydenham River – Community of Tupperville](#) 
- c. [Tender Award: Contract T20-359 Dauphin Road Bridge over Dauphin Internal Drain – Bridge Rehabilitation, Community of Tilbury East](#) 
- d. [Contract T21-110 Road Crack Cleaning and Sealing](#) 
- e. [Tender Award – R21-161 Architectural Services – New Public Works Garage, 25 Creek Road, Chatham](#) 
- f. [Tender Award: Contract T20-342 Third Street Bridge over the Thames River – Bridge Rehabilitation, Community of Chatham](#) 

15. **Public Utilities Commission**

- a. [2020 Summary Reports for Drinking Water and Wastewater Systems](#) 
- b. [Preliminary Assessing By-law for George Street Sanitary Sewer Project \(Community of Merlin\)](#) 
- c. [Erieau Road & Bisnett Line Waterline Project and Assessing By-law for \(Community of Blenheim\)](#) 

16. **Community Development**

- a. [CKY – CK to the Power of Youth People Advisory Group Update \(presentation by Victoria Bodnar, Coordinator Resident Attraction & Retention and Morena McDonald, CKY Co-Chair\)](#) 

- b. [Chatham-Kent Community Improvement Plan Property Tax Increment Equivalent Grant Application PL202100066 – 2389170 Ontario Limited, 7 McGregor Place, Community of Chatham \(City\)](#) 
- 17. Corporate Services**
- a. [Njoyn Applicant Tracking System and Employee Recruitment \(presentation by Lucas Chambers, Manager Talent Acquisition & Development\)](#) 
- b. [Customer Relationship Management \(CRM\) Platform Implementation](#) 
- c. [Appointment By-laws](#) 
- d. [Motion by Councillor Ceccacci re Annual Day Sales Licence](#) 
- 18. Fire and Emergency Services**
- a. [Community Paramedicine for LongTerm Care](#) 
- 19. Finance, Budget, Information Technology and Transformation**
- a. [2020 Request for Encumbrance Reserve](#) 
- b. [Municipal Owned Halls – Covid-19](#) 
- c. [Farm Tax Ratio](#) 
- d. [Motion by Councillor Bondy re External Audit of Staffing Levels and Departmental Structures](#) 
- 20. Infrastructure and Engineering Services**
- a. [Revisions to the Special Events manual and Municipal Alcohol Policy](#) 
- b. [Ministry of Transportation Safe Restart Program Funding – Transit](#) 
- c. [2021 Proposed Engineering Lifecycle Reserve Projects](#) 
- d. [Motion by Councillor Ceccacci re Blenheim Dog Park](#) 
- e. [Motion by Councillor Kirkwood-Whyte re McDougall Line Bridge](#) 
- 21. Notices of Motion**
- a. [Presentation of new Notices of Motion](#)
- 22. Closed Session Reports** 
- 23. Approval of Communication Items**
- a. [Approval of the March 22, 2021 Council Information Package](#) 
- 24. Non Agenda Business**
- 25. Reading of By-law**
- a. [First Reading](#)
- b. [Second Reading](#) 
- i. [By-law to provide for drainage work in the Municipality of Chatham-Kent for the Reaume-Peltier Pump, Community of Tilbury East –](#)

First and Second Reading Only

- ii. By-law to provide for drainage work in the Municipality of Chatham-Kent for the Poppe Drainage System, Community of Tilbury East – First and Second Reading Only
 - iii. By-law to provide for drainage work in the Municipality of Chatham-Kent for the Shaw Branch of the Facey East Drain, Community of Zone – First and Second Reading Only
- c. Council to go into Committee, if Required, to Discuss By-law
- d. Resumption of Council
- e. Third and Final Reading
- i. By-law to authorize the construction of sanitary sewer works and the imposition of a sanitary sewer rate for the payment of the capital cost of the construction of such sanitary works; George Street Sanitary Sewer Project (Community of Merlin)
 - ii. By-law to authorize the construction of a water works and the imposition of a water rate for the payment of the capital cost of the construction of such water works; Erieau Road & Bisnett Line Waterline Project)
 - iii. By-law to amend By-law 16-2020 to provide Appointment of By-law Enforcement Officers for The Corporation of the Municipality of Chatham-Kent
 - iv. By-law to amend By-law 46-2020 to provide staff appointment of a Weed Inspector for The Corporation of the Municipality of Chatham-Kent
 - v. By-law to authorize the execution of the transfer payment agreement for the Safe Restart Agreement (SRA – Phase 1, 2 and 3) between Her Majesty the Queen in the Right of the Province of Ontario Represented by the Minister of Transportation for the Province of Ontario and the Municipality of Chatham-Kent
 - vi. By-law to confirm proceedings of the Council of The Corporation of the Municipality of Chatham-Kent at its meeting held on the 22nd day of March, 2021

26. Resolution Council in Closed Session & Adjournment

THIS IS EXHIBIT " DD " TO THE AFFIDAVIT
OF BLAISE CHEVALIER , SWORN ON THE 2ND DAY
OF APRIL, 2024.

Digitally signed by
Lynn Kalp
Date: 2024.04.02
18:22:28-04:00

A COMMISSIONER, ETC.

**Linda Marle Kalp, a Commissioner, etc.
Province of Ontario, for the
Municipality of Chatham-Kent.
Expires August 31, 2026.**

NOTICE OF COURT OF REVISION ON DRAINAGE WORKS

DRAIN: Shaw Branch of the Facey East Drain (Community of Zone)

NOTICE: is hereby given that the sitting of the Court of Revision is scheduled for:

DATE: Tuesday, **May 4, 2021**

TIME: **6:00 P.M.**

LOCATION: <https://attendee.gotowebinar.com/register/7072289001941984525>
(see instructions sent previously)

For hearing appeals made against the assessments indicated in the attached by-law, in the manner provided in the Drainage Act, R.S.O. 1990.

Due to COVID-19 this meeting is being held electronically, assessment appeals must be served in writing to the Drainage Division of the Municipality of Chatham-Kent at least ten (10) days prior to the Court of Revision stating the reason for the appeal. Call for questions or instructions to appeal.

Any person not satisfied with the decision of the Court of Revision may appeal to the Ontario Drainage Tribunal by serving notice on the Director of Drainage, Asset and Waste Management for the Municipality of Chatham-Kent, Mr. Tim Dick, within twenty-one (21) days of the decision of the Court.

DATED at the Municipality of Chatham-Kent this 12th day of April, 2021.



Ann Ford
Drainage Analyst
519.352.8401, Ext. 3311

Brigan Barlow Digitally signed by Brigan Barlow
Date: 2021.04.12 10:04:26 -04'00'

Brigan Barlow
Manager of Drainage Services
Ext. 3320

By-law Number _____

Of The Corporation
of the Municipality of Chatham-Kent

A By-law to provide for drainage work in the Municipality of Chatham-Kent for the Shaw Branch of the Facey East Drain (Community of Zone)

Finally Passed the ____ day of _____, 2021.

Whereas a requisite number of owners have petitioned the Council of the Municipality of Chatham-Kent in accordance with the provisions of The Drainage Act requesting that the Shaw Branch of the Facey East Drain be constructed and be provided with a sufficient outlet.

And Whereas the Council of the Municipality of Chatham-Kent has procured a Report made by Spriet Associates London Limited, dated February 19, 2021.

And Whereas the estimated total cost of constructing the drainage work is \$36,500.00.

And Whereas \$36,500.00 is the amount to be contributed by the Municipality of Chatham-Kent for construction of the drainage works.

Be it Therefore Enacted by the Municipal Council of the Municipality of Chatham-Kent, pursuant to the provisions of The Drainage Act and amendments thereto as follows:

1. That the Report is hereby adopted and shall be completed in accordance therewith.
2. (1) The Corporation of the Municipality of Chatham-Kent may borrow on the credit of the Corporation the amount of \$36,500.00 being the amount necessary for construction of the drainage works.
(2) The Council may authorize the borrowing of monies towards the construction by the issuance and sale of debentures. Pending the sale of the debentures, Council authorizes the Mayor and Treasurer to make such temporary borrowing as may be required in order to meet the payments due to the vendors.
(3) The Corporation may issue debentures for the amount borrowed less the total amount of,
 - (a) Grants received under Section 85 of the Act;
 - (b) Commuted payments made in respect of lands and roads assessed within the municipality;
 - (c) Monies assessed in and payable by another municipality, and such debentures shall be made payable within five years from the date of the debenture and shall bear interest at a rate not higher

than the rate charged by the Ontario Municipal Improvement Corporation on the date of sale of such debenture.

- (4) A special equal annual rate sufficient to redeem the principal and interest on the debentures shall be levied upon the lands and roads as set forth in Schedule "A" hereto attached to be collected in the same manner and at the same time as other taxes are collected in each year for five years after the passing of this by-law.
- (5) For paying the amount of nil being the amount assessed upon the lands and roads belonging to or controlled by the municipality, a special rate sufficient to pay the amount assessed plus interest thereon shall be levied upon the whole rateable property in the Municipality of Chatham-Kent in each year of five years after the passing of this by-law to be collected in the same manner and at the same time as other taxes are collected.
- (6) All assessments of \$500.00 or less are payable in the first year in which the assessment is imposed.
- (7) This by-law comes into force on the passing thereof and may be cited as the Shaw Branch of the Facey East Drain By-law.

This By-law shall come into full force and effect upon the final passing thereof.

Read a First and Second Time, Provisionally adopted this 22nd day of March, 2021

Read a Third Time, Enacted this ____ day of _____, 2021

Mayor – Darrin Canniff

Clerk - Judy Smith

SCHEDULE 'A' - ALLOWANCES

SHAW BRANCH OF THE FACEY EAST DRAIN

Municipality of Chatham - Kent
Community of Zone

In accordance with Sections 29 and 30 of the Drainage Act, we determine the allowances payable to owners entitled thereto as follows:

CONCESSION	LOT	ROLL NUMBER (Owner)	Section 29 Right-of-Way	Section 30 Damages	TOTALS
SHAW BRANCH					
3	Pt.3 & 4	1-092-01 (Huston Farms Inc.)	\$ 140.00	\$ 160.00	\$ 300.00
3	Pt.3 & 4	1-093 (A. & D. Miller)	40.00	230.00	270.00
Total Allowances			\$ 180.00	\$ 390.00	\$ 570.00
TOTAL ALLOWANCES ON THE SHAW BRANCH					\$ 570.00
TOTAL ALLOWANCES ON THE SHAW BRANCH OF THE FACEY EAST DRAIN					\$ 570.00

SCHEDULE 'C' - ASSESSMENT FOR CONSTRUCTION

SHAW BRANCH OF THE FACEY EAST DRAIN

Municipality of Chatham - Kent

Community of Zone

Job No. 220060

February 19, 2021

* = *Non-agricultural*

CON.	LOT	HECTARES AFFECTED	ROLL No. (OWNER)	BENEFIT	OUTLET	TOTAL
SHAW BRANCH						
3	Pt.3 & 4		1-092-01 (Huston Farms Inc.)	\$ 300.00	\$	\$ 300.00
3	Pt.3 & 4	9.30	1-093 (A. & D. Miller)	2,870.00	4,731.00	7,601.00
R.O.W.		1.00	3-264 (Canadian Pacific Railway)	5,860.00	2,629.00	8,489.00
TOTAL ASSESSMENT ON LANDS				\$ 9,030.00	\$ 7,360.00	\$ 16,390.00

SPECIAL ASSESSMENT against the Canadian Pacific Railway for the increased cost of a 16m - 250mm dia. Smooth wall steel pipe under their Railway

\$ 20,110.00

TOTAL ASSESSMENT ON THE SHAW BRANCH

\$ **36,500.00**

SCHEDULE 'D' - ASSESSMENT FOR MAINTENANCE

SHAW BRANCH OF THE FACEY EAST DRAIN

Municipality of Chatham - Kent

Community of Zone

Job No. 220060

February 19, 2021

CON.	LOT	HECTARES AFFECTED	ROLL No. (OWNER)	PERCENTAGE OF MAINTENANCE COST
SHAW BRANCH				
3	Pt.3 & 4		1-092-01 (Huston Farms Inc.)	1.3 %
3	Pt.3 & 4	9.3	1-093 (A. & D. Miller)	51.9
R.O.W.		1.0	3-264 (Canadian Pacific Railway)	46.8
				=====
			TOTAL ASSESSMENT ON LANDS	100.0 %
				=====
			TOTAL ASSESSMENT FOR MAINTENANCE OF THE SHAW BRANCH	<u>100.0 %</u>

365031000326400
CANADIAN PACIFIC RAILWAY
C/O PROPERTY TAX DEPARTMENT
1290 CENTRAL PKY W FLR 8TH
MISSISSAUGA ON L5C 4R3

365031000109201
HUSTON FARMS INC
C/O LARRY HUSTON
30087 BRICK RD
THAMESVILLE ON N0P 2K0

365031000109300
MILLER ALEX FRANK
MILLER DARLENE ELLEN
29403 FLORENCE RD
THAMESVILLE ON N0P 2K0

Hydro One Networks Inc
Real Estate Services
Land Use Planning
Attention: Paul Dockrill
PO Box 4300
MARKHAM ON L3R 5Z5

Ministry of Agriculture, Food and Rural Affairs
Att: Drainage Unit
3rd Floor, 1 Stone Road W
GUELPH ON N1G 4Y2

Email, Bell
rachel.marks@bell.ca
aaron.kovacs@bell.ca

Email, Chatham-Kent Public Utilities Commission
Ckamfm@chatham-kent.ca

Email, Public Works

Email, Lower Thames Valley Conservation Authority
Elizabeth.Philip@ltvca.ca
100 Thames Street
CHATHAM ON N7L 2Y8

Email, Entegrus Services
Attention: Engineering
email - Gary.Aitken@entegrus.com
320 Queen St
CHATHAM ON N7M 5K2

Email, Union Gas
Attention: Mike Cincurak
3840 Rhodes Drive
PO Box 700
WINDSOR ON N9A 6N7

Email, Engie Canada (Wind Farm)
andrew.clifford@engie.com
Attention: Andrew Clifford, East Lake St Clair Wind

Email, Pattern Energy (Wind Farm)
kevin.aikenhead@patternenergy.com
Attention: Kevin Aikenhead

Canadian Pacific Railway
Attention: Rhael Lemenin
2025 McCowan Road
SCARBOROUGH ON M1S 5K3

Email, Enbridge
John.Bridges@enbridge.com

Notice of Court of Revision

Mailed: April 12, 2021

Via: Canada Post

Ann Ford, Drainage Analyst

THIS IS EXHIBIT " EE " TO THE AFFIDAVIT
OF BLAISE CHEVALIER , SWORN ON THE 2ND DAY
OF APRIL, 2024.

Digitally signed by Lynn
Kalp
Date: 2024.04.02 12:55:55
-04'00'

A COMMISSIONER, ETC.

**Linda Marie Kalp, a Commissioner, etc.
Province of Ontario, for the
Municipality of Chatham-Kent.
Expires August 31, 2026.**

The Corporation of the Municipality of Chatham-Kent Drainage Board Meeting
held at Chatham-Kent Webinar, Chatham Ontario

May 4, 2021

6:00 P.M.

Call to Order

Members present were Chairman Brian Anderson, Vice Chairman Grant Guy,
members Louis Roesch, Scott McGeachy, and Steve Gleeson.

Scott McGeachy declared a conflict of interest on the Fenton Farms Drain.

Court of Revision

1. Shaw Branch of the Facey East Drain Community of Zone – 6:19 P.M.

Brigan Barlow, Manager, Drainage Services, reported that no written or verbal
appeals had been received.

John M. Spriet stated he had received no appeals.

Louis Roesch moved, Scott McGeachy seconded: **“That the Schedule of
Assessment published in the report dated February 19, 2021 on the Shaw
Branch of the Facey East Drain be adopted and the Court of Revision on
the Shaw Branch of the Facey East Drain be closed.”**

Motion Carried

**Municipality of Chatham-Kent
Recommendations of the Drainage Board
To
Chatham-Kent Council**

RE: Drainage Board Meeting – May 4, 2021

Members present were Chairman Brian Anderson, Vice Chairman Grant Guy, members Louis Roesch, Scott McGeachy, and Steve Gleeson.

Scott McGeachy declared a conflict of interest on the Fenton Farms Drain and did not participate in voting on that drain decision.

A summary of the recommendations of the Board with respect to the drainage matters considered at the May 4, 2021 meeting are set forth below. The provisional by-laws are found elsewhere in the agenda.

Summary of Recommendations of the Drainage Board

1. Reaume-Peltier Pump
Community of Tilbury East

That 3rd and final reading be given to the By-law with respect to the Reaume-Peltier Pump.

2. Poppe Drainage System
Community of Tilbury East

That 3rd and final reading be given to the By-law with respect to the Poppe Drainage System.

3. Shaw Branch of the Facey East Drain
Community of Zone

That 3rd and final reading be given to the By-law with respect to the Shaw Branch of the Facey East Drain.

4. Burgess Drain Realignment
Community of Chatham Township

That the Engineer's report on the Burgess Drain Realignment dated April 6, 2021 be adopted as presented and Council give 1st and 2nd reading to the By-law with respect to the Burgess Drain Realignment.

5. Fenton Farms Drain
Community of Orford

That the Engineer's report on the Fenton Farms Drain dated April 6, 2021 be adopted as presented and Council give 1st and 2nd reading to the By-law with respect to the Fenton Farms Drain.

6. Ted Teetzel Drain & Branches
Community of Orford

That the Engineer's report on the Ted Teetzel Drain & Branches dated January 7, 2021 be adopted as presented and Council give 1st and 2nd reading to the By-law with respect to the Ted Teetzel Drain & Branches.

7. Foxton Drain Guttridge Branch and Foxton Drain
Community of Raleigh

That the Engineer's report on the Foxton Drain Guttridge Branch and Foxton Drain dated April 8, 2021 be adopted as presented and Council give 1st and 2nd reading to the By-law with respect to the Foxton Drain Guttridge Branch and Foxton Drain.

That the following engineering appointments be approved: Taylor Drain – Spriet Associates London Limited, Hartford Mead Drain – Spriet Associates London Limited, DeCow Drain – Spriet Associates London Limited, Ellewood Drain – Spriet Associates London Limited, and Crowell Creek South Branch Drain - Spriet Associates London Limited.



The Corporation of the Township of Madoc

15651 Highway 62, P.O. Box 503, Madoc, Ontario K0K 2K0

www.madoc.ca

613-473-2677

Fax: 613-473-5580

The Honourable Sylvia Jones
Solicitor General
George Drew Bldg, 18th Flr
25 Grosvenor Street
Toronto, Ontario
M7A 1Y6

Re: Town of Tecumseh Resolution on 911 misdials

Please be advised that the Township of Madoc Council passed the following motion to support the resolution of the Town of Tecumseh regarding 911 misdials, attached.

Motion # 20-31

Moved by: Councillor Rowe

Seconded by: Deputy Reeve Rollins

That Council direct the Clerk/Planning Coordinator to write a letter of support regarding 911 misdials

-Carried-

Sincerely,

A handwritten signature in black ink, appearing to read 'Amanda Cox'.

Amanda Cox
Clerk/Planning Coordinator
Township of Madoc



The Corporation of the Town of Tecumseh

December 20, 2019

Hon. Sylvia Jones
Solicitor General
George Drew Bldg, 18th Flr
25 Grosvenor Street
Toronto, Ontario
M7A 1Y6

Re: Town of Tecumseh Resolution on 911 Misdials

On behalf of Mayor Gary McNamara and Town Council, I am writing to advise that at its meeting on November 12, 2019, Tecumseh Town Council passed the following resolution:

Whereas the calls for service for 911 Misdials have risen dramatically in recent years, correlated with the rise in cell phone use; and

Whereas 911 Misdials must be responded to as if they were legitimate emergency calls; and

Whereas each 911 call is responded to with two OPP officers at an average time per call of 1.2 hours; and

Whereas each 911 call is a billable call to the municipality; and

Whereas in 2019 alone to date, 911 Misdials in Tecumseh number 1,082 calls, which is 28.8% of all billable calls for service to date; and

Whereas 911 Misdials are not unique to Tecumseh and in fact are common across the Province at an estimated cost of millions of dollars;

Now Therefore Be It Resolved That the Municipal, Federal and Provincial governments and relevant associations, including but not limited to, the Ontario Association of Police Services Boards (OAPSB), the Ontario Association of Chiefs of Police (OACP), the Federation of Canadian Municipalities (FCM) and the Association of Municipalities of Ontario (AMO), be requested to lobby the telecommunications industry and smart phone manufacturers to develop a solution to 911 Misdials.

A copy of the report to Town Council (CAO-2019-09) on 911 Misdials is attached for your information. Should you require anything further, please contact the undersigned at lmoy@tecumseh.ca or extension 116.

Yours very truly,



Laura Moy, Dipl.M.M., CMMIII HR Professional
Director Corporate Services & Clerk

LM/ep

Attachments

1. Report CAO-2019-09 911 Misdials

cc: Hon. Bill Blair, Minister of Public Safety and Emergency Preparedness
Irek Kusmierczyk, MP
Percy Hatfield, MPP
Federation of Canadian Municipalities
Association of Municipalities of Ontario
Ontario Association of Police Services Boards
Ontario Association of Chiefs of Police
Ontario Municipalities
Telus
Bell
Rogers

February 11, 2020

The Honourable Jeff Yurek
Minister of Environment, Conservation and Parks
College Park 5th Floor, 777 Bay Street
Toronto, ON M7A 2J3

Re: Resolution to Support Role of Conservation Authorities

Please be advised the Council of the Municipality of Chatham-Kent at its regular meeting held on February 10, 2020 passed the following resolution:

Whereas the Lower Thames Valley Conservation Authority and the St. Clair Region Conservation Authority and other Conservation Authorities have been protecting people and conserving and restoring watersheds with local communities for over 50 years, and

Whereas municipalities must work together to ensure resilient and healthy watersheds for residents, and

Whereas Conservation Authorities will be important partners in concrete and cost-effective initiatives to address the climate change,

Therefore be it Resolved: That the Municipality of Chatham-Kent supports the important role Conservation Authorities provide to local communities in delivering watershed management programs.

And that the Municipality of Chatham-Kent circulate that support to municipalities, conservation authorities and the Minister of Environment, Conservation and Parks in Ontario.

If you have any questions or comments, please contact Judy Smith at ckclerk@chatham-kent.ca

Sincerely,



Judy Smith, CMO
Director Municipal Governance
Clerk /Freedom of Information Coordinator

C Ontario Municipalities, LTVCA, SCRCA



February 20, 2020

RE: AMO's position on the Legislative Changes in Bill 132 with respect to the Aggregate Resources Act and the Safe Drinking Water Act.

Please be advised that Township of Puslinch Council, at its meeting held on January 2, 2020, considered the aforementioned topic and subsequent to discussion, the following was resolved:

Resolution No. 2020-010: Moved by Councillor Sepulis and
Seconded by Councillor Bailey

**That Council receives the Intergovernmental item 7.9 Queens Park Update; and
That Council direct staff to send correspondence in support of AMO's position on the
Legislative Changes in Bill 132 with respect to the Aggregate Resources Act and the Safe
Drinking Water Act.**

CARRIED

As per the above resolution, please accept a copy of this correspondence for your information and consideration.

Yours very truly,
Courtenay Hoytfox
Development and Legislative Coordinator

Courtenay Hoytfox

From: AMO Communications <Communicate@amo.on.ca>
Sent: Monday, December 16, 2019 11:17 AM
To: Courtenay Hoytfox
Subject: Queen's Park Update - December 16, 2019

AMO Update not displaying correctly? [View the online version](#) | [Send to a friend](#)
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December 16, 2019

Queen's Park Update

Cannabis

On December 12th, the government amended Ontario Regulation 478/18 under the *Cannabis License Act, 2018*. This opens Ontario's cannabis retail market in 2020. Retail applications begin on January 6, 2020 and the new changes in the regulation include:

- Ceasing the lottery for retail licenses
- Eliminating pre-qualification requirements for retailers
- Allowing licensed producers to open retail store connected to a production facility

On March 2, 2020, the restrictions on the total number of store authorizations permitted in the province will be revoked. Licensed operators will be allowed to have up to 10 stores until September 2020, up to 30 stores until September 2021 and up to 75 stores afterwards. Store applications will only be eligible in municipalities that have opted-in to sell cannabis.

For more information, visit www.agco.ca.

End of the Fall Legislative Session

The Legislative Assembly of Ontario ended its 2019 legislative session on December 12th and is adjourned until February 18, 2020. Here are some short summaries of Bills of municipal interest that have received Royal Assent.

Bill 132, *Better for People, Smarter for Business Act, 2019* – Received Royal Assent on Dec. 10th.

The legislative changes in Bill 132 of most municipal concern are to the *Aggregates Act*. While it is an improvement that a change will require an application process for below water table extraction, rather than just an amendment to a licence, it still allows the province to issue licences for below water table extraction while the *Safe Drinking Water Act*, Section 19 stipulates that owners of municipal drinking water sources are guilty of an offence if they fail to exercise care over a drinking water system, like a well. As aquifers are connected, a decision of the province to allow below water table extraction could lead to contamination of municipal drinking water sources.

Given the conflict between these two Acts, AMO had asked for a concurrent amendment to the *Safe Drinking Water Act* to indemnify Council members for decisions on *Aggregates Act* applications that the province makes. This amendment was not made to the legislation that now has Royal Assent. We believe this will result in municipal councils appealing all provincial decisions on below water table extraction to the Local Planning Appeal Tribunal (LPAT) to show appropriate due diligence.

As well through Bill 132, the *Highway Traffic Act* was amended to allow municipal governments to pass by-laws that will allow some off-road vehicles to be driven on municipal highways.

For more information on this omnibus bill, please refer to AMO's [Bill 132 submission](#).

Bill 138, Plan to Build Ontario Together Act, 2019 – Received Royal Assent on December 10th.

This omnibus Bill accompanied the 2019 Fall Economic Statement and affected 40 statutes. This included:

- Section 26.1 of the *Development Charges Act* is amended and will remove industrial development and commercial development from eligible development types that can be charged.
- Subsection 329 (2) of the *Municipal Act, 2001* and section 291 (2) of the *City of Toronto Act, 2006* has been amended regarding calculating property taxes when the permitted uses of land change.
- The *Supply Chain Management Act* specifies how the broader public sector may carry out supply chain management and procurement. AMO has confirmed that these provisions will not apply to municipalities.
- Section 37 of the *Planning Act* has been amended to set out a process for a person or public body to appeal a community benefits charge by-law to the Local Planning Appeal Tribunal.
- Section 40 (1) of the *Liquor Licence and Control Act* permits municipal councils to designate a recreational area under its jurisdiction to prohibit the possession of liquor.

Bill 136, Provincial Animal Welfare Services Act, 2019 – Received Royal Assent on December 5th.

This bill creates an animal welfare framework. Under the Act, in the event of a conflict between a municipal by-law and the *Provincial Animal Welfare Services Act*, the provision that affords the greater protection to animals will prevail. The legislation

requires an implementation of a full provincial government-based animal welfare enforcement model.

The province has confirmed that all enforcement mechanisms will be performed by them.

Bill 124, Protecting a Sustainable Public Sector for Future Generations Act, 2019

– Received Royal Assent on November 7th.

Under Bill 124, broader public sector employee salary increases will be limited to 1% for the next three years. AMO has been assured that this Act does not apply to employers that are a municipality, a local board as defined in the *Municipal Act*, and persons and organizations that are appointed or chosen under the authority of a municipality.

AMO Contact:

You can contact AMO's Policy Team at policy@amo.on.ca or 416-971-9856.

*Disclaimer: The Association of Municipalities of Ontario (AMO) is unable to provide any warranty regarding the accuracy or completeness of third-party submissions. Distribution of these items does not imply an endorsement of the views, information or services mentioned.



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February 20, 2020

RE: Support for ministers to allow for electronic delegation

Please be advised that Township of Puslinch Council, at its meeting held on January 2, 2020 considered the aforementioned topic and subsequent to discussion, the following was resolved:

Resolution No. 2020-012: Moved by Councillor Bulmer and
Seconded by Councillor Goyda

That Council send a letter of support in principle with respect to the Township of Greater Madawaska's Council resolution to allow for electronic delegations to the Provincial Ministers.

CARRIED

As per the above resolution, please accept a copy of this correspondence for your information and consideration.

Yours very truly,
Courtenay Hoytfox
Development and Legislative Coordinator



Council Resolution Form

Date: 18 Nov 2019 No: Resolution No.261-19
 Moved By: Councillor Rigelhof Seconded by Disposition: CARRIED.
Councillor MacPherson
 Item No: 9.11.1

Description: Support for ministers to allow for electronic delegation

RESOLUTION:

WHEREAS Council has discussed lobbying the provincial ministers to allow for electronic delegation;

AND WHEREAS Council feel that it is unjust to have to attend expensive conferences to be able to have a delegation with Ministers or the Premier;

AND THEREFORE, Council requests that the Ministers and the Premier offer electronic delegations to small and rural Municipalities that do not have sufficient budget to attend conferences;

FURTHERMORE, that this resolution be sent to all Ontario Municipalities to request their support and sent to the Premier and all the Ministries for their consideration.

Recorded Vote Requested by:

	Yea	Nay
B. Hunt	_____	_____
L. Perrier	_____	_____
C. Rigelhof	_____	_____
J. Frost	_____	_____
G. MacPherson	_____	_____



MAYOR

Declaration of Pecuniary Interest:

.....
 Disclosed his/her/their interest(s), vacated he/her/their seat(s),
 abstained from discussion and did not vote



Northumberland
County

Resolution

Moved By

Agenda
Item 8b

Resolution No.
2020-02-19-55

Last Name Printed Ostrander

Seconded By

Council Date: February 19, 2020

Last Name Printed Latchford

"Whereas Northumberland County supports the important role that conservation authorities provide, including watershed management programs; and

Whereas Northumberland County believes that the Province should undertake consultations with municipalities prior to making any program or funding changes;

Now Therefore Be It Resolved That County Council receive the supporting resolutions from Ontario municipalities (including the Town of Orangeville, the Town of Collingwood and the Municipality of Strathroy-Caradoc; and

Further Be It Resolved That this resolution be forwarded to: Premier Doug Ford, the Minister of the Environment, Conservation and Parks, MPP David Piccini, the Association of Municipalities of Ontario, the Ganaraska Conversation Authority, the Lower Trent Conversation Authority, the Crowe Valley Conservation Authority and the Otonabee Region Conservation Authority, and all Ontario municipalities."

Recorded Vote
Requested by

Councillor's Name

Carried

Warden's Signature

Deferred

Warden's Signature

Defeated

Warden's Signature

Ellis, Maddison

From: Tracy MacDonald <tmacdonald@orangeville.ca>
Sent: Monday, January 27, 2020 6:34 PM
Subject: Resolution - Environmental Awareness and Action

CAUTION: External E-Mail

Good afternoon,

The Town Orangeville passed the following resolution at its January 13, 2020 Council meeting:

13.1 Councillor Peters – Environmental Awareness and Action

Resolution 2020-14

Moved by Councillor Peters
Seconded by Councillor Post

That the Town of Orangeville supports continuation of the programs and services of the CVC, both mandatory and non-mandatory, and that no programs or services of the CVC or other CAs in Ontario be “wound down” at this time; and

That the Minister of the Environment, Conservation, and Parks give clear direction as to what programs and services are considered mandatory and non-mandatory and how those programs will be funded in the future; and

That the Minister of the Environment, Conservation, and Parks recognizes the strong and positive Provincial role Conservation Authorities (CAs) play in flood risk reduction programs and reinstates funding to the CAs of Ontario; and

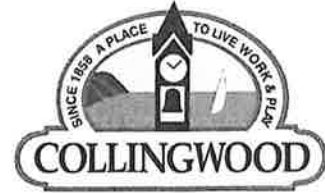
That this resolution be forwarded to the Minister of the Environment, Conservation, and Parks, Premier Doug Ford, MPP Sylvia Jones, the Association of Municipalities of Ontario, the Credit Valley Conservation Authority, Conservation Ontario, and all Ontario municipalities.

Carried.

Regards,

Tracy Macdonald | Assistant Clerk | Corporate Services
Town of Orangeville | 87 Broadway | Orangeville ON L9W 1K1
519-941-0440 Ext. 2256 | Toll Free 1-866-941-0440 Ext. 2256
tmacdonald@orangeville.ca | www.orangeville.ca

TOWN OF COLLINGWOOD



Becky Dahl, Deputy Clerk

97 Hurontario St. P.O. Box 157
Collingwood, ON L9Y 3Z5
Tel: (705) 445-1030 Ex. 3230
Fax: (705) 445-2448
Email: bdahl@collingwood.ca

January 21, 2020

The Honourable Jeff Yurek
Minister of Environment, Conservation and Parks
College Park 5th Floor, 777 Bay Street
Toronto, ON M7A 2J3

Re: Conservation Authorities

On behalf of the Council for the Corporation of the Town of Collingwood, I write to advise you of the following recommendation approved at its meeting held on January 20, 2020 for your consideration:

WHEREAS the Town of Collingwood has recently declared a Climate Emergency;

AND WHEREAS the Town of Collingwood has committed to nine core principles of sustainability;

AND WHEREAS the Town of Collingwood is a beneficiary of the upstream environmental remediation work done by the Nottawasaga Valley Conservation Authority (NVCA);

AND WHEREAS the Town of Collingwood is a member of the NVCA, with representation on its Board of Directors;

AND WHEREAS under the direction of the Board of Directors, the NVCA provides programs and services addressing local priorities to the residents of Collingwood and its other member municipalities, including inclusive outdoor education and recreation, water quality monitoring, preservation of species at risk as well as protecting life and property through a variety of measures;

AND WHEREAS the NVCA provides the Town of Collingwood with expert advice on the environmental impact of land use planning proposals and that the Municipality does not have staff with comparable expertise or experience;

AND WHEREAS the Ministry of the Environment, Conservation and Parks provides approximately one percent of the budget for programs and services currently delivered by the NVCA;

THEREFORE BE IT RESOLVED THAT the Town of Collingwood supports Conservation Authority regulations under Bill 108 being completed in consultation with municipalities, the NVCA and Conservation Ontario;

AND THAT the Town of Collingwood supports continuation of the critical programs and services included in the mandate of Conservation Authorities;

AND THAT during the fulsome review and consultations the Minister of Environment, Conservation and Parks continue to allow local municipalities' designated representatives

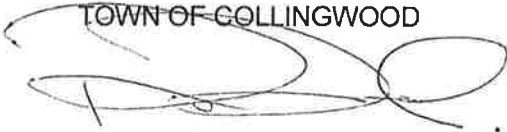
to determine which programs will be delivered and mandatory, along with the use of a Board-directed fair municipal levy as per current Regulation;

AND THAT this resolution be forwarded to the Minister of the Environment, Conservation and Parks, Premier Doug Ford, MPP Jim Wilson, the Association of Municipalities of Ontario, Nottawasaga Valley Conservation Authority, Conservation Ontario, all Ontario municipalities, and the County of Simcoe.

Should you require anything further, please do not hesitate to contact the undersigned at 705-445-1030 ext. 3230 or clerk@collingwood.ca.

Yours truly,

TOWN OF COLLINGWOOD

A handwritten signature in black ink, appearing to read 'Becky Dahl', written over the printed name and title.

Becky Dahl
Deputy Clerk, Clerk Services

c.c. Premier Doug Ford
Jim Wilson, MPP
Association of Municipalities of Ontario
Nottawasaga Valley Conservation Authority
Conservation Ontario
County of Simcoe
Ontario municipalities

Ellis, Maddison

From: Ruth Alcainho <ralcainho@strathroy-caradoc.ca>
Sent: Friday, January 24, 2020 10:50 AM
To: minister.mecp@ontario.ca; admin@ltvca.ca
Subject: Strathroy-Caradoc Regular Council Meeting January 20, 2020 - Approval of Resolution LTVC - Watershed Management Programs

CAUTION: External E-Mail

Please be advised the following resolution sent to member municipalities of the Lower Thames Valley Conservation Authority, was presented for consideration by Council at their regular meeting of Monday, January 20, 2020 and approved as follows:

Moved by Councillors Brennan and Kennes:

WHEREAS Conservation Authorities have been protecting people and conserving and restoring watersheds with local communities for over 50 years; and

WHEREAS Municipalities must work together to ensure resilient and healthy watersheds for residents, and

WHEREAS Conservation Authorities will be important partners in concrete and cost-effective initiatives to address climate change,

THEREFORE BE IT RESOLVED THAT: the Municipality of Strathroy-Caradoc supports the important role Conservation Authorities provide to local communities in delivering watershed management programs; and that this resolution be circulated to Municipalities, Conservation Authorities and the Provincial Government (Minister of Environment, Conservation and Parks), in Ontario. **Carried.**

Kind Regards,

Ruth

Ruth Alcainho
Deputy Clerk/Insurance Co-Ordinator
Legal & Legislative Services
Tel: 519-245-1105 Ext 237
Fax: 519-245-6353
Email: ralcainho@strathroy-caradoc.ca



Legal & Legislative Services
Municipality of Strathroy-Caradoc
52 Frank Street | Strathroy, ON | N7G 2R4

Visit us online at www.strathroy-caradoc.ca

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Ridge House Museum Advisory Committee

Minutes

Tuesday, Sep 24, 2019

7:00 PM

Call to Order

Present: Cl. John Wright
Sara Mervin
Edythe Marlatt
Frank Vink
Bob Wilson
Stephanie Saunders, Curator, Chatham-Kent Museum
Blair Newby, Assistant Curator, CKM/Curator, RHM
Dr. April Rietdyk, General Manager, Community Human Services
Deborah Furlan, Admin Assistant, Arts and Culture

Regrets: Heather Slater, Manager, Arts and Culture

1. Provision for Declaration of Pecuniary Interest

No member of the Board declared a pecuniary interest on any matter on the open session agenda.

2. Election of the Chair

Ms. Saunders acknowledged receipt of a resignation, Chairperson Mindy Bowls.

Mr. Vink nominated Ms. Mervin; Ms. Mervin accepted.

Committee voted, "That Sara Mervin be appointed chair for the remainder of the calendar year be approved."

Unanimously in favour. Ms. Mervin acclaimed.

3. Introduction – Blair Newby, Assistant Curator, CKM/Curator, RHM

Ms. Newby has 14 years of experience in the museum field. Ms. Newby has Bachelors in History from the University of Waterloo and Masters in Museum Studies from the University of Toronto.

Ms. Newby has previously worked at the Buxton National Historic Site and Museum as a summer student for six years and at the Chatham-Kent Black History society for five years as the Executive Director.

More recently, Ms. Newby worked in the Special Events department at Black Creek Pioneer Village coordinating events for four years and at the Multicultural History Society of Ontario as the Outreach officer for 3 three years.

Ms. Newby is truly excited about this opportunity and what the year ahead has in store for her as the Curator of Ridge House Museum.

The committee welcomed Ms. Newby.

4. Minutes of the Meeting of May 29, 2019

Ms. Marlatt moved, seconded by Cl. Wright.

“That the minutes of the May 29, 2019 Ridge House Museum Advisory Committee meeting be approved.”

The Chair put the Motion.

Motion Carried

5. Business Arising from the Minutes

None

6. Education and Training

None

7. New Business

A. Items for deaccessioning

None

B. Information Reports to be received

a) Curator's Report, by Ms. Newby, Curator

Attendance Summary:

- May
 - Paying: 0
 - Non-paying: 42
 - School: 0
 - Total: 42
- June
 - Paying: 6
 - Non-paying: 74
 - School: 0
 - Total: 80
- July
 - Paying: 0
 - Non-paying: 115
 - School: 0
 - Total: 115
- August
 - Paying: 0
 - Non-paying: 135
 - School: 0
 - Total: 135

Web Visitors:

- May:
 - Municipal website:
 - Facebook users/clicks: 1609/79
- June:
 - Municipal website:
 - Facebook users/clicks: 0/0
- July:
 - Municipal website:
 - Facebook users/clicks: 592/64
- August:
 - Municipal website:
 - Facebook users/clicks: 731/15

Staff Development:

- Paige Alexander and Courtney Pinsonneault have been hired as Museum Ambassadors.

- Blair Newby has been hired on contract as the Assistant Curator, CKM/Curator, RHM.
- Keirsten Smith has resigned from her position as a Museum Ambassador.
- Adele Steele, Kelsie VanDeVelde, and Lauren McKerrall have completed their contracts as Historical Interpreters (summer students).

Maintenance:

- Acquiring quotes and working with the heritage committee to complete lifecycle projects.

Curatorial Activities:

- 23 artifacts have been accessioned.
- Three research requests were received and two completed from May to August.

Conservation:

- The table top steeple clock and Regulator wall clock are back in working order.

Exhibitions:

- Discovery Den featured the theme of "On Your Mark, Get Set, Go!" in June, "Explore the Night" in July, and "Branch Out!" in August.

Interpretation/Education:

- Eleven children created outdoor tic tac toe games at the Creative Kids program on June 8.
- The RHM DIY Den for June, July and August were cancelled due to low enrollment.
- Creative Kids on July 6 to make galaxy play dough had eight registrations.
- Eight children participated in making a natural loom as part of the Creative Kids workshop in August.

Marketing/Public Relations:

- Posters, web postings, signage, and social media promotion were undertaken as required for all museum programming and exhibits.

Governance/Policy:

- No update.

Items of Interest:

- Upcoming Events:
 - Trick-or-Treat, October 31, 5-8PM
 - RHM Adult Gingerbread Workshop, December 5, 7-9PM
 - RHM Christmas Open House, December 14 (tentative), after Christmas Parade

Committee discussion re: Curator Report

The Committee asked whether Arts and Culture uses Instagram. Ms. Saunders replied that since the restructuring, staff are discussing use of Instagram either as a collective or as a museum, gallery, theatre. Museum staff to keep committee posted on decision re: use of Instagram.

Committee pleased new back door has assisted in maintaining keeping critters out.

Mr. Vink has been itemizing bits and pieces left at Ridgetown Municipal Centre (previously borrowed by an old curator). The four categories of items are (1) John Blue – 1840s; (2) Beatties (Highgate); (3) John L Smith (Morpeth) – innkeeper; letter about cast iron stove; and (4) Robert Grey (William Grey's brother)

Cl. Wright asked if Ridge House participates in the Golden Pumpkin event (trick or treating for little ones before dark). Museum staff will look into whether or not the Ridge House can get involved in the Golden Pumpkin. Museum staff to ask the Gingerbread Workshop patrons what would get adults out in the summer.

Cl. Wright moved, seconded by Ms. Marlatt:

“That the Curator’s Report be accepted as information.”

The Chair put the Motion.

Motion Carried

8. Non-Agenda Items

Cl. Wright was interested whether Ridge House has participated or would participate in the Kiwanis House Tour led by the Kiwanis Club of Ridgetown. Ms. Saunders replied that the Ridge House has not participated in the past but could explore participation in the future. Committee ideas to have costumed interpreters and to keep Discovery Den closed should the museum participate. Cl. Wright to get the MaryAnn Hawthorn's information to Ms. Saunders.

Mr. Vink requested removal of the mulberry tree as it is over-grown.

9. Time, Date and Place for the Next Meeting of the Board

The next meeting of the Committee will be held January 28, 2020 at the Ridge House Museum at 7:00 pm. Additional meetings in 2020 are May 26 and September 22.

10. Adjournment

Moved by Mr.Vink that the meeting be adjourned at 7:32 pm.

Chatham-Kent Age Friendly Community Advisory Committee

Date and Time: November 7, 2019, 1:00pm – 3:00pm

Location: Room 301A, Health & Family Services Building

Present: Karen Herman (Chair)
Meghan Bradley
Marjorie Crew
Sara Ebare
Tara Seney

Regrets: Barbara Ferren
Helen Kehoe
Jyl Panjer

Staff Present: Heather Bakker, Administrative Assistant, Public Health
Annie Lukacsovics, Age Friendly Coordinator

1. Welcome

2. Approval of the Agenda

Motion of Approval: Meghan Bradley
Seconded: Marjorie Crew
Carried.

3. Declaration of Pecuniary/Conflict of Interest

No members declared a pecuniary interest on any matter on the open session agenda.

4. Approval of Minutes of October 3, 2019

Motion of Approval: Marjorie Crew
Seconded: Tara Seney
Carried.

5. Business Arising from Minutes of October 3, 2019

- Follow-up to Sidewalk Winter Maintenance Policy – Marjorie updated that Council approved the policy to remain as status quo, the Municipality will plow sidewalks and residents are to complete prevention salting if needed; Council agreed to support the minimum Provincial standards.
- CK to the Power of Young People – CK^y Advisory Group representative – Annie introduced Victoria Bodnar, staff support for CK^y. Committee has been in

existence for one year and meets 3-4 times per year, will be looking at CKY participation at the AFC.

6. Guest Speaker: Sherri Saunders, Executive Director, Chatham-Kent CHC

Sherri spoke of the formation of the Chatham-Kent Ontario Health Team (OHT) and advised the committee on the status of the committee's progress. The creation of OHTs is in response to the Province's call to action to enhance residents health needs. OHT is local health care providers working together to provide coordinated care, including providers from multiple health sectors (e.g. primary care, hospital, home care, long-term care).

CK OHT partners include Thamesview Family Health Team, Chatham-Kent Health Team, Tilbury District Health Team, Chatham-Kent Community Health Centres, Chatham-Kent Health Alliance, March of Dimes Canada, TransForm, Municipality of Chatham-Kent (including Public Health, Employment & Social Services, Housing, Riverview Gardens), March of Dimes Canada, Alzheimer's Society, Erie St. Clair Behavioural Supports Ontario, Erie St. Clair LHIN, Canadian Mental Health Association Lambton Kent, Chatham-Kent Hospice, St. Andrew's Residence, Westover Treatment Centre, EMS. Collaborative partners include Prosperity Roundtable.

Vision – achieving the best health and well-being together.

At maturity, the CKOHT will serve 105,241 residents. Year one population – approximately 110,000 patients enrolled, being adults 55+ with at least one of the following criteria: heart failure or angina, COPD, dementia or diabetes.

Twenty-four patient advisors supported work to complete the application; the steering committee is co-chaired by a patient advisor. Twenty plus+ engagement session have occurred or are scheduled; all engagements will help develop the CKOHT Strategic Plan. Participation from francophone and indigenous communities, CK local immigration partnerships, physicians and NPs, patients, rural leaders, seniors and system partners.

Follow on Facebook and twitter, /ChathamKentOHT, @CK_OHT, www.ckoht.ca. Advise how can we improve, what is missing, how can we continue to engage? Presentation is attached to minutes.

7. Guest Speaker: Councillor Karen Kirkwood-Whyte re: update on affordable housing initiatives in Chatham-Kent

Previously, Prosperity roundtable held discussion on tiny homes in Chatham-Kent. Mayor Canniff supported the idea of tiny homes in his campaign. Since April 2019, Karen is working with a group of people who wanted to focus on tiny homes, has since evolved to small homes, not rental properties, affordable home ownership. Committee has a number of people that have passion, interest and expertise, have identified a piece of property, offer to purchase, and now completing environmental

assessments. Plan is for up to 30 little units, single, double and triple units, which will be owned by a non-profit association. Homes will be owned by individuals, with a life lease, with a co-op of residents to manage the residences. Next step is getting the interest of community to purchase homes. Working on another affordable housing initiative and will be looking at residents with support staff.

8. Housing Assessment Update

Report will not go to Council as planned, new date being scheduled.

9. Non-Agenda Business

November 27 – Senior Advisory Committee and Age Friendly Community Committee are invited to a joint Festive lunch.

Elder Abuse – Tara advised that she is supporting a conversation on Elder Abuse on December 13, at the Alexander Houle Community Room.

10. Next Meeting

Sara Ebare moved, seconded by Meghan Bradley:

That December 5th meeting be cancelled.

Motion Carried

11. Adjournment

Moved by Meghan to adjourn meeting 3:00pm CARRIED

CONFIRMED: _____, CHAIR

Municipality of Chatham-Kent
Infrastructure and Engineering Services
Engineering and Transportation

To: Mayor and Members of Council

From: Chris Thibert, P.Eng.
Director, Engineering & Transportation

Date: February 12, 2020

Subject: Construction and Assessment By-law – Ellen Street Curb and Gutter Local Improvement, Community of Blenheim

Recommendations

It is recommended that:

1. The Construction and Assessment By-law under the Municipal Act, 2001, Ontario Regulation 586/06 to undertake a curb and gutter Local Improvement on Ellen Street, from Mountford Street to Little Street, in the Community of Blenheim be approved
2. The Mayor and Clerk be authorized to sign the necessary agreements.

Background

The road surface of Ellen Street from Mountford Street to Little Street, in the community of Blenheim is in poor condition (Pavement Condition Index of 14) and is recommended to be addressed this year. The poor condition of the road can be attributed to the lack of an appropriate urban cross section to allow for proper drainage. The lack of drainage has led to the deterioration of the road surface and damaged adjoining properties.

The opportunity for local improvements for concrete curb and gutter was made available to the residents along Ellen Street. The public was informed that any new curb and gutter that currently do not exist within the project boundaries are considered an upgrade to the road and subject to local improvement charges in accordance with the Municipal Act and the Municipality of Chatham-Kent Local Improvement Policy. The applicable improvement charges would apply only to the local properties that benefit by fronting on the improvement works. However, before any improvements can be constructed they first must be petitioned successfully by the affected property owners and approved by Council.

Since the road surface is proposed to be improved, the watermain will also be replaced at this time to reduce the likelihood of future repairs in a newly constructed roadway.

The existing cast iron watermain will be upgraded to PVC and fire hydrants will be added to this area. This project is being designed and managed by Chatham-Kent Engineering with tendering proposed by early spring and construction during the summer or fall of 2020.

Comments

The Municipality of Chatham-Kent has received a petition from the residents on Ellen Street (Mountford Street to Little Street) that indicates an interest in obtaining curb and gutter improvements. The curb and gutter improvement falls under Ontario Regulation 586/06 (O. Reg. 586/06), Local Improvement Charges (LIC). Under O. Reg. 586/06, Section 9, where the improvement may proceed if a petition in favour of the undertaking is received from at least two-thirds (66%) of the property owners representing one half (50%) of the value of the property liable to be specially assessed for the works.

The Municipal Clerk tabulated the two petitions received and has signed the Clerk's Certificates dated January 27, 2020 (Appendix A), certifying the Sufficiency of Petition for both petitions. The petitions in favour of the curb and gutter improvement was sufficiently signed by two-thirds of the property owners on Ellen Street that represent one-half of the value of the property liable to be specially assessed for the works.

In accordance with the Regulation under O. Reg. 586/06, Sections 5 and 6, Council can now pass the Construction and Assessment By-laws for the Ellen Street curb and gutter improvements (Appendix B) providing the Municipality gives notice (Appendix C) of its intention to pass the By-Laws, to the public and to the owners of the property liable to be specially charged.

The notice advising of Council's intention to pass this by-law to the public and all property owners abutting the works liable to be specially assessed for this improvement was advertised in the local newspaper on February 20, 2020 and mailed to the property owners on February 14, 2020.

The curb and gutter local improvement will be assessed to the abutting owners according to the current special rate of \$85 per meter frontage. The property owner's share of the curb and gutter work is estimated at \$25,780.

Financing options will comply with the Municipality's Financing Policy.

Areas of Strategic Focus and Critical Success Factors

The recommendations in this report support the following areas of strategic focus:

Economic Prosperity:

Chatham-Kent is an innovative and thriving community with a diversified economy

A Healthy and Safe Community:

Chatham-Kent is a healthy and safe community with sustainable population growth

People and Culture:

Chatham-Kent is recognized as a culturally vibrant, dynamic, and creative community

Environmental Sustainability:

Chatham-Kent is a community that is environmentally sustainable and promotes stewardship of our natural resources

The recommendations in this report support the following critical success factors:

Financial Sustainability:

The Corporation of the Municipality of Chatham-Kent is financially sustainable

Open, Transparent and Effective Governance:

The Corporation of the Municipality of Chatham-Kent is open, transparent and effectively governed with efficient and bold, visionary leadership

Has the potential to support all areas of strategic focus & critical success factors

Neutral issues (does not support negatively or positively)

Consultation

The Municipal Clerk has been consulted throughout the process and has provided ongoing advice.

Financial Implications

There will be no financial implications associated with this local improvement.

Prepared by:

Reviewed by:

Brendan Falkner, P.Eng.
Engineering Technologist
Engineering and Transportation

Mark McFadden, P.Eng.
Manager, Infrastructure Services
Engineering and Transportation

Prepared by:

Reviewed by:

Chris Thibert, P.Eng.
Director
Engineering and Transportation

Thomas Kelly, P.Eng., MBA
General Manager
Infrastructure and Engineering Services

Consulted and confirmed the content of the consultation section of the report by:

Judy Smith, CMO
Director, Municipal Governance/Clerk
Municipal Governance

- c. Purchasing Officer, Corporate Services
Director, Financial Services/Treasurer, Corporate Services
Municipal Clerk, Corporate Services

Attachments: Appendix A - Clerk's Certificate, Sufficiency of Petition
Appendix B - Construction and Assessment By-law
Appendix C - Curb and Gutter, Public Notice

(RTC:\Infrastructure & Engineering\I&ES\2020\4212 – Ellen Street Curb and Gutter
Local Improvement community of Blenheim.doc)




**CLERKS CERTIFICATE
SUFFICIENCY OF PETITION**

To: The Council of The Corporation of the
Municipality of Chatham-Kent

I, Judy Smith, Clerk of the Corporation of the Municipality of Chatham-Kent do hereby certify:

That a petition under Section 6 of the Municipal Act, Ontario Regulation 586/06 for the construction of curb and gutter installation along Ellen Street (Mountford Street to Little Street), in the Community of Blenheim, to be constructed as a Local Improvement, has been sufficiently signed by at least two-thirds of the owners representing at least one-half of the value of the lots liable to be specifically charged for the work.

Dated this 27th day of January, 2020



Judy Smith, Clerk

BY- LAW NUMBER _____

OF THE CORPORATION OF THE
MUNICIPALITY OF CHATHAM-KENT

A By-law to authorize the construction of curb and gutter on Ellen Street, from Mountford Street to Little Street, in the Community of Blenheim as a local improvement under the provisions of the Municipal Act O. Reg. 586/06.

FINALLY PASSED the ____ day of _____, 2020.

WHEREAS a sufficient petition under Section 7 of the Municipal Act, O. Reg. 586/06 requesting the installation of curb and gutter along Ellen Street in the Community of Blenheim signed by at least a majority in number of two-thirds of owners representing at least one-half of the value of the lots liable to be specially assessed has been received by the Municipality of Chatham-Kent

AND WHEREAS Notice of the Intention of the Council to undertake such work was provided to all respective parties on February 14, 2020.

BE IT THEREFORE ENACTED by the Municipal Council of The Corporation of the Municipality of Chatham-Kent as follows:

1. The construction of curb and gutter on Ellen Street, from Mountford Street to Little Street, as a local improvement under the provisions of the Municipal Act, O. Reg. 586/06 is hereby authorized.
2. The Engineer of the Corporation of the Municipality of Chatham-Kent shall forthwith make such plans, profiles and specifications and furnish such information as may be necessary for the carrying on and executing of the work.

3. The work shall be carried on and executed under the superintendence and according to the direction and order of such Engineer.
4. The Mayor and Treasurer are authorized to agree with any bank or person for temporary advances of money to meet the cost of the work pending the completion of it to a maximum of \$25,780 as determined by the Engineer of the Corporation of the Municipality of Chatham-Kent.
5. The special assessment shall be paid by the options offered according to Council Interest and Finance Policies.
 - Schedule "A" Local Improvements Assessment annexed here to forms part of this by-law.

Financing for the cost of the work during the term of the work and when completed shall bear interest at such rate as the Council may determine and be made payable as per Municipal installment plan.

6. Any person whose lot is specially assessed may commute for a payment in cash the special rates imposed thereon by paying the portion of the cost of construction assessed upon such lot, without the interest, forthwith after the Special Assessment Roll has been certified by the Clerk, and at any time thereafter by the payment of such sum in a manner determined by Council Interest and Finance Policies.

THIS By-law shall come into full force and effect upon the final passing thereof.

READ A FIRST, SECOND AND THIRD TIME this ____ day of _____, 2019.

MAYOR – Darrin Canniff

CLERK – Judy Smith



NOTICE OF LOCAL IMPROVEMENT
Local Improvement Act Section 6
Ellen Street (Mountford Street to Little Street)
Community of Blenheim

Take notice that:

1. The Council of the Municipality of Chatham-Kent intends to construct a Curb and Gutter improvement on Ellen Street (Mountford Street to Little Street) in the Community of Blenheim as a local improvement and intends to specially assess a part of the cost upon the land abutting directly on the work and upon the land that is immediately benefited by the work.
2. The estimated cost of the Ellen Street work is \$25,780.
3. The estimated lifetime of the work is twenty five (25) years.
4. The special rate per metre frontage is \$85.
5. The special assessment may be paid in lump sum, five (5) or ten (10) annual instalments. Please note that this is not an invoice and more information will follow upon project completion.
6. The municipality has received a sufficient petition under clause 7(2)(c) with respect to this work as determined under Section 10 of O. Reg. 586/06.

THIS IS EXHIBIT " AA TO THE AFFIDAVIT OF
BLAISE CHEVALIER , SWORN ON THE 2ND DAY OF
APRIL, 2024.

Digitally signed by
Lynn Kalp
Date: 2024.04.02
17:53:54 -0500

A COMMISSIONER, ETC.

**Linda Marie Kalp, a Commissioner, etc.
Province of Ontario, for the
Municipality of Chatham-Kent.
Expires August 31, 2026.**

NOTICE OF CONSIDERATION FOR THE REPORT OF THE ENGINEER

You are hereby notified that the Engineer, J. M. Spriet, P. Eng, of Spriet Associates London Limited, appointed to this drain, did on February 19, 2021, file a report proposing the construction of the **Shaw Branch of the Facey East Drain** in the Community of **Zone**. The estimated cost of the drainage work is \$36,500.00. The assessment against your land and your compensation allowances, if any, are shown in the attached report.

The Drainage Board of the Municipality of Chatham-Kent will meet:

DATE: Tuesday, **March 16, 2021**

TIME: **6:15 P.M.**

GoTo Webinar: <https://attendee.gotowebinar.com/register/4793279572906323980>
(see attachment for instructions, please keep for future meetings)

Due to COVID-19 this meeting is being held electronically, appeals must be served in writing to the Drainage Division of the Municipality of Chatham-Kent at least five (5) days prior to the Consideration stating the reason for the appeal. Call for questions or instructions to appeal.

APPEALS AGAINST ASSESSMENT ARE NOT CONSIDERED AT THIS MEETING.

If the report is adopted, you will receive a copy of the provisionally adopted by-law indicating the assessments and notifying you of the date of the first sitting of the Court of Revision. You are hereby requested to take notice that the proposed work included in the report will be commenced after all appeals have been finally resolved.

DATED at the Municipality of Chatham-Kent this 22th day of February, 2021.



Ann Ford
Drainage Analyst
519.352.8401, Ext. 3311

Brigan Barlow

Digitally signed by Brigan
Barlow
Date: 2021.02.22 14:41:30
-05'00'

Brigan Barlow
Manager Drainage Services
Ext. 3320

365031000326400
CANADIAN PACIFIC RAILWAY
C/O PROPERTY TAX DEPARTMENT
1290 CENTRAL PKY W FLR 8TH
MISSISSAUGA ON L5C 4R3

365031000109201
HUSTON FARMS INC
C/O LARRY HUSTON
30087 BRICK RD
THAMESVILLE ON NOP 2K0

365031000109300
MILLER ALEX FRANK
MILLER DARLENE ELLEN
29403 FLORENCE RD
THAMESVILLE ON NOP 2K0

Hydro One Networks Inc
Real Estate Services
Land Use Planning
Attention: Paul Dockrill
PO Box 4300
MARKHAM ON L3R 5Z5

Ministry of Agriculture, Food and Rural Affairs
Att: Drainage Unit
3rd Floor, 1 Stone Road W
GUELPH ON N1G 4Y2

Email, Bell
rachel.marks@bell.ca
aaron.kovacs@bell.ca

Email, Chatham-Kent Public Utilities Commission
Ckamfm@chatham-kent.ca

Email, Public Works

Email, Lower Thames Valley Conservation Authority
Jason.homewood@ltvca.ca
(Valerie.towsley@ltvca.ca
colin.little@ltvca.ca) Elizabeth.Phillip@ltvca.ca
100 Thames Street
CHATHAM ON N7L 2Y8

Email, Entegrus Services
Attention: Engineering
email - Gary.Aitken@entegrus.com
320 Queen St
CHATHAM ON N7M 5K2

Email, Union Gas
Attention: Mike Cincurak
3840 Rhodes Drive
PO Box 700
WINDSOR ON N9A 6N7

Email, Engie Canada (Wind Farm)
andrew.clifford@engie.com
Attention: Andrew Clifford, East Lake St Clair Wind

Email, Pattern Energy (Wind Farm)
kevin.aikenhead@patternenergy.com
Attention: Kevin Aikenhead

Canadian Pacific Railway
Attention: Rhael Lemenin
2025 McCowan Road
SCARBOROUGH ON M1S 5K3

✓ Email, Enbridge
John.Bridges@enbridge.com

Email, Ministry of Natural Resources and Forestry
mnr.f.a.y.l@ontario.ca

Email, (DFO) Fisheries Protection
fisheriesprotection@dfo-mpo.gc.ca

Notice of Consideration

Mailed: February 22, 2021

Via: Canada Post

Ann Ford, Drainage Analyst

THIS IS EXHIBIT " BB TO THE AFFIDAVIT OF
BLAISE CHEVALIER , SWORN ON THE 2ND DAY OF
APRIL, 2024.

Digitally signed by Lynn
Kalp
Date: 2024.04.02 13:54:29
UTC-04'
Lynn Kalp

A COMMISSIONER, ETC.

**Linda Marie Kalp, a Commissioner, etc.
Province of Ontario, for the
Municipality of Chatham-Kent.
Expires August 31, 2026.**

**Municipality of Chatham-Kent
Recommendations of the Drainage Board
To
Chatham-Kent Council**

Drainage Board Meeting – March 16, 2021

Members present were Chairman Brian Anderson, Vice Chairman Grant Guy, Second Vice Chairman Ron Gelderland, members Louis Roesch, Scott McGeachy, and Steve Gleeson.

A summary of the recommendations of the Board with respect to the drainage matters considered at the March 16, 2021 meeting are set forth below.

Summary of Recommendations of the Drainage Board

1. Ousterhout Drain
Community of Howard

That 3rd and final reading be given to the By-law with respect to the Ousterhout Drain.

2. Vic Pyne Drain
Community of Howard

That 3rd and final reading be given to the By-law with respect to the Vic Pyne Drain.

3. Urquhart Drain and Pump Works
Community of Dover

That 3rd and final reading be given to the By-law with respect to the Urquhart Drain and Pump Works.

4. Reaume-Peltier Pump
Community of Tilbury East

That the Engineer's report on the Reaume-Peltier Pump dated December 10, 2020 be adopted as presented and Council give 1st and 2nd reading to the By-law with respect to the Reaume-Peltier Pump.

5. Poppe Drainage System
Community of Tilbury East

That the Engineer's report on the Poppe Drainage System dated December 10, 2020 be adopted as presented and Council give 1st and 2nd reading to the By-law with respect to the Poppe Drainage System.

6. Shaw Branch of the Facey East Drain
Community of Zone

That the Engineer's report on the Shaw Branch of the Facey East Drain dated February 19, 2021 be adopted as presented and Council give 1st and 2nd reading to the By-law with respect to the Shaw Branch of the Facey East Drain.

That the following engineering appointments be approved:

- Burgess Drain – Spriet Associates London Limited,
- Section 4 Moore Road Drain – Spriet Associates London Limited,
- Section 4 Duffus Drain – Spriet Associates London Limited,
- Allen Pump Works – Spriet Associates London Limited,
- Section 4 Knotts Creek Branch Drain – M. Gerrits Consulting Inc.,
- Malott Drain – M. Gerrits Consulting Inc.,
- Section 4 Road Petition West Branch Larsh Drain Extension – Spriet Associates London Limited
- Section 4 Road Petition Rammelaere Drain East Branch – Spriet Associates London Limited.

THIS IS EXHIBIT " CC" TO THE AFFIDAVIT OF
BLAISE CHEVALIER , SWORN ON THE 2ND DAY OF
APRIL, 2024.

Digitally signed by Lynn
Kalp
Date: 2024.04.02
12:25:58 -0400

Lynn Kalp

A COMMISSIONER, ETC.

**Linda Marie Kalp, a Commissioner, etc.
Province of Ontario, for the
Municipality of Chatham-Kent.
Expires August 31, 2026.**



Chatham-Kent

Municipality of Chatham-Kent Council Agenda – Electronic Meeting

Monday, March 22, 2021
6:00 P.M.

A livestream of the electronic Council Meeting will be available at:

- [Chatham-Kent's Facebook Page](#)
- [YourTV CK's Facebook Page](#)
- [YourTV CK's YouTube Channel](#)

1. [Call to Order](#)
2. [Land Acknowledgement](#)
3. [Land Acknowledgement](#)
4. [Approval of Supplementary Agenda](#)
5. [Disclosures of Pecuniary Interest \(Direct or Indirect\) for Closed Session Agenda Items and the General Nature There Of](#)

6. **[Recess to Closed Session - 4:00 p.m.](#)**

Councillor Carmen McGregor, Closed Session Chair

That Council moved into a Closed Session Meeting of Council pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reasons:

7. [Disclosures of Pecuniary Interest \(Direct or Indirect\) for Open Session Agenda Items and the General Nature There Of](#)

8. [Recognition](#)

- a. [Recognition of the 2020 Accessibility Advisory Committee Award Winners \(presented by Mike Gerard, Chair\)](#)

9. [Deputations – items on current agenda](#)



As per By-law 113-2020: 3.10(g) -- Unless otherwise approved by the Chair, an Electronic Meeting shall not permit public deputations, except by way of electronic submission received in advance of the meeting, which shall be submitted to the Municipal Clerk's office at ckclerk@chatham-kent.ca prior to 3:00 p.m. the day of the meeting, and shall be provided to members in advance of the meeting if possible. The Clerk shall verbally read out the written deputation at the beginning of the meeting;

10. [Consent Agenda](#)






11. [Council Meeting Minutes](#)

- a. [Council Meeting Minutes from its meeting held on March 1, 2021](#)
- b. [Council Meeting Minutes from its meeting held on March 8, 2021](#)







12. [Committee Reports](#)

- a. [Library Board Minutes from its meeting held on December 15, 2020](#) 
- b. [Blenheim Landfill Liaison Committee minutes from its meeting held on December 8, 2020](#) 
- c. [Ridge Landfill Liaison Committee minutes from its meeting held on December 8, 2020](#) 
- d. [Drainage Board Recommendations from its meeting held on March 16, 2021](#) 




13. **Information Reports**

- a. [2020 Statement of Remuneration & Expenses for Elected and Appointed Officials](#) 
- b. [Chatham-Kent Accessibility Advisory Committee 2020-2021 Accessibility Report and Terms of Reference](#) 
- c. [Activities, Leisure, and Learning \(A.L.L.\) for Kids Program Changes](#) 
- d. [Provincial Child Care and Early Years Funding Re-Investment](#) 
- e. [Community Engagement Survey Results](#) 


14. **Tender Awards**



















- a. [Tender Award: Contract T20-361 – Sinclair Line over Nesbitt Drain Culvert Replacement, Community of Harwich](#) 
- b. [Structural steel repairs to the Tupperville Bridge over the Sydenham River – Community of Tupperville](#) 
- c. [Tender Award: Contract T20-359 Dauphin Road Bridge over Dauphin Internal Drain – Bridge Rehabilitation, Community of Tilbury East](#) 
- d. [Contract T21-110 Road Crack Cleaning and Sealing](#) 
- e. [Tender Award – R21-161 Architectural Services – New Public Works Garage, 25 Creek Road, Chatham](#) 
- f. [Tender Award: Contract T20-342 Third Street Bridge over the Thames River – Bridge Rehabilitation, Community of Chatham](#) 

15. **Public Utilities Commission**

- a. [2020 Summary Reports for Drinking Water and Wastewater Systems](#) 
- b. [Preliminary Assessing By-law for George Street Sanitary Sewer Project \(Community of Merlin\)](#) 
- c. [Erieau Road & Bisnett Line Waterline Project and Assessing By-law for \(Community of Blenheim\)](#) 

16. **Community Development**

- a. [CKY – CK to the Power of Youth People Advisory Group Update \(presentation by Victoria Bodnar, Coordinator Resident Attraction & Retention and Morena McDonald, CKY Co-Chair\)](#) 

- b. [Chatham-Kent Community Improvement Plan Property Tax Increment Equivalent Grant Application PL202100066 – 2389170 Ontario Limited, 7 McGregor Place, Community of Chatham \(City\)](#) 
- 17. Corporate Services**
- a. [Njoyn Applicant Tracking System and Employee Recruitment \(presentation by Lucas Chambers, Manager Talent Acquisition & Development\)](#) 
- b. [Customer Relationship Management \(CRM\) Platform Implementation](#) 
- c. [Appointment By-laws](#) 
- d. [Motion by Councillor Ceccacci re Annual Day Sales Licence](#) 
- 18. Fire and Emergency Services**
- a. [Community Paramedicine for LongTerm Care](#) 
- 19. Finance, Budget, Information Technology and Transformation**
- a. [2020 Request for Encumbrance Reserve](#) 
- b. [Municipal Owned Halls – Covid-19](#) 
- c. [Farm Tax Ratio](#) 
- d. [Motion by Councillor Bondy re External Audit of Staffing Levels and Departmental Structures](#) 
- 20. Infrastructure and Engineering Services**
- a. [Revisions to the Special Events manual and Municipal Alcohol Policy](#) 
- b. [Ministry of Transportation Safe Restart Program Funding – Transit](#) 
- c. [2021 Proposed Engineering Lifecycle Reserve Projects](#) 
- d. [Motion by Councillor Ceccacci re Blenheim Dog Park](#) 
- e. [Motion by Councillor Kirkwood-Whyte re McDougall Line Bridge](#) 
- 21. Notices of Motion**
- a. [Presentation of new Notices of Motion](#)
- 22. Closed Session Reports** 
- 23. Approval of Communication Items**
- a. [Approval of the March 22, 2021 Council Information Package](#) 
- 24. Non Agenda Business**
- 25. Reading of By-law**
- a. [First Reading](#)
- b. [Second Reading](#) 
- i. [By-law to provide for drainage work in the Municipality of Chatham-Kent for the Reaume-Peltier Pump, Community of Tilbury East –](#)

First and Second Reading Only

- ii. By-law to provide for drainage work in the Municipality of Chatham-Kent for the Poppe Drainage System, Community of Tilbury East – First and Second Reading Only
 - iii. By-law to provide for drainage work in the Municipality of Chatham-Kent for the Shaw Branch of the Facey East Drain, Community of Zone – First and Second Reading Only
- c. Council to go into Committee, if Required, to Discuss By-law
- d. Resumption of Council
- e. Third and Final Reading
- i. By-law to authorize the construction of sanitary sewer works and the imposition of a sanitary sewer rate for the payment of the capital cost of the construction of such sanitary works; George Street Sanitary Sewer Project (Community of Merlin)
 - ii. By-law to authorize the construction of a water works and the imposition of a water rate for the payment of the capital cost of the construction of such water works; Erieau Road & Bisnett Line Waterline Project)
 - iii. By-law to amend By-law 16-2020 to provide Appointment of By-law Enforcement Officers for The Corporation of the Municipality of Chatham-Kent
 - iv. By-law to amend By-law 46-2020 to provide staff appointment of a Weed Inspector for The Corporation of the Municipality of Chatham-Kent
 - v. By-law to authorize the execution of the transfer payment agreement for the Safe Restart Agreement (SRA – Phase 1, 2 and 3) between Her Majesty the Queen in the Right of the Province of Ontario Represented by the Minister of Transportation for the Province of Ontario and the Municipality of Chatham-Kent
 - vi. By-law to confirm proceedings of the Council of The Corporation of the Municipality of Chatham-Kent at its meeting held on the 22nd day of March, 2021

26. Resolution Council in Closed Session & Adjournment

THIS IS EXHIBIT " DD " TO THE AFFIDAVIT
OF BLAISE CHEVALIER , SWORN ON THE 2ND DAY
OF APRIL, 2024.

Digitally signed by
Lynn Kalp
Date: 2024.04.02
18:22:28-04:00

A COMMISSIONER, ETC.

**Linda Marie Kalp, a Commissioner, etc.
Province of Ontario, for the
Municipality of Chatham-Kent.
Expires August 31, 2026.**

NOTICE OF COURT OF REVISION ON DRAINAGE WORKS

DRAIN: **Shaw Branch of the Facey East Drain** (Community of Zone)

NOTICE: is hereby given that the sitting of the Court of Revision is scheduled for:

DATE: Tuesday, **May 4, 2021**

TIME: **6:00 P.M.**

LOCATION: <https://attendee.gotowebinar.com/register/7072289001941984525>
(see instructions sent previously)

For hearing appeals made against the assessments indicated in the attached by-law, in the manner provided in the Drainage Act, R.S.O. 1990.

Due to COVID-19 this meeting is being held electronically, assessment appeals must be served in writing to the Drainage Division of the Municipality of Chatham-Kent at least ten (10) days prior to the Court of Revision stating the reason for the appeal. Call for questions or instructions to appeal.

Any person not satisfied with the decision of the Court of Revision may appeal to the Ontario Drainage Tribunal by serving notice on the Director of Drainage, Asset and Waste Management for the Municipality of Chatham-Kent, Mr. Tim Dick, within twenty-one (21) days of the decision of the Court.

DATED at the Municipality of Chatham-Kent this 12th day of April, 2021.



Ann Ford
Drainage Analyst
519.352.8401, Ext. 3311

Brigan Barlow Digitally signed by Brigan Barlow
Date: 2021.04.12 10:04:26 -04'00'

Brigan Barlow
Manager of Drainage Services
Ext. 3320

By-law Number _____

Of The Corporation
of the Municipality of Chatham-Kent

A By-law to provide for drainage work in the Municipality of Chatham-Kent for the Shaw Branch of the Facey East Drain (Community of Zone)

Finally Passed the ____ day of _____, 2021.

Whereas a requisite number of owners have petitioned the Council of the Municipality of Chatham-Kent in accordance with the provisions of The Drainage Act requesting that the Shaw Branch of the Facey East Drain be constructed and be provided with a sufficient outlet.

And Whereas the Council of the Municipality of Chatham-Kent has procured a Report made by Spriet Associates London Limited, dated February 19, 2021.

And Whereas the estimated total cost of constructing the drainage work is \$36,500.00.

And Whereas \$36,500.00 is the amount to be contributed by the Municipality of Chatham-Kent for construction of the drainage works.

Be it Therefore Enacted by the Municipal Council of the Municipality of Chatham-Kent, pursuant to the provisions of The Drainage Act and amendments thereto as follows:

1. That the Report is hereby adopted and shall be completed in accordance therewith.
2. (1) The Corporation of the Municipality of Chatham-Kent may borrow on the credit of the Corporation the amount of \$36,500.00 being the amount necessary for construction of the drainage works.
(2) The Council may authorize the borrowing of monies towards the construction by the issuance and sale of debentures. Pending the sale of the debentures, Council authorizes the Mayor and Treasurer to make such temporary borrowing as may be required in order to meet the payments due to the vendors.
(3) The Corporation may issue debentures for the amount borrowed less the total amount of,
 - (a) Grants received under Section 85 of the Act;
 - (b) Commuted payments made in respect of lands and roads assessed within the municipality;
 - (c) Monies assessed in and payable by another municipality, and such debentures shall be made payable within five years from the date of the debenture and shall bear interest at a rate not higher

than the rate charged by the Ontario Municipal Improvement Corporation on the date of sale of such debenture.

- (4) A special equal annual rate sufficient to redeem the principal and interest on the debentures shall be levied upon the lands and roads as set forth in Schedule "A" hereto attached to be collected in the same manner and at the same time as other taxes are collected in each year for five years after the passing of this by-law.
- (5) For paying the amount of nil being the amount assessed upon the lands and roads belonging to or controlled by the municipality, a special rate sufficient to pay the amount assessed plus interest thereon shall be levied upon the whole rateable property in the Municipality of Chatham-Kent in each year of five years after the passing of this by-law to be collected in the same manner and at the same time as other taxes are collected.
- (6) All assessments of \$500.00 or less are payable in the first year in which the assessment is imposed.
- (7) This by-law comes into force on the passing thereof and may be cited as the Shaw Branch of the Facey East Drain By-law.

This By-law shall come into full force and effect upon the final passing thereof.

Read a First and Second Time, Provisionally adopted this 22nd day of March, 2021

Read a Third Time, Enacted this ____ day of _____, 2021

Mayor – Darrin Canniff

Clerk - Judy Smith

SCHEDULE 'A' - ALLOWANCES

SHAW BRANCH OF THE FACEY EAST DRAIN

Municipality of Chatham - Kent
Community of Zone

In accordance with Sections 29 and 30 of the Drainage Act, we determine the allowances payable to owners entitled thereto as follows:

CONCESSION	LOT	ROLL NUMBER (Owner)	Section 29 Right-of-Way	Section 30 Damages	TOTALS
SHAW BRANCH					
3	Pt.3 & 4	1-092-01 (Huston Farms Inc.)	\$ 140.00	\$ 160.00	\$ 300.00
3	Pt.3 & 4	1-093 (A. & D. Miller)	40.00	230.00	270.00
Total Allowances			\$ 180.00	\$ 390.00	\$ 570.00
TOTAL ALLOWANCES ON THE SHAW BRANCH					\$ 570.00
TOTAL ALLOWANCES ON THE SHAW BRANCH OF THE FACEY EAST DRAIN					\$ 570.00

SCHEDULE 'C' - ASSESSMENT FOR CONSTRUCTION

SHAW BRANCH OF THE FACEY EAST DRAIN

Municipality of Chatham - Kent

Community of Zone

Job No. 220060

February 19, 2021

* = *Non-agricultural*

CON.	LOT	HECTARES AFFECTED	ROLL No. (OWNER)	BENEFIT	OUTLET	TOTAL
SHAW BRANCH						
3	Pt.3 & 4		1-092-01 (Huston Farms Inc.)	\$ 300.00	\$	\$ 300.00
3	Pt.3 & 4	9.30	1-093 (A. & D. Miller)	2,870.00	4,731.00	7,601.00
R.O.W.		1.00	3-264 (Canadian Pacific Railway)	5,860.00	2,629.00	8,489.00
TOTAL ASSESSMENT ON LANDS				\$ 9,030.00	\$ 7,360.00	\$ 16,390.00

SPECIAL ASSESSMENT against the Canadian Pacific Railway for the increased cost of a 16m - 250mm dia. Smooth wall steel pipe under their Railway

\$ 20,110.00

TOTAL ASSESSMENT ON THE SHAW BRANCH

\$ **36,500.00**

SCHEDULE 'D' - ASSESSMENT FOR MAINTENANCE

SHAW BRANCH OF THE FACEY EAST DRAIN

Municipality of Chatham - Kent

Community of Zone

Job No. 220060

February 19, 2021

CON.	LOT	HECTARES AFFECTED	ROLL No. (OWNER)	PERCENTAGE OF MAINTENANCE COST
SHAW BRANCH				
3	Pt.3 & 4		1-092-01 (Huston Farms Inc.)	1.3 %
3	Pt.3 & 4	9.3	1-093 (A. & D. Miller)	51.9
R.O.W.		1.0	3-264 (Canadian Pacific Railway)	46.8
				=====
			TOTAL ASSESSMENT ON LANDS	100.0 %
				=====
			TOTAL ASSESSMENT FOR MAINTENANCE OF THE SHAW BRANCH	<u>100.0 %</u>

365031000326400
CANADIAN PACIFIC RAILWAY
C/O PROPERTY TAX DEPARTMENT
1290 CENTRAL PKY W FLR 8TH
MISSISSAUGA ON L5C 4R3

365031000109201
HUSTON FARMS INC
C/O LARRY HUSTON
30087 BRICK RD
THAMESVILLE ON N0P 2K0

365031000109300
MILLER ALEX FRANK
MILLER DARLENE ELLEN
29403 FLORENCE RD
THAMESVILLE ON N0P 2K0

Hydro One Networks Inc
Real Estate Services
Land Use Planning
Attention: Paul Dockrill
PO Box 4300
MARKHAM ON L3R 5Z5

Ministry of Agriculture, Food and Rural Affairs
Att: Drainage Unit
3rd Floor, 1 Stone Road W
GUELPH ON N1G 4Y2

Email, Bell
rachel.marks@bell.ca
aaron.kovacs@bell.ca

Email, Chatham-Kent Public Utilities Commission
Ckamfm@chatham-kent.ca

Email, Public Works

Email, Lower Thames Valley Conservation Authority
Elizabeth.Philip@ltvca.ca
100 Thames Street
CHATHAM ON N7L 2Y8

Email, Entegrus Services
Attention: Engineering
email - Gary.Aitken@entegrus.com
320 Queen St
CHATHAM ON N7M 5K2

Email, Union Gas
Attention: Mike Cincurak
3840 Rhodes Drive
PO Box 700
WINDSOR ON N9A 6N7

Email, Engie Canada (Wind Farm)
andrew.clifford@engie.com
Attention: Andrew Clifford, East Lake St Clair Wind

Email, Pattern Energy (Wind Farm)
kevin.aikenhead@patternenergy.com
Attention: Kevin Aikenhead

Canadian Pacific Railway
Attention: Rhael Lemenin
2025 McCowan Road
SCARBOROUGH ON M1S 5K3

Email, Enbridge
John.Bridges@enbridge.com

Notice of Court of Revision

Mailed: April 12, 2021

Via: Canada Post

Ann Ford, Drainage Analyst

THIS IS EXHIBIT " EE " TO THE AFFIDAVIT
OF BLAISE CHEVALIER , SWORN ON THE 2ND DAY
OF APRIL, 2024.

Digitally signed by Lynn
Kalp
Date: 2024.04.02 12:55:55
-04'00'

A COMMISSIONER, ETC.

**Linda Marie Kalp, a Commissioner, etc.
Province of Ontario, for the
Municipality of Chatham-Kent.
Expires August 31, 2026.**

The Corporation of the Municipality of Chatham-Kent Drainage Board Meeting
held at Chatham-Kent Webinar, Chatham Ontario

May 4, 2021

6:00 P.M.

Call to Order

Members present were Chairman Brian Anderson, Vice Chairman Grant Guy,
members Louis Roesch, Scott McGeachy, and Steve Gleeson.

Scott McGeachy declared a conflict of interest on the Fenton Farms Drain.

Court of Revision

1. Shaw Branch of the Facey East Drain Community of Zone – 6:19 P.M.

Brigan Barlow, Manager, Drainage Services, reported that no written or verbal
appeals had been received.

John M. Spriet stated he had received no appeals.

Louis Roesch moved, Scott McGeachy seconded: **“That the Schedule of
Assessment published in the report dated February 19, 2021 on the Shaw
Branch of the Facey East Drain be adopted and the Court of Revision on
the Shaw Branch of the Facey East Drain be closed.”**

Motion Carried

**Municipality of Chatham-Kent
Recommendations of the Drainage Board
To
Chatham-Kent Council**

RE: Drainage Board Meeting – May 4, 2021

Members present were Chairman Brian Anderson, Vice Chairman Grant Guy, members Louis Roesch, Scott McGeachy, and Steve Gleeson.

Scott McGeachy declared a conflict of interest on the Fenton Farms Drain and did not participate in voting on that drain decision.

A summary of the recommendations of the Board with respect to the drainage matters considered at the May 4, 2021 meeting are set forth below. The provisional by-laws are found elsewhere in the agenda.

Summary of Recommendations of the Drainage Board

1. Reaume-Peltier Pump
Community of Tilbury East

That 3rd and final reading be given to the By-law with respect to the Reaume-Peltier Pump.

2. Poppe Drainage System
Community of Tilbury East

That 3rd and final reading be given to the By-law with respect to the Poppe Drainage System.

3. Shaw Branch of the Facey East Drain
Community of Zone

That 3rd and final reading be given to the By-law with respect to the Shaw Branch of the Facey East Drain.

4. Burgess Drain Realignment
Community of Chatham Township

That the Engineer's report on the Burgess Drain Realignment dated April 6, 2021 be adopted as presented and Council give 1st and 2nd reading to the By-law with respect to the Burgess Drain Realignment.

5. Fenton Farms Drain
Community of Orford

That the Engineer's report on the Fenton Farms Drain dated April 6, 2021 be adopted as presented and Council give 1st and 2nd reading to the By-law with respect to the Fenton Farms Drain.

6. Ted Teetzel Drain & Branches
Community of Orford

That the Engineer's report on the Ted Teetzel Drain & Branches dated January 7, 2021 be adopted as presented and Council give 1st and 2nd reading to the By-law with respect to the Ted Teetzel Drain & Branches.

7. Foxton Drain Guttridge Branch and Foxton Drain
Community of Raleigh

That the Engineer's report on the Foxton Drain Guttridge Branch and Foxton Drain dated April 8, 2021 be adopted as presented and Council give 1st and 2nd reading to the By-law with respect to the Foxton Drain Guttridge Branch and Foxton Drain.

That the following engineering appointments be approved: Taylor Drain – Spriet Associates London Limited, Hartford Mead Drain – Spriet Associates London Limited, DeCow Drain – Spriet Associates London Limited, Ellewood Drain – Spriet Associates London Limited, and Crowell Creek South Branch Drain - Spriet Associates London Limited.

THIS IS EXHIBIT " FF" TO THE AFFIDAVIT OF
BLAISE CHEVALIER , SWORN ON THE 2ND DAY OF
APRIL, 2024.

Lynn Kalp Digitally signed by Lynn Kalp
DN: cn=Lynn Kalp, o=Chatham-Kent, ou=Chatham-Kent, email=lynn.kalp@chatham-kent.ca

A COMMISSIONER, ETC.

**Linda Marie Kalp, a Commissioner, etc.
Province of Ontario, for the
Municipality of Chatham-Kent.
Expires August 31, 2026.**

By-law Number 93-2021

Of The Corporation
of the Municipality of Chatham-Kent

A By-law to provide for drainage work in the Municipality of Chatham-Kent for the Shaw Branch of the Facey East Drain (Community of Zone)

Finally Passed the 31st day of May, 2021.

Whereas a requisite number of owners have petitioned the Council of the Municipality of Chatham-Kent in accordance with the provisions of The Drainage Act requesting that the Shaw Branch of the Facey East Drain be constructed and be provided with a sufficient outlet.

And Whereas the Council of the Municipality of Chatham-Kent has procured a Report made by Spriet Associates London Limited, dated February 19, 2021.

And Whereas the estimated total cost of constructing the drainage work is \$36,500.00.

And Whereas \$36,500.00 is the amount to be contributed by the Municipality of Chatham-Kent for construction of the drainage works.

Be it Therefore Enacted by the Municipal Council of the Municipality of Chatham-Kent, pursuant to the provisions of The Drainage Act and amendments thereto as follows:


1. That the Report is hereby adopted and shall be completed in accordance therewith.
2. (1) The Corporation of the Municipality of Chatham-Kent may borrow on the credit of the Corporation the amount of \$36,500.00 being the amount necessary for construction of the drainage works.
(2) The Council may authorize the borrowing of monies towards the construction by the issuance and sale of debentures. Pending the sale of the debentures, Council authorizes the Mayor and Treasurer to make such temporary borrowing as may be required in order to meet the payments due to the vendors.
(3) The Corporation may issue debentures for the amount borrowed less the total amount of,
 - (a) Grants received under Section 85 of the Act;
 - (b) Commuted payments made in respect of lands and roads assessed within the municipality;
 - (c) Monies assessed in and payable by another municipality, and such debentures shall be made payable within five years from the date of the debenture and shall bear interest at a rate not higher than the rate charged by the Ontario Municipal Improvement Corporation on the date of sale of such debenture.

- (4) A special equal annual rate sufficient to redeem the principal and interest on the debentures shall be levied upon the lands and roads as set forth in Schedule "A" hereto attached to be collected in the same manner and at the same time as other taxes are collected in each year for five years after the passing of this by-law.
- (5) For paying the amount of nil being the amount assessed upon the lands and roads belonging to or controlled by the municipality, a special rate sufficient to pay the amount assessed plus interest thereon shall be levied upon the whole rateable property in the Municipality of Chatham-Kent in each year of five years after the passing of this by-law to be collected in the same manner and at the same time as other taxes are collected.
- (6) All assessments of \$500.00 or less are payable in the first year in which the assessment is imposed.
- (7) This by-law comes into force on the passing thereof and may be cited as the Shaw Branch of the Facey East Drain By-law.

This By-law shall come into full force and effect upon the final passing thereof.

Read a First and Second Time, Provisionally adopted this 22nd day of March, 2021

Read a Third Time, Enacted this 31st day of May, 2021



Mayor – Darrin Canniff



Clerk - Judy Smith

THIS IS EXHIBIT " GG " TO THE AFFIDAVIT
OF BLAISE CHEVALIER , SWORN ON THE 2ND DAY
OF APRIL, 2024.

Lynn Kalp

Digitally signed by
Lynn Kalp
Date: 2024.04.02
12:56:51 -04'00'

A COMMISSIONER, ETC.

**Linda Marie Kalp, a Commissioner, etc.
Province of Ontario, for the
Municipality of Chatham-Kent.
Expires August 31, 2026.**

Emily Crawford

From: Jack Carello <Jack_Carello@cpr.ca>
Sent: July 6, 2021 11:33 AM
To: Blaise Chevalier
Cc: Ann Ford; brandon@spriet.on.ca; John M Spriet; Rheal Lemelin; Brian Chowdhury
Subject: RE: Shaw Branch of Facey Drain East Branch (Zone Rd 2 - Bothwell) - CP Mile +/- 47.59 Windsor Sub.
Attachments: CP Utility Application Form 2021.docx; CP Flagging Application Form-2021.docx

Hi Blaise,

To follow the utility protocol, CP will require an agreement to be put in place to cover this pipe installation and all future maintenance. Attached the latest utility application form to commence the process. All submission and payments are being handled electronically in these times of uncertainty. Keep in mind that all expenses for this proposed installation will be borne by the applicant including CP flagging fees.

Regards,



Jack Carello, Civil Eng. Tech, SR/WA
Manager Utilities & Flagging
Engineering - Eastern & Western
Region
1290 Central Pkwy West – Suite 800
Mississauga ON L5C 4R3
O 905-803-3417 C 416-992-2676

From: Blaise Chevalier <blaisec@chatham-kent.ca>
Sent: Tuesday, June 15, 2021 3:40 PM
To: Rheal Lemelin <Rheal_Lemelin@cpr.ca>; Jack Carello <Jack_Carello@cpr.ca>
Cc: Ann Ford <ANNF@chatham-kent.ca>; brandon@spriet.on.ca; John M Spriet <john@spriet.ca>
Subject: RE: Shaw Branch of Facey Drain East Branch (Zone Rd 2 - Bothwell) - CP Mile +/- 47.59 Windsor Sub.

This email did not originate from Canadian Pacific. Please exercise caution with any links or attachments.

Hey Rheal and Jack,

Just following up in regards to this project now that it has cleared some of it's legislated timelines we're in a position to get organized for construction. I'm sure you have it somewhere but I've attached a copy of the plan as refresher. Clarke Construction will be the general contractor completing the work.

I'm wondering who I should be speaking with to get organized for an encroachment permit for working in the CP Rail right-of-way and what forms/information I should have the contractor submit.

Thanks,

Blaise Chevalier
Drainage Superintendent

Drainage, Asset and Waste Management
Municipality of Chatham-Kent

315 King St. West, PO Box 640
Chatham, ON N7M 5K8
Phone: 519.360.1998 Ext. 3318 Fax: 519.436.3240
E-mail: blaisec@chatham-kent.ca
www.chatham-kent.ca



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From: Rheal Lemelin <Rheal_Lemelin@cpr.ca>
Sent: February 10, 2021 1:47 PM
To: Blaise Chevalier <blaisec@chatham-kent.ca>; Jack Carello <Jack_Carello@cpr.ca>
Cc: Ann Ford <ANNF@chatham-kent.ca>; brandon@spriet.on.ca; John M Spriet <john@spriet.ca>
Subject: RE: Shaw Branch of Facey Drain East Branch (Zone Rd 2 - Bothwell) - CP Mile +/- 47.59 Windsor Sub.

If possible make 10"

From: Blaise Chevalier <blaisec@chatham-kent.ca>
Sent: Wednesday, February 10, 2021 12:51 PM
To: Jack Carello <Jack_Carello@cpr.ca>
Cc: Ann Ford <ANNF@chatham-kent.ca>; brandon@spriet.on.ca; John M Spriet <john@spriet.ca>; Rheal Lemelin <Rheal_Lemelin@cpr.ca>
Subject: RE: Shaw Branch of Facey Drain East Branch (Zone Rd 2 - Bothwell) - CP Mile +/- 47.59 Windsor Sub.

This email did not originate from Canadian Pacific. Please exercise caution with any links or attachments.

Hi Jack,

Thanks for the response - to confirm, is that inclusive of 12" (meaning 12" and smaller)? The current sizing proposal is for a 12" diameter crossing.

Thanks,

Sent with BlackBerry Work
(www.blackberry.com)

From: Jack Carello <Jack_Carello@cpr.ca>
Date: Wednesday, Feb 10, 2021, 9:33 AM
To: Blaise Chevalier <blaisec@chatham-kent.ca>

Cc: Ann Ford <ANNF@chatham-kent.ca>, brandon@spriet.on.ca <brandon@spriet.on.ca>, John M Spriet <john@spriet.ca>, Rheal Lemelin <Rheal_Lemelin@cpr.ca>
Subject: RE: Shaw Branch of Facey Drain East Branch (Zone Rd 2 - Bothwell) - CP Mile +/- 47.59 Windsor Sub.

Hi Blaise,

If the proposed installation pipe stays under 12" then a Geotechnical report and track settlement plan would not be required.

Regards,



Jack Carello, Civil Tech, SR/WA
Manager Utilities & Flagging
Engineering - Eastern & Western
Region
1290 Central Pkwy West – Suite 800
Mississauga ON L5C 4R3
O 905-803-3417 C 416-992-2676

From: Blaise Chevalier <blaisec@chatham-kent.ca>
Sent: February 8, 2021 12:37 PM
To: Rheal Lemelin <Rheal_Lemelin@cpr.ca>; Jack Carello <Jack_Carello@cpr.ca>
Cc: Ann Ford <ANNF@chatham-kent.ca>; brandon@spriet.on.ca; John M Spriet <john@spriet.ca>
Subject: RE: Shaw Branch of Facey Drain East Branch (Zone Rd 2 - Bothwell) - CP Mile +/- 47.59 Windsor Sub.

This email did not originate from Canadian Pacific. Please exercise caution with any links or attachments.

Good afternoon gentlemen,

Thanks for coming down and meeting with us Rheal, despite the new position (and slightly larger geographic area).

Spriets are currently working towards finishing a preliminary report and wanted to confirm that a geotechnical report is NOT required from your end. I just wanted to follow up with you two since, as Rheal indicated at our meeting, it was a little unclear whether this work falls under Rheal or Jack's department. I know Rheal indicated that this wouldn't be required for him.

Can you confirm this?

Thanks,

Blaise Chevalier
Drainage Superintendent
Drainage, Asset and Waste Management
Municipality of Chatham-Kent

315 King St. West, PO Box 640
Chatham, ON N7M 5K8
Phone: 519.360.1998 Ext. 3318 Fax: 519.436.3240
E-mail: blaisec@chatham-kent.ca
www.chatham-kent.ca



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From: Rheal Lemelin <Rheal_Lemelin@cpr.ca>
Sent: January 19, 2021 1:51 PM
To: Blaise Chevalier <blaisec@chatham-kent.ca>; Jack Carello <Jack_Carello@cpr.ca>
Cc: Ann Ford <ANNF@chatham-kent.ca>; brandon@spriet.on.ca; John M Spriet <john@spriet.ca>
Subject: RE: Shaw Branch of Facey Drain East Branch (Zone Rd 2 - Bothwell) - CP Mile +/- 47.59 Windsor Sub.

Hi Blaise, I can meet with you on Feb February 03 around 11:00 at the nearest road crossing of mile 47.59 Windsor Sub.

Rheal Lemelin | Manager Bridge Maintenance Toronto | 2025 McCown Rd., Scarborough, ON. M1S 5K3
C 416 525 9094 | O 416 609 7880



From: Blaise Chevalier <blaisec@chatham-kent.ca>
Sent: Wednesday, January 13, 2021 11:36 AM
To: Rheal Lemelin <Rheal_Lemelin@cpr.ca>; Jack Carello <Jack_Carello@cpr.ca>
Cc: Ann Ford <ANNF@chatham-kent.ca>; brandon@spriet.on.ca; John M Spriet <john@spriet.ca>
Subject: RE: Shaw Branch of Facey Drain East Branch (Zone Rd 2 - Bothwell) - CP Mile +/- 47.59 Windsor Sub.

This email did not originate from Canadian Pacific. Please exercise caution with any links or attachments.

Hi Rheal,

With the new COVID regulations coming into effect, I was wondering if a site visit was still a possibility for you? Just hoping to keep this project moving along if possible.

Thanks,

Blaise Chevalier
Drainage Superintendent
Drainage, Asset and Waste Management
Municipality of Chatham-Kent

315 King St. West, PO Box 640
Chatham, ON N7M 5K8
Phone: 519.360.1998 Ext. 3318 Fax: 519.436.3240
E-mail: blaisec@chatham-kent.ca
www.chatham-kent.ca



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From: Blaise Chevalier
Sent: December 18, 2020 3:07 PM
To: Rheal Lemelin <Rheal_Lemelin@cpr.ca>; 'Jack Carello' <Jack_Carello@cpr.ca>
Cc: Ann Ford <ANNF@chatham-kent.ca>; brandon@spriet.on.ca; John M Spriet <john@spriet.ca>
Subject: RE: Shaw Branch of Facey Drain East Branch (Zone Rd 2 - Bothwell) - CP Mile +/- 47.59 Windsor Sub.

Good morning Rheal,

Just following up to our call we had earlier this week with Jack. Based on our discussion, Jack suggested it might be beneficial to have a site visit to review the proposal with you as well as any potential alternatives.

Would you happen to have some availability in the new year to meet at this location?

Thanks,

Blaise Chevalier
Drainage Superintendent
Drainage, Asset and Waste Management
Municipality of Chatham-Kent

315 King St. West, PO Box 640
Chatham, ON N7M 5K8
Phone: 519.360.1998 Ext. 3318 Fax: 519.436.3240
E-mail: blaisec@chatham-kent.ca
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From: Jack Carello <Jack_Carello@cpr.ca>
Sent: December 3, 2020 5:10 PM
To: Blaise Chevalier <blaisec@chatham-kent.ca>
Cc: Ann Ford <ANNF@chatham-kent.ca>; brandon@spriet.on.ca; John M Spriet <john@spriet.ca>; Rheal Lemelin <Rheal_Lemelin@cpr.ca>
Subject: RE: Shaw Branch of Facey Drain East Branch (Zone Rd 2 - Bothwell) - CP Mile +/- 47.59 Windsor Sub.

Let's try the week after. Mon/Tues btwn 1pm - 3pm.

From: Rheal Lemelin <Rheal_Lemelin@cpr.ca>
Sent: December 2, 2020 5:13 PM
To: Jack Carello <Jack_Carello@cpr.ca>
Cc: Blaise Chevalier <blaisec@chatham-kent.ca>; Ann Ford <ANNF@chatham-kent.ca>; brandon@spriet.on.ca; John M Spriet <john@spriet.ca>
Subject: Re: Shaw Branch of Facey Drain East Branch (Zone Rd 2 - Bothwell) - CP Mile +/- 47.59 Windsor Sub.

Hi Jack, I will not be back to work till next Thursday, off on bereavement leave.

Rheal

Sent from my iPhone

On Dec 2, 2020, at 5:10 PM, Jack Carello <Jack_Carello@cpr.ca> wrote:

Next Wed/Thurs btwn 10:30 & noon works for me.

Rheal - Do these dates/times work with your schedule.

From: Blaise Chevalier <blaisec@chatham-kent.ca>
Sent: December 1, 2020 7:37 PM
To: Jack Carello <Jack_Carello@cpr.ca>
Cc: Ann Ford <ANNF@chatham-kent.ca>; brandon@spriet.on.ca; John M Spriet <john@spriet.ca>; Rheal Lemelin <Rheal_Lemelin@cpr.ca>
Subject: RE: Shaw Branch of Facey Drain East Branch (Zone Rd 2 - Bothwell) - CP Mile +/- 47.59 Windsor Sub.

This email did not originate from Canadian Pacific. Please exercise caution with any links or attachments.

Hi Jack,

That works for me - do you have any potential dates/times that would work for you and I can coordinate with Spriets?

Thanks

Sent with BlackBerry Work
(www.blackberry.com)

From: Jack Carello <Jack_Carello@cpr.ca>
Date: Tuesday, Dec 01, 2020, 5:09 PM
To: Blaise Chevalier <blaisec@chatham-kent.ca>
Cc: Ann Ford <ANNF@chatham-kent.ca>, brandon@spriet.on.ca <brandon@spriet.on.ca>, John M Spriet <john@spriet.ca>, Rheal Lemelin <Rheal_Lemelin@cpr.ca>
Subject: RE: Shaw Branch of Facey Drain East Branch (Zone Rd 2 - Bothwell) - CP Mile +/- 47.59 Windsor Sub.

Hi Blaise,

It would be best to set up a conference call to discuss this proposal further.

Regards,

<image002.png>

Jack Carello, SR/WA
Manager Utilities & Flagging
Engineering Public Works
1290 Central Pkwy West – Suite 800
Mississauga ON L5C 4R3
O 905-803-3417 C 416-992-2676

From: Blaise Chevalier <blaisec@chatham-kent.ca>
Sent: November 27, 2020 1:44 PM
To: Jack Carello <Jack_Carello@cpr.ca>
Cc: Ann Ford <ANNF@chatham-kent.ca>; brandon@spriet.on.ca; John M Spriet <john@spriet.ca>
Subject: RE: Shaw Branch of Facey Drain East Branch (Zone Rd 2 - Bothwell)

This email did not originate from Canadian Pacific. Please exercise caution with any links or attachments.

Hi Jack,

Glenna Hall had forwarded me your way a few weeks ago. I just wanted to forward a copy the preliminary drawings for this project I just received from Spriet Associates to add to this file. I know she said you guys are likely backed up to January for new files at this point so just let me know once you've had the chance to get a look at this.

Thanks,

Blaise Chevalier
Drainage Superintendent
Drainage, Asset and Waste Management
Municipality of Chatham-Kent

315 King St. West, PO Box 640
Chatham, ON N7M 5K8
Phone: 519.360.1998 Ext. 3318 Fax: 519.436.3240
E-mail: blaisec@chatham-kent.ca

www.chatham-kent.ca

<image003.png>

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From: Glenna Hall <Glenna_Hall@cpr.ca>
Sent: November 18, 2020 6:15 PM
To: Blaise Chevalier <blaisec@chatham-kent.ca>
Cc: Ann Ford <ANNF@chatham-kent.ca>; brandon@spriet.on.ca; Jack Carello <Jack_Carello@cpr.ca>
Subject: FW: Shaw Branch of Facey Drain East Branch (Zone Rd 2 - Bothwell)

Hello Blaise,

I've copied in your regional contact Jack Carello who will be able to assist with your general queries.

Please note due to end of year wrap-ups and higher than usual application requests, newly submitted utility application forms will be reviewed beginning of year 2021, unless in the case of an emergency.

Regards,
Glenna

From: Blaise Chevalier <blaisec@chatham-kent.ca>
Sent: Wednesday, November 18, 2020 9:39 AM
To: Glenna Hall <Glenna_Hall@cpr.ca>
Cc: Ann Ford <ANNF@chatham-kent.ca>; Brandon Widner <brandon@spriet.on.ca>
Subject: Shaw Branch of Facey Drain East Branch (Zone Rd 2 - Bothwell)

This email did not originate from Canadian Pacific. Please exercise caution with any links or attachments.

Hi Glenna,

I've been given your contact information from our drainage consultant, Spriet Associates, who indicated they had worked with you on previous Drainage Act projects. They had recommended I reach out to you first as you may be able to direct me through the appropriate channels at CP Rail.

We've received a petition under Section 4 of the Drainage Act for outlet to a property located at the north-east corner of the intersection of Zone Rd 2 and the CP rail line, located between the villages of Bothwell and Kent Bridge. Based on preliminary site reviews and survey, the proposed project scope generally includes the installation of a new rail crossing consisting of a 400mm diameter pipe (there is an existing 900mm diameter concrete in the same vicinity) and some drainage swale improvements.

I've attached a site map detailing the location (yellow line). Can you advise who we should be reaching out to at CP at this point for review and comments?

Thanks.

Blaise Chevalier

*Drainage Superintendent
Drainage, Asset and Waste Management
Municipality of Chatham-Kent*

315 King St. West, PO Box 640
Chatham, ON N7M 5K8
Phone: 519.360.1998 Ext. 3318 Fax: 519.436.3240
E-mail: blaisec@chatham-kent.ca
www.chatham-kent.ca

<image003.png>

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this email by anyone other than the intended recipient is strictly prohibited. If you have received this email in error please immediately delete it and notify sender at the above email address. Le courrier électronique peut être porteur de virus informatiques. Le destinataire doit donc passer le présent courriel et les pièces qui y sont jointes au détecteur de virus. L'expéditeur et son employeur déclinent toute responsabilité pour les dommages causés par un virus contenu dans le courriel. Le présent message et les pièces qui y sont jointes contiennent des renseignements confidentiels destinés uniquement à la personne ou à l'organisme nommé ci-dessus. Toute diffusion, distribution, reproduction ou utilisation comme référence du contenu du message par une autre personne que le destinataire est formellement interdite. Si vous avez reçu ce courriel par erreur, veuillez le détruire immédiatement et en informer l'expéditeur à l'adresse ci-dessus. ----- IMPORTANT NOTICE - AVIS IMPORTANT -----

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UTILITY CROSSING APPLICATION FORM

Applicant: Click or tap here to enter text. **Date:** Click or tap to enter a date.

Description of Utility Crossing location:

City/Town: Click or tap here to enter text.	Lot: Click or tap here to enter text.	Concession/Legal Land Desc.: Click or tap
Township: Click or tap here to enter text.	County: Click or tap here to enter text.	Province: Choose an item.
GPS Coordinates of exact utility crossing (latitude/longitude, decimal degrees <u>only</u>): Latitude: Click or tap here to enter text. Longitude: - Click or tap here to enter Name of Road where the utility is crossing CP tracks: Click or tap here to enter text.		
Railway Mileage & Subdivision if known: Click or tap here to enter text.		

Utility Owner Information:

Full Legal Name Of Utility Crossing Owner: Click or tap here to enter text.	
Address: Click or tap here to enter text.	Province: Choose an item.
City/Town: Click or tap here to enter text.	Postal Code: Click or tap
Contact/Signatory: Click or tap here to enter text.	
Phone: Click or tap here to enter text.	
Email Address: Click or tap here to enter text.	
24HR Owner Utility Emergency Response Number: Click or tap here to enter Approximate start date of proposed utility installation work: Click or tap to ent Number of days a CP flagman will be required for: (click) Days Purpose of utility installation: Click or tap here to enter text.	
Does applicant have an existing pipeline, hydro/power/fibre line crossing over/under the railway tracks at this <u>exact</u> location? Choose an item.	
Does applicant have an existing permit / agreement in place with CP for this existing installation? Choose an item. Provide copy of document or CP file number with application.	
Will existing utility be removed from the railway corridor? Choose an item.	
Who owns the property where the utility i.e. pipe/cable/conduit/hydro line etc. crosses the railway tracks? (Check off box beside the property owner.) Municipal <input type="checkbox"/> County <input type="checkbox"/> City <input type="checkbox"/> Region <input type="checkbox"/> CP <input type="checkbox"/>	
Description of work/notes: Click or tap here to enter text.	

Drawing No.: Click or tap here to enter text. **Date:** Click or tap to enter

UTILITY CROSSING FEES

Description	Payment to include with application:	One-time fee to be invoiced (aerial):	One-time fee to be invoiced (below ground):
<p><u>Utility Crossing Permits</u></p> <p>Over/Under railway tracks and crossing within Regional/Municipal roads and property not owned by the railway.</p>	<p>Application & Engineering review Fee (Non-refundable)</p> <p>\$700.00 + taxes*</p>	<p>One-time Permit Fee: \$575.00 + taxes*</p> <p>Fee will be invoiced to applicant once approved</p>	<p>One-time Permit Fee: \$575.00 + taxes*</p> <p>Fee will be invoiced to applicant once approved.</p>
<p><u>Utility Crossing Agreements</u></p> <p>Over/Under railway tracks & crossing within Canadian Pacific owned lands/right of way.</p>	<p>Application & Engineering review Fee (Non-refundable)</p> <p>\$700.00 + taxes*</p>	<p>One-Time Aerial Crossing Fees: (Hydro/Power, Fibre, Coaxial etc.)</p> <p>\$2,000.00 + taxes*</p>	<p>One-Time Pipe Crossing Fees: (Natural Gas, Oil, Sewer, Watermain, Storm Culverts etc.)</p> <p>~ less than 30" (750mm) outer diameter of casing: \$2,000.00 + taxes*</p> <p>~ 30" (750mm) to less than 96" (2400mm) outer diameter of casing: \$5,000.00 + taxes*</p> <p>Fee will be invoiced to applicant once approved.</p>

OTHER APPLICATION FEES

Railway property/title searches	\$400.00 + taxes*	Non-refundable
Utility searches and or copies of agreements/permits	\$200.00 + taxes*/document	Non-refundable
Permit / Drawing Revisions (Substitution of Prints)	\$525.00 + taxes*	Non-refundable
Additional Engineering review fees	\$400.00 + taxes*	Non-refundable
Assignments	\$500.00 + taxes*/agreement	Non-refundable

Express Fee*: (Permit/Agreements/Assignments reviewed within 10 business days):
Add \$1,200.00 + taxes* to Application/Documentation & Engineering Review Fee above.

Check off the box to the right if requesting this level of service:

Fast Track Fee*: (Permit/Agreements/Assignments reviewed within 5 business days):
Add \$2,000.00 + taxes* to Application/Documentation & Engineering Review Fee above.

Check off the box to the right if requesting this level of service:

***Express / Fast Track utility applications do not apply to installations that require Geotechnical review.**

Above-mentioned fees do not apply to utility crossings within major rail yards, or running parallel within the railway right of way.

CP reserves the right to review these fees from time to time. CP does not grant easements for utility crossings over/under the railway right of way.

Typical utility crossing application turnaround time: 30-60 business days.

***GST and any provincial sales taxes must be included with all fees. Tax rate is based on physical location of the utility installation.**

Underground Pipe Crossing Information:

Does CP Geotechnical Protocol apply to this installation?	Choose an item.
--	-----------------

If yes – Applicant to send a copy of the Geotechnical report along with a track settlement monitoring plan to CP Geotechnical Service provider for review and installation oversight. All additional fees associated with this review and onsite supervision will be borne by the applicant. Refer to CP Geotechnical Protocol for all required details before submitting.

<p>Number of new underground pipes crossing CPR tracks: Click or tap here to enter text.</p> <p>Material being carried in pipe i.e. storm, watermain, gas etc.: Click or tap here</p> <p>Depth below base of rail to top of steel casing pipe: no. m carrier pipe: no. m</p> <p>Depth below bottom of ditch to top of pipe: no. m</p> <p>Angle of crossing to the tracks: Click (shall not be less than 45 degrees)</p> <p>Number of tracks being crossed: Click or tap here to enter text.</p> <p>Number of manholes within CPR property: Click or tap here</p> <p>Number of shut off valves within CPR property: Click or tap here to</p> <p>Will existing pipe be removed or grouted in place? Click or tap here</p>
--

Bridge Information:

Does pipe cross underneath a Railway Bridge?	Choose an item.
Depth below grade to top of steel casing pipe: click m	
<p>Distance from edge of bridge abutments to centerline of steel casing pipe: no. m</p> <p>Distance from edge of bridge footings to centerline of steel casing pipe: no. m</p> <p>Installation should not come within the Zone of Potential Influence or that of any part of a railway bridge structure (footings, abutments, columns, piers, etc.). A cross-section of proposed installation must be provided along with Engineer's report if encroaching into these areas.</p>	

Pipe Specifications:

	Carrier Pipe (mm)	Casing Pipe (mm)
Outside Diameter	Click or tap here	Click or tap here
Wall Thickness	Click or tap here	Click or tap here
Pipe Material	Click or tap here	Click or tap here
Specification & Grade	Click or tap here	Click or tap here
Type of Joint	Click or tap here	Click or tap here
Coating	Click or tap here	Click or tap here
Cathodic Protection	Click or tap here	Click or tap here
Specified Min. Yield Strength	Click or tap here	Click or tap here
Max operating pressure	Click or tap here	Click or tap here
Max operating temperature	Click or tap here	Click or tap here
Max surge & test pressure	Click or tap here	Click or tap here
Min. Operating Temperature	Click or tap here	Click or tap here
Vents: Click or tap	Are Both Ends of the pipe sealed?	Choose an item.
Types of Seals:	Click or tap here to enter text.	
Distance of shut off valves to closest track centerline: Click or tap here to enter text. m		
Distance from nearest point of sending/receiving pits to the nearest rail: Click or tap here. m		
<p>Sending pit: Click or tap m Receiving pit: Click or tap m</p> <p>Excavation pits should be placed outside the railway corridor and not come within 10m of the nearest rail. If not practical, provide a detailed summary along with shoring/bracing design.</p>		

Method of installation: Click or tap here to enter text.

Steel casing pipe to conform to Cooper E80 railway loading and must span the complete railway right of way width.

Aerial/Underground Wire Crossing Information:

Aerial Information:

- **Number of NEW wires crossing over the tracks:** Click or tap here to enter text.
Hydro/Power: no. **Neutral:** no. **Fibre:** no. **Fibre count:** no.
- **Number of existing hydro wires / power lines / fibre optic cables crossing over the tracks:** no.
- **Maximum voltage of proposed hydro/power crossing:** no. **EMF output:** no.
- **Height above top of rail to proposed installation:** no. m
No cable/wire shall be less than 7.6m from top of rail to lowest wire including sag. If crossing within railway yards lowest wire with sag should not be less than 10m from top of rail.
- **Number of poles being placed within CPR property:** Click **(Property plan must be shown.)**
Pole Owner: Click or tap here to enter text.
- **If not the Pole Owner, does your company have permission/permit to use these poles? .**
(provide permission document with application)
- **Number of cabinets within Railway property:** Click or tap here to enter text.
- **Number of guy wires within railway property:** Click or tap here to enter text.
- **Angle of crossing to the tracks:** Click **degrees (should not be less than 45 degrees)**
- **Number of tracks crossed by installation:** Click or tap here to enter text.

Underground Cable/Wire Crossing Information:

- **Number of wires/cables within the conduit/casing crossing under the tracks:** Click
- **Type of wires/cable crossing underneath the tracks i.e. fiber, hydro etc.** Click
- **Number of manholes, cabinets on railway property:** Click
- **If fibre optic cable duct, Fibre Count:** Click or tap here to enter text.
- **Provide material specification of casing pipe/conduit i.e. HDPE, PVC etc.** Click or tap here
- **Depth below base of rail to top of conduit/casing:** Click **m (must not be less than 1.52m)**
- **Conduit outside diameter:** Click **mm** **Wall thickness:** Click **mm**
- **Steel casing pipe outside diameter:** Click **mm** **Wall thickness:** Click **mm**
- **Distance from nearest point of sending/receiving pits to nearest rail:**
Excavation pits should be placed outside the railway corridor and not come within 10m of the nearest rail.
Sending pit: Click **m** **Receiving pit:** Click **m**
- **Method of installation: Jack & Bore, Directional drilling etc.:** Click or tap here to enter text.

Bridge Information :

- **Does conduit/pipe cross underneath a Railway Bridge?** Choose an item.
 - **Depth below grade to top of casing pipe:** Click **m**
 - **Distance from edge of bridge abutments to centerline of conduit/casing pipe:** Click **m**
 - **Distance from edge of bridge footings to centerline of conduit/casing pipe:** Click **m**
- Installation should not come within the Zone of Potential Influence or that of any part of a railway bridge structure (footings, abutments, columns, piers, etc.) A cross-section of proposed installation must be provided along with Engineers report if encroaching into the zone.

Drawing No.: Click or tap here to enter text. **Date:** Click or tap to enter

UTILITY PACKAGE TO INCLUDE

- CP Utility Application Form
- PDF drawing to scale and stamped, (11 X 17 in color preferred).
- Complete installation should be shown on 1 drawing with plan view, profile and cross-section along with an aerial image showing exact crossing location with a solid red line across the rail corridor. (see attached examples) Please do not forward full-sized contract drawings.
- Advance payment made in the amount of \$700 plus taxes to cover the Non-refundable Application & Engineering Review Fee, to be made by EFT or Wire Payment – see payment details on the following page.
- Geotechnical report if pipe outer diameter is 300mm or larger or if soil conditions are not conducive to the proposed bore. Ensure items 13.4 to 13.12 within table 5 of the Geotechnical protocol checklist are addressed and the track settlement-monitoring plan is within the report being submitted in order to avoid delays.
- 1 copy of the complete Geotech package is to be sent to CP Geotechnical service provider for initial review. All additional fees undertaken by CP service provider i.e. review and installation oversight will be borne by the applicant and paid directly to CP service provider.
- Payment confirmation must accompany Utility Application, including taxes and any applicable provincial tax. Tax rate is based on physical location of the installation.
- The One-Time Permit or Agreement Fee will be invoiced once document is fully executed. If unsure of payment process or fee, send email to the regional contact below.
- Insufficient information will result in review delays and additional review fees.
- No permit/agreement will be processed unless proof of payment is included with application.



I have verified all required information and payment are being provided with this application and understand any missing items will result in delays or rejection of my application.

Email completed package to:

<p><u>Western Canada (BC, AB, SK)</u></p> <p>Attn: Graeme Dales, Supervisor, Utilities & Flagging (West) (graeme_dales@cpr.ca)</p> <p>Canadian Pacific 7550 Ogden Dale Rd SE Calgary, AB T2C 4X9</p>	<p><u>Eastern Canada (MB, ON)</u></p> <p>Attn: Jack Carello SR/WA Manager Utilities & Flagging Engineering Eastern Region (jack_carello@cpr.ca)</p> <p>Canadian Pacific 1290 Central Parkway West, Suite 800 Mississauga, ON L5C 4R3</p>
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***GST and any provincial sales taxes must be included with all fees. Tax rate is based on physical location of the utility installation.**

CP Banking Information

For: EFT - Electronic Funds Transfer Instructions

Company Name: Canadian Pacific Railway Company
Company Address: 7550 Ogden Dale Rd. SE
Calgary, AB, T2C 4X9
Company Transit: 00109
Company Account #: 1967-771
Institution #: 001
Bank Address: Bank of Montreal
350 7th Avenue SW
Calgary, AB T2P 0X4

For: Wire Payment Instructions

Beneficiary Name: Canadian Pacific Railway Company
Beneficiary Address: 7550 Ogden Dale Rd. E
Calgary, AB T2P 04X
Beneficiary Transit and Account #: 00101967771
Bank Routing Code: 000100109
Beneficiary Address: Bank of Montreal
350 7th Avenue SW
Calgary, AB T2P 0X4

**Bank of Montreal Swift Code: BOFMCAM2 International Banking, Head Office
Montreal, QC**

**Bank of Montreal's USD Corresponding Bank: Wells Fargo Bank (FKA
Wachovia Bank),**

SWIFT CODE: PNBPUS3NNYC, ABA/Routing #: 026005092



Flagman information sheet - *Customer copy*

Flagging protection is required any time a third party is conducting work on or around CP property and track which has the potential to pose a risk to the safe operation of trains and surrounding workers.

No work will be allowed, nor will personnel be permitted on the property unless proper arrangements are made in advance. CP police will be dispatched to address trespassing on CP property.

In addition, locates must be taken into account prior to any ground disturbance. Please contact your regional locate company as well as CP's CALLB4UDIG group at Call B4UDig@cpr.ca or 1-800-387-1833 to ensure all underground utilities in the area are protected.

Flagging resources will be supplied at CP's discretion, when they are available.

Notice Period

- For flagging requests of 30 days or more in duration, 12 months advance notice is required.
- For requests less than 30 days in duration, at least 90 day notice should be provided.
- For requests less than 5 days in duration, at least 2 weeks' notice should be provided.
- Cancellations must be received no less than 48 hours prior or 1 day full charge will occur.

When requesting flagging, it is incumbent on the applicant to provide all of the required information or the application may be rejected. An agreement for cost recovery must be in place before flagging services are provided.

Flagging flat rate: \$1,576/day – taxes (up to an 8 hour shift)

Note that the shift includes booking-in time at the flagperson's headquarters and travel time to and from the job site. The actual hours on site will vary by location. In addition, the flagperson's presence on site does not guarantee working time. The company will make every effort to accommodate the planned work but safe unhindered railway operations are paramount and available working hours will vary.

1) Minimum charge

- a. 8 hour shift – Includes travel time to and from site.
- b. Any exception to the minimum of 8 hour flat rate must be confirmed by CP Representative sign-off in advance.

2) The \$1,576 - taxes fee includes:

- a. Flagperson for up to 8 hours (07:00 – 15:00)
- b. Overhead expenses
- c. Standard vehicle/transportation (includes vehicle rental and gas if necessary)
- d. Crew Radios
- e. Flagperson's expenses including when necessary: Lodging, Fringe Benefits and expenses

3) What the flat rate fee does NOT include:

- a. OT hours worked – overtime rate is: \$237/hr – taxes - CP Roadmaster to provide approval.
- b. Flagging on Weekend & Statutory Holidays
- c. Specialty vehicles (i.e.: High Rail Bus or non-standard vehicle and or remote control flags, etc.)

Flagging Rates:	Days	Flat Fee + Taxes	General Comments
5 & 2 Shift*	Mon - Fri	\$1,576.00 + Taxes	Standard - 8 hours shift – no overtime (07:00 – 15:00)
4 & 3 Shift**	Mon-Thurs	\$1,970.00 + Taxes	10 hours shifts must be approved by CP under contract
7 & 7 Shift***	Tues- Mon	\$2,461.00 + Taxes	11 ½ hrs shifts must be approved by CP under contract

All flagging shall be billed per the above UNLESS there is an existing agreement in force, in which case the terms of the agreement will be honored until such time that it is cancelled, expires or is subject to renewal.



CP

Flagging Work Order Template

CP Permit/Agreement No*: _____ Approval Date*: Click or tap to enter a date.

CP CALLB4UDIG Ticket No*: _____ (*please provide, if applicable)

1) Description of CP Work:

* Requested Flagging Start date: (Click or tap to enter a date.) * Requested Flagging End date: (Click or tap to enter a date.) Requested dates above are not guaranteed to be scheduled. Refer to notice period on page 1.	No. of days to be charged for CP flagging:()
* Meeting Point: Click or tap here to enter text, * Street Location (or nearest intersection):Click or tap here to enter text.	
Mileage & Subdivision: Click or tap here to enter text.	
Description of work/notes: Click or tap here to enter text.	

2) Company to be charged for CP flagging (**MUST** be with the Agency or Permit/Agreement holder only):

* Company Name: Click or tap here to enter text.	
* Address (in full): Click or tap here to enter text.	
* PRIMARY CONTACT NAME (Requestor of Work):Click or tap here to enter text.	
* Telephone: Click or tap here to enter text.	* Email: Click or tap here to enter text.
* PO or Customer Ref #:Click or tap here (must be provided to book flagging)	

3) 3rd Party Work Done By i.e. being performed other than Applicant.

* Company Name: Click or tap here to enter text.	
* Description of 3rd Party Work/notes: Click or tap here to enter text.	
* NAME (Person responsible from 3rd Party):Click or tap here to enter text.	
* Telephone: Click or tap here to enter text.	* Email: Click or tap here to enter text.
* PO or Project #:Click or tap here to enter	* Dates Required: Click or tap here to enter

* Note: Any item marked with an asterisk (*) is a mandatory field.

CP USE ONLY: Is there parallel fibre? Details: Click or tap here to enter text.

Overtime/Holiday Authorization Form

* Company Name: Click or tap here to enter text.
* Dates OT flagging required: Click or tap here to enter text.
* PO or Customer Ref #: Click or tap here to enter text.

This flagging form must be signed by both parties if work is being conducted other than permit holder. Scheduling will not proceed without both signatures.

Click or tap here to enter text. _____	_____	_____
Agreement/Permit holder - Name (print)	Signature	Date
Click or tap here to enter text. _____	_____	_____
3rd Party/Contractor or Sub - Name (print)	Signature	Date

THIS IS EXHIBIT " HH" TO THE AFFIDAVIT OF
BLAISE CHEVALIER , SWORN ON THE 2nd DAY OF
APRIL, 2024.

Digitally signed by Lynn
Kalp
Date: 2024.04.02 12:59:40
-0400

A COMMISSIONER, ETC.

**Linda Marie Kalp, a Commissioner, etc.
Province of Ontario, for the
Municipality of Chatham-Kent.
Expires August 31, 2026.**

October 26, 2021

Jack Carello
Manager Utilities and Flagging
Engineering - Eastern & Western Region
1290 Central Parkway West, Suite 800
Mississauga, ON L5C 4R3

Dear Jack:

Re: Shaw Branch of Facey Drain – Zone Road 2 Bothwell – CP Mail /- 47.59 Windsor Sub.

This is in response to your email of July 6, 2021, advising of your position that CP requires an agreement to cover the pipe installation and maintenance, and that you will not pay any expenses related to this.

Section 26 of the *Drainage Act* requires a public utility to be assessed for and pay all the increase of cost of the drainage works. The definition of public utility includes a railway:

“public utility” means a person having jurisdiction over any water works, gas works, electric heat, light and power works, telegraph and telephone lines, **railways however operated**, street railways and works for the transmission of gas, oil, water or electrical power or energy, or any similar works supplying the general public with necessities or conveniences; (“services publics”)

You have been served with notice, you participated in the meeting of December 14, 2020, and Mr. Lemelin of CP attended the site meeting of February 3, 2021.

The engineer finalized his report and it was emailed with Notice of the Consideration meeting on March 16, 2021.

CP has always paid this in the past and there has been no change in the legislation.

Your position is contrary to the legislation and past practice and it is delaying this drainage work. Please confirm that you will bear the legislated costs of this project.

Brigan Barlow
Manager, Drainage Services

THIS IS EXHIBIT " II TO THE AFFIDAVIT OF
BLAISE CHEVALIER , SWORN ON THE 2ND DAY OF
APRIL, 2024.

Digitally signed by Lynn
Kalp
Date: 2024.04.02 13:00:07
Lynn Kalp
A COMMISSIONER, ETC.

**Linda Marie Kalp, a Commissioner, etc.
Province of Ontario, for the
Municipality of Chatham-Kent.
Expires August 31, 2026.**



Jack Carello
Manger Utilities and Flagging,
Engineering

T (905) 803 3417
E Jack_Carello@cpr.ca

November 26, 2021

Municipality of Chatham-Kent
Infrastructure and Engineering Services
Drainage Department
315 King Street West
PO Box 640 Chatham, Ontario
N7M 5K8

**RE: Shaw Branch of Facey Drain – Zone Road 2 Bothwell – CP Mail +/- 47.59
Windsor Subd.**

Attn: Brigian Barlow

Dear sir,

CP is in receipt of your letter dated October 26, 2021. By way of response to your letter CP has the following comments.

Along CP's rail operating corridor the Windsor Subdivision line, and through the balance of our network, CP maintains its own drainage infrastructure. CP's existing drainage infrastructure includes CP owned and maintained ditches, culverts, stormwater ponds in addition to the permeable nature of our right of way (which allows water to drain directly into the water table). CP's drainage system is designed to handle all water generated on our right of way.

While CP does not have any technical objections to the Facey drain system, and CP supports Chatham-Kent's advancement of this work at its cost, CP sees no benefit to our operations in maintaining a second, and therefore redundant, drainage system. On the contrary, CP's practice is to manage surface water on our own property and not to rely on drainage systems of third parties. CP notes we are not flowing water into, along or out of the proposed drain system. The proposed drain system is not necessary to support CP's operations and offers CP no benefit. CP believes the true beneficiaries of the proposed drainage system are the adjacent and proximate landowners between the origin and terminus, not CP.

CP believes that the correct reading of the reference to 'railways' in section 26 of the *Drainage Act* (Ontario), would be provincial railways that are wholly within the Province of Ontario. CP is an interprovincial, Class 1 railway that connects Ontario with the rest of the Country together with the continental US. CP disagrees that section 26 of the *Drainage Act* (Ontario) authorizes Chatham-Kent to assess costs for the Facey drain, where section 101 of the *Canada Transportation Act* has already synthesized the resolution of cost disputes where federal railway lands are involved.

While CP does not have any technical objections to the proposed works, Chatham-Kent in its capacity as proponent, should be responsible for the installation and operational costs of this new drainage installation. By way of next steps, CP can prepare it's standard pipe crossing

agreement for the Municipality execution in order to proceed with this installaiton, and access to the railway right of way.

Best regards,



Jack Carello, Civil Eng. Tech, SR/WA
Manager Utilities & Flagging
Engineering - Eastern & Western Region
750 Runnymede Road - 2nd Floor
Toronto, ON M6N 3V4
905-803-3417 C 416-992-2676

THIS IS EXHIBIT " JJ" TO THE AFFIDAVIT OF
BLAISE CHEVALIER , SWORN ON THE 2ND DAY OF
APRIL, 2024.

Lynn Kalp Digitally signed by Lynn Kalp
Date: 2024.04.02 11:00:35
09627

A COMMISSIONER, ETC.

**Linda Marle Kalp, a Commissioner, etc.
Province of Ontario, for the
Municipality of Chatham-Kent.
Expires August 31, 2026.**

Emily Crawford

From: Derek Basso <Derek.Basso@cn.ca>
Sent: May 4, 2017 4:11 PM
To: John M Spriet; Blaise Chevalier
Subject: RE: Municipal Drain - Archer

Roughly \$15,000.00 for flagging costs to be incorporated.

Thanks
Derek



Derek Basso
Engineering Technician | Eastern Canada Division of Engineering
Design and Construction

1 Administration Road, Concord, ON, L4K 1B9

O - 905-669-3184

F - 905-760-3406

E - Derek.Basso@cn.ca

From: John M Spriet [mailto:john@spriet.ca]
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To: Derek Basso <Derek.Basso@cn.ca>; Blaise Chevalier <blaisec@chatham-kent.ca>
Subject: RE: Municipal Drain - Archer

Hi Derek
Assuming it goes smoothly, we would need two weeks from start to finish
Regards
John

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To: John M Spriet <john@spriet.ca>; Blaise Chevalier <blaisec@chatham-kent.ca>
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John;

Provide the duration of the pipe ramming so I can estimate the costs for flagging. Was geotechnical review incorporated into the \$110,000.00?

Derek



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E - Derek.Basso@cn.ca

From: John M Spriet [<mailto:john@spriet.ca>]

Sent: Tuesday, May 02, 2017 8:40 AM

To: Derek Basso <Derek.Basso@cn.ca>; Blaise Chevalier <blaisec@chatham-kent.ca>

Subject: RE: Municipal Drain - Archer

Hi Derek

Have you had a chance to review this?

Let me know

Thanks

John

From: John M Spriet

Sent: Friday, April 21, 2017 11:24 AM

To: Derek Basso <derek.basso@cn.ca>; Blaise Chevalier <blaisec@chatham-kent.ca>

Subject: Re: Municipal Drain - Archer

Hi Derek

We have based this price on a 24 hr working window from the time when you cut the tracks

Regards

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From: Derek Basso <derek.basso@cn.ca>

Sent: Friday, April 21, 2017 11:20 AM

Subject: RE: Municipal Drain - Archer

To: John M Spriet <john@spriet.ca>, Blaise Chevalier <blaisec@chatham-kent.ca>

John;

Sorry for the delay I am working with our track crews to determine availability.

Do you know the duration you would require for this open cut (how many days of down time)

Thanks

Derek



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E - Derek.Basso@cn.ca

From: John M Spriet [<mailto:john@spriet.ca>]

Sent: Monday, April 10, 2017 9:52 AM

To: Derek Basso <Derek.Basso@cn.ca>; Blaise Chevalier <blaisec@chatham-kent.ca>

Subject: RE: Municipal Drain - Archer

Hi Derek

We spoke with a couple contractors to obtain a price for open cut of the railway. We estimate the costs for open cut to be approx. \$65 to 70k. This would include the following

- Supply of pipe
- Supply and Installation of backfill materials
- Rip-Rap
- Material Testing
- Engineering

We understand that this method does not require settlement monitoring or additional review by Golder's in Toronto and as such is not included in the price

Please let me know what you decide

Regards

John Spriet

From: Derek Basso [<mailto:Derek.Basso@cn.ca>]

Sent: Monday, February 13, 2017 8:32 AM

To: John M Spriet <john@spriet.ca>

Cc: Blaise Chevalier <blaisec@chatham-kent.ca>

Subject: RE: Municipal Drain - Archer

John;

Would I be able to obtain a updated cost estimate for open cut?

From here I can gauge which method CN will be going with.

Derek



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From: John M Spriet [<mailto:john@spriet.ca>]
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Hi Derek
Any word on your end about this crossing ?
Let me know
John

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To: John M Spriet <john@spriet.ca>
Cc: Blaise Chevalier <blaisec@chatham-kent.ca>
Subject: RE: Municipal Drain - Archer

Thanks John, I will see what can be coordinated on my end and let you know!

Derek



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E - Derek.Basso@cn.ca

From: John M Spriet [<mailto:john@spriet.ca>]
Sent: Tuesday, January 03, 2017 4:58 PM
To: Derek Basso <Derek.Basso@cn.ca>
Cc: Blaise Chevalier <blaisec@chatham-kent.ca>
Subject: RE: Municipal Drain - Archer

Okay I wasn't sure if you did that. If the municipality did the work , they would require 24hrs from the time the tracks were removed to replacement .

From: Derek Basso [mailto:Derek.Basso@cn.ca]
Sent: Tuesday, January 3, 2017 4:52 PM
To: John M Spriet <john@spriet.ca>
Subject: RE: Municipal Drain - Archer

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Have I misunderstood the scope of this?

Derek



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O - 905-669-3184
F - 905-760-3406
E - Derek.Basso@cn.ca

From: John M Spriet [mailto:john@spriet.ca]
Sent: Tuesday, January 03, 2017 4:47 PM
To: Derek Basso <Derek.Basso@cn.ca>
Subject: RE: Municipal Drain - Archer

Hi Derek

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Make sense?

Regards

John

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To: John M Spriet <john@spriet.ca>
Cc: Blaise Chevalier <blaisec@chatham-kent.ca>
Subject: RE: Municipal Drain - Archer

John;

Would you be able to let me know if an open cut is conducted how long the installation on your end would take from start to finish? If you can provide a hour duration I can obtain the block.

Thanks
Derek



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E - Derek.Basso@cn.ca

From: John M Spriet [<mailto:john@spriet.ca>]
Sent: Tuesday, January 03, 2017 4:36 PM
To: Derek Basso <Derek.Basso@cn.ca>
Cc: Blaise Chevalier <blaisec@chatham-kent.ca>
Subject: RE: Municipal Drain - Archer

Hi Derek
I expect construction would take place in the Fall 2017 .
Regards
John

From: Derek Basso [<mailto:Derek.Basso@cn.ca>]
Sent: Tuesday, January 3, 2017 8:39 AM
To: John M Spriet <john@spriet.ca>
Cc: Blaise Chevalier <blaisec@chatham-kent.ca>
Subject: RE: Municipal Drain - Archer

Thanks John;

When you require an answer from CN to determine if an open cut can be performed for this work? I need to know the anticipated construction timing for this work.

Derek



Derek Basso
Engineering Technician | Eastern Canada Division of Engineering
Design and Construction

1 Administration Road, Concord, ON, L4K 2R8
O - 905-669-3184
F - 905-760-3406
E - Derek.Basso@cn.ca

From: John M Spriet [<mailto:john@spriet.ca>]
Sent: Friday, December 30, 2016 5:39 PM
To: Derek Basso <Derek.Basso@cn.ca>
Cc: Blaise Chevalier <blaisec@chatham-kent.ca>
Subject: RE: Municipal Drain - Archer

Hi Derek

We estimate the pipe ramming to cost approx. \$110,000 . This does not include the cost of flagging. The railway will be billed late 2017 early 2018

Regards

John

From: Derek Basso [<mailto:Derek.Basso@cn.ca>]
Sent: Monday, December 5, 2016 3:11 PM
To: John M Spriet <john@spriet.ca>
Cc: Blaise Chevalier <blaisec@chatham-kent.ca>
Subject: RE: Municipal Drain - Archer

Please forward over, as well which year CN will be billed.

Thanks

Derek



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F - 905-760-3406
E - Derek.Basso@cn.ca

From: John M Spriet [<mailto:john@spriet.ca>]
Sent: Monday, December 05, 2016 9:43 AM
To: Derek Basso <Derek.Basso@cn.ca>
Cc: Blaise Chevalier <blaisec@chatham-kent.ca>
Subject: Fwd: Municipal Drain - Archer

Hi Derek

Find attached our engineering drawings . I have a cost estimate for pipe ramming which I will find an forwards to you

Regards

John

Emily Crawford

From: John M Spriet <john@spriet.ca>
Sent: March 20, 2024 2:59 PM
To: Blaise Chevalier
Subject: FW: Municipal Drain - Archer

From: Derek Basso <Derek.Basso@cn.ca>
Sent: Wednesday, November 1, 2017 1:41 PM
To: John M Spriet <john@spriet.ca>
Subject: Re: Municipal Drain - Archer

For billing is this in 2018 or 2019, just budgeting at the moment

Sent from my iPhone

On Nov 1, 2017, at 1:39 PM, John M Spriet <john@spriet.ca> wrote:

Hi Derek
Yes the intent is to construct this in 2018
Regards
John

From: Derek Basso [<mailto:Derek.Basso@cn.ca>]
Sent: Wednesday, November 1, 2017 1:32 PM
To: John M Spriet <john@spriet.ca>
Cc: Blaise Chevalier <blaisec@chatham-kent.ca>
Subject: RE: Municipal Drain - Archer

John,

Thank you for the update.

This is still for the 2018 year correct?

Derek

<[image001.gif](#)>

Derek Basso

Public Works Officer | Eastern Canada Division of Engineering
Design and Construction

1 Administration Road, Concord, ON, L4K 1B9
O - 905-669-3373

F - 905-760-3406
E - Derek.Basso@cn.ca

From: John M Spriet [<mailto:john@spriet.ca>]
Sent: Wednesday, November 01, 2017 1:27 PM
To: Derek Basso <Derek.Basso@cn.ca>
Cc: Blaise Chevalier <blaisec@chatham-kent.ca>
Subject: RE: Municipal Drain - Archer

Hi Derek

The Zoldos drain is the Archer Drain, we changed the name as there are too many Archer drains in the municipality. The cost did increase from \$125,000 to \$136,000 due to an increase in construction costs including supply and installation of the pipe. This of course is an estimate and this work will be eventually tendered by the Chatham Kent

Hope this helps
John

From: Derek Basso [<mailto:Derek.Basso@cn.ca>]
Sent: Wednesday, November 1, 2017 11:35 AM
To: John M Spriet <john@spriet.ca>
Cc: Blaise Chevalier <blaisec@chatham-kent.ca>
Subject: RE: Municipal Drain - Archer

John;

I received a new report from Chatham Kent, with respect to Zsoldos Drain, and his has the Archer drain as a appendix and states CN is on the hook for more money than discuss with the Archer Drain.

Would you guys be able to enlighten CN as soon as possible as to the Zsoldos drain?

Derek

<*image007.gif*>

Derek Basso

Public Works Officer | Eastern Canada Division of Engineering
Design and Construction

1 Administration Road, Concord, ON, L4K 1B9

O - 905-669-3373
F - 905-760-3406
E - Derek.Basso@cn.ca

From: John M Spriet [<mailto:john@spriet.ca>]
Sent: Wednesday, June 21, 2017 3:39 PM
To: Derek Basso <Derek.Basso@cn.ca>
Cc: Blaise Chevalier <blaisec@chatham-kent.ca>
Subject: RE: Municipal Drain - Archer

Hi Derek

Find attached the revised drawing which provides the details you requested below. We are planning to finalize the report in the next week or so, if you have any additional comments please let me know

Regards

John

From: Derek Basso [<mailto:Derek.Basso@cn.ca>]

Sent: Tuesday, May 9, 2017 2:47 PM

To: John M Spriet <john@spriet.ca>

Subject: RE: Municipal Drain - Archer

John;

That is correct.

Thanks

Derek

<*image001.gif*>

Derek Basso

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F - 905-760-3406

E - Derek.Basso@cn.ca

From: John M Spriet [<mailto:john@spriet.ca>]

Sent: Tuesday, May 09, 2017 2:37 PM

To: Derek Basso <Derek.Basso@cn.ca>

Subject: RE: Municipal Drain - Archer

Hi Derek

We can add these notes and details no problem. Does this mean that we are doing the Pipe Ramming option?

Let me know

John

From: Derek Basso [<mailto:Derek.Basso@cn.ca>]

Sent: Tuesday, May 9, 2017 1:41 PM

To: John M Spriet <john@spriet.ca>

Cc: Blaise Chevalier <blaisec@chatham-kent.ca>

Subject: RE: Municipal Drain - Archer

Importance: High

John;

Just reviewing the drawing a couple comments and concerns related to the drawing that will need to be updated:

The following information is required on the application drawing:

- ❑ Dimension width of CN right-of-way.
- ❑ Indicate location of proposed jacking and receiving pits in relation to the gauge side (inside) of nearest rail.
- ❑ Include a caption stating "Construction and maintenance to be in accordance with Transport Canada Standards Respecting Pipeline Crossings Under Railways."
- ❑ Professional Engineer's stamp, date and signature required.

NOTE: The nearest point at which excavation can be undertaken, is as follows:
Starting ten (10) feet from the gauge side (inside) of the nearest rail, measured perpendicular to the rail, calculate a slope to the bottom of the proposed pipe at a 1.5:1 slope. If a 1.5:1 slope cannot be maintained or more restrictive conditions occur, approved shoring will be required.

Additional requirements for underground crossing application drawings:

- ❑ Minimum depth of burial below base of rail is 1.68 m Main Tracks. (provide measurement)

If you can please send me updated drawings reflecting these I will begin the Geotechnical review phase of the installation.

Thanks
Derek

<image001.gif>

Derek Basso

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O - 905-669-3184
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E - Derek.Basso@cn.ca

From: John M Spriet [<mailto:john@spriet.ca>]
Sent: Tuesday, May 09, 2017 1:26 PM
To: Derek Basso <Derek.Basso@cn.ca>
Cc: Blaise Chevalier <blaisec@chatham-kent.ca>
Subject: RE: Municipal Drain - Archer

Hi Derek
Do you require anything else from me?
Let me know
Thanks
John

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Sent: Thursday, May 4, 2017 4:11 PM
To: John M Spriet <john@spriet.ca>; Blaise Chevalier <blaisec@chatham-kent.ca>
Subject: RE: Municipal Drain - Archer

Roughly \$15,000.00 for flagging costs to be incorporated.

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Derek

<image001.gif>

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Provide the duration of the pipe ramming so I can estimate the costs for flagging. Was geotechnical review incorporated into the \$110,000.00?

Derek

<image001.gif>

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<[image001.gif](#)>

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Would I be able to obtain a updated cost estimate for open cut?

From here I can gauge which method CN will be going with.

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<image007.gif>

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Subject: RE: Municipal Drain - Archer

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Derek Basso

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1 Administration Road, Concord, ON, L4K 2R8

O - 905-669-3184

F - 905-760-3406

E - Derek.Basso@cn.ca

From: John M Spriet [<mailto:john@spriet.ca>]
Sent: Friday, December 30, 2016 5:39 PM
To: Derek Basso <Derek.Basso@cn.ca>
Cc: Blaise Chevalier <blaisec@chatham-kent.ca>
Subject: RE: Municipal Drain - Archer

Hi Derek

We estimate the pipe ramming to cost approx. \$110,000 . This does not include the cost of flagging. The railway will be billed late 2017 early 2018

Regards
John

From: Derek Basso [<mailto:Derek.Basso@cn.ca>]
Sent: Monday, December 5, 2016 3:11 PM
To: John M Spriet <john@spriet.ca>
Cc: Blaise Chevalier <blaisec@chatham-kent.ca>
Subject: RE: Municipal Drain - Archer

Please forward over, as well which year CN will be billed.

Thanks
Derek

<*image001.gif*>

Derek Basso

Engineering Technician | Eastern Canada Division of Engineering
Design and Construction

1 Administration Road, Concord, ON, L4K 2R8

O - 905-669-3184

F - 905-760-3406

E - Derek.Basso@cn.ca

From: John M Spriet [<mailto:john@spriet.ca>]
Sent: Monday, December 05, 2016 9:43 AM
To: Derek Basso <Derek.Basso@cn.ca>
Cc: Blaise Chevalier <blaisec@chatham-kent.ca>
Subject: Fwd: Municipal Drain - Archer

Hi Derek

Find attached our engineering drawings . I have a cost estimate for pipe ramming which I will find an forwards to you

Regards
John

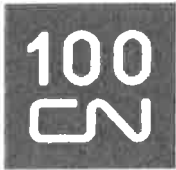
Emily Crawford

From: Derek Basso <Derek.Basso@cn.ca> on behalf of GLD-Permits <permits.gld@cn.ca>
Sent: November 8, 2019 9:12 AM
To: Blaise Chevalier; Brandon Widner
Cc: John M Spriet; Spencer Clarke; Peter -; Ann Ford
Subject: RE: Zsoldos Drain: Work Permit Application - UGP-CHM-38.48
Attachments: 19122004-1970-L03 Nov 6 19 Geo Rww CN - Zsoldos Drain.pdf

Blaise;

Find attached the most recent comments from Golder Associates.

Please provide comments in return to their attached letter.



Derek Basso

Officer Public Works, Design and Construction | Eastern
Canada Division of Engineering
T: 905-669-3373 | C: 416-574-4319

Celebrating 100 years | Célébrons nos 100 ans

From: Blaise Chevalier <blaisec@chatham-kent.ca>
Sent: Wednesday, August 14, 2019 9:43 AM
To: Brandon Widner <brandon@spriet.on.ca>; Derek Basso <derek.basso@cn.ca>
Cc: John M Spriet <john@spriet.ca>; Spencer Clarke <s.clarke@clarketrenchless.ca>; Peter - <peter@clarkegroupontario.ca>; Ann Ford <ANNF@chatham-kent.ca>
Subject: RE: Zsoldos Drain: Work Permit Application - UGP-CHM-38.48

Hi Derek,

Just doing a status check - any idea on when we might see a permit back or additional comments (if necessary)?

Trying to get materials and equipment organized.

Thanks,

Sent with BlackBerry Work
(www.blackberry.com)

From: Brandon Widner <brandon@spriet.on.ca>
Date: Tuesday, Aug 06, 2019, 5:13 PM
To: Derek Basso <Derek.Basso@cn.ca>, Blaise Chevalier <blaisec@chatham-kent.ca>
Cc: John M Spriet <john@spriet.ca>, Spencer Clarke <s.clarke@clarketrenchless.ca>, Peter - <peter@clarkegroupontario.ca>, Ann Ford <ANNF@chatham-kent.ca>
Subject: RE: Zsoldos Drain: Work Permit Application - UGP-CHM-38.48

Derek

Please see attached the comments from Golder's London in response to the comments you provided, as well as an updated drawing

Please let me know if you require anything else as we would like to construct this during the summer while conditions are ideal

Thanks

Brandon Widner

P.Eng

Spriet Associates Architects and Consulting Engineers

155 York St. - London, ON - N6A 1A8

phone: 672.4100

fax: 433.9351

brandon@spriet.on.ca

www.spriet.on.ca

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From: Derek Basso [mailto:Derek.Basso@cn.ca]

Sent: Thursday, July 11, 2019 8:58 AM

To: Blaise Chevalier; Brandon Widner

Cc: John M Spriet; Spencer Clarke; Peter -; Ann Ford; Derek Basso

Subject: RE: Zsoldos Drain: Work Permit Application - UGP-CHM-38.48

Importance: High

Blaise;

Find attached the most recent comments from Golder, please review as soon as possible and provide comments in return.

Any questions please give me a call.

Thanks

Derek

Derek Basso



Officer Public Works, Design and Construction | Eastern
Canada Division of Engineering
T: 905-669-3373 | C: 416-574-4319
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From: Blaise Chevalier <blaisec@chatham-kent.ca>
Sent: Tuesday, July 09, 2019 3:51 PM
To: Brandon Widner <brandon@spriet.on.ca>; Derek Basso <derek.basso@cn.ca>
Cc: John M Spriet <john@spriet.ca>; Spencer Clarke <s.clarke@clarketrenchless.ca>; Peter - <peter@clarkegroupontario.ca>; Ann Ford <ANNF@chatham-kent.ca>
Subject: RE: Zsoldos Drain: Work Permit Application - UGP-CHM-38.48

Good afternoon Derek,

Please find attached copy of Clarke's insurance certificate.

Is there an approximate timeline for permit processing? Given the very dry weather we've (finally) been experiencing, this makes for ideal working conditions and minimizes any risks in the poor soils out there.

Clarke's are prepared to proceed with construction as soon as possible.

Please advise if there's any additional information myself or Spencer (Clarke's) need to provide.

Thanks,

Sent with BlackBerry Work
(www.blackberry.com)

From: Brandon Widner <brandon@spriet.on.ca>
Date: Tuesday, Jun 25, 2019, 4:04 PM
To: Derek Basso <Derek.Basso@cn.ca>, Blaise Chevalier <blaisec@chatham-kent.ca>
Cc: John M Spriet <john@spriet.ca>, Spencer Clarke <s.clarke@clarketrenchless.ca>, Peter - <peter@clarkegroupontario.ca>, Ann Ford <ANNF@chatham-kent.ca>
Subject: RE: Zsoldos Drain: Work Permit Application - UGP-CHM-38.48

Derek

The drawings are similar to the other projects we have completed with you as well as the soils report which is included in the report.

As for the anticipated cost, the assessment on this project to CN is estimated at \$176512.00, I believe this will most likely be billed later this year or early next year in 2020.

We will have Clarke's provide the appropriate insurance certificate

If you have any questions or require anything further just let Blaise or myself know.

Thanks

Brandon Widner

P.Eng

Spriet Associates Architects and Consulting Engineers

155 York St. - London, ON - N6A 1A8

phone: 672.4100

fax: 433.9351

brandon@spriet.on.ca

www.spriet.on.ca

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From: Derek Basso [<mailto:Derek.Basso@cn.ca>]

Sent: Tuesday, June 25, 2019 1:23 PM

To: Blaise Chevalier

Cc: Brandon Widner; John M Spriet; Spencer Clarke; Peter -; Ann Ford; Derek Basso

Subject: RE: Zsoldos Drain: Work Permit Application - UGP-CHM-38.48

Importance: High

Frank;

Thank you for the update on the above noted drain. Prior to my review I would ask that you review the attached requirements.

Please ensure that the drawings match the standards and your geotechnical report matches our checklist.

If you can also provide CN's anticipated costs for this project and the year in which CN will be charged.

Thank you

Derek



Derek Basso

Officer Public Works, Design and Construction | Eastern

Canada Division of Engineering

T: 905-669-3373 | C: 416-574-4319

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From: Blaise Chevalier <blaisec@chatham-kent.ca>

Sent: Tuesday, June 25, 2019 10:23 AM

To: Derek Basso <Derek.Basso@cn.ca>
Cc: Brandon Widner <brandon@spriet.on.ca>; John M Spriet <john@spriet.ca>; Spencer Clarke <s.clarke@clarketrenchless.ca>; Peter - <peter@clarkegroupontario.ca>; Ann Ford <ANNF@chatham-kent.ca>
Subject: Zsoldos Drain: Work Permit Application

Good morning Derek,

After some lengthy delays from the Conservation Authority, this project has finally been approved without any changes. Given the known unstable soil conditions (as per the Golder soils investigations) we have at this location coupled with the extremely high water table this spring, our intention is to complete this work during dry mid-summer conditions. We are in a position to start construction by mid-July.

Clarke Construction Inc. will be the General Contractor and Permit Applicant – I've cc'd Spencer Clarke to this e-mail, he will be their contact.

Please advise if you require additional information.

Thanks,

Blaise Chevalier
Drainage Superintendent
Drainage, Asset and Waste Management
Municipality of Chatham-Kent

315 King St. West, PO Box 640
Chatham, ON N7M 5K8
Phone: 519.360.1998 Ext. 3318 Fax: 519.436.3240
E-mail: blaisec@chatham-kent.ca
www.chatham-kent.ca



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From: Spencer Clarke <s.clarke@clarketrenchless.ca>
Sent: June 25, 2019 9:39 AM
To: Blaise Chevalier <blaisec@chatham-kent.ca>
Cc: Peter - <peter@clarkegroupontario.ca>
Subject: Re: Zsoldos Drain: Main Drain Portion

Hey Blaise,

Heres the completed forms and attached documents if you would like to forward on to CN .

> On Jun 21, 2019, at 10:34 AM, Blaise Chevalier <blaisec@chatham-kent.ca> wrote:

>

> <Zsoldos Drain Profile & Details Aug 16, 2017.pdf>

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November 6, 2019

Project No. 19122004-1970-L03

Mr. Michael Vallins, P.Eng., Manager Public Works

Canadian National Railway Company
Design & Construction Eastern Region
1 Administration Road
P.O. Box 1000
Concord ON L4K 1B9

**GEOTECHNICAL REVIEW - ZSOLDOS DRAIN UNDERCROSSING
CANADIAN NATIONAL RAILWAY, MILE 38.49, STRATHROY SUBDIVISION
BOTHWELL, ONTARIO**

Dear Mr. Vallins:

This letter provides a summary of our continuing review of the geotechnical aspects of the information provided pertaining to the proposed Zsoldos Drain undercrossing the Canadian National (CN) Railway right-of-way near Bothwell, Ontario.

The following documents were provided for Golder's review:

- Drawing 3 of 3 titled "CN Crossing" prepared by Spriet Associates Limited (Spriet), revised August 27, 2019.
- Letter titled "CNR Undercrossing, Zsoldos / Archer Drain, Municipality of Chatham-Kent, Ontario, Response to CN Comments" prepared by Golder, dated October 2, 2019.
- Document titled "Zsoldos Bore" prepared by Clarke Trenchless (Clarke), dated September 9, 2019.
- Document titled "Key Personnel Qualifications and Equipment List", prepared by Clarke, dated January 1, 2019.

Based on our review of the documents, we have the following comments:

- 1) The zone of influence as shown by 3 m from the rail line and downward at a 1.5H:1V slope, should extend 3 m from the railway elevation downward, rather than from the embankment slope downward. The shaft excavations should be maintained outside this distance.
- 2) Although the plan view on Drawing 3 is not clear and differs from the updated Profile B-B, we understand from Golder's response letter dated July 29, 2019, that the "shafts" will not cut into the toes of the existing rail embankment. Please confirm how the front face of the shafts will be constructed (i.e. open cut or vertically shored) and provide details for protection of the railway embankment during construction.

Golder Associates Ltd.
100 Scotia Court, Whitby, Ontario, L1N 8Y6, Canada

T: +1 905 723 2727 F: +1 905 723 2182

- 3) As indicated in the geotechnical investigation report, excavations for shaft construction will extend through compact sand, 1.0 m to 1.2 m below the groundwater level at the site and recommended "pumping from sumps and vacuum well points, if required" for groundwater control. The Contractors work plan only discusses gravity drainage and sump pumping. Please provide a contingency plan for higher groundwater dewatering volumes as the sand is a very permeable stratum.
- 4) Further to comment above, the contingency plans note that if heave or settlement occurs, the soil inside the casing will be removed to leave either a 1 m or 2 m soil plug only. Section 5.1.2 of the geotechnical report states that "partial or full removal of materials from within the pipe should not be permitted at any time until the lead end of the casing reaches the receiving pit". Please comment on the length of the soil plug as far as the groundwater level in the sand is concerned and the recommendations in the geotechnical report.

We trust that this letter adequately summarizes the results of our review of the geotechnical components of the proposed undercrossing. If any point requires further clarification, or when additional information on this undercrossing is available for review, please contact our office.

Yours truly,

Golder Associates Ltd.



Anastasia Poliacik, P.Eng.
Geotechnical Engineer



Sarah E.M. Poot, P.Eng.
Associate, Senior Geotechnical Engineer

AMP/SEMP/cr