

THE CORPORATION OF THE MUNICIPALITY OF LEAMINGTON

AGENDA



PUBLIC MEETING

ENGINEER'S REPORT ENNS DRAIN HWY 77 BRANCH

MONDAY, APRIL 4, 2011
COMMENCING AT 7:00 P.M.
IN THE COUNCIL CHAMBERS

ITEMS FOR CONSIDERATION:

1. Notice of Public Meeting
Page 2

- Engineer's Report prepared by N. J. Peralta Engineering dated March 10, 2011 (previously circulated under separate cover)

2. Report DR 13/11 dated February 4, 2011 re: Ministry of Transportation - Request for Petition Drains - Enns Drains Highway 77 Branch - Part Lots 6-7, Concession 6
Pages 3-5

Suggested Recommendation:

THAT the Engineer's Report dated March 11, 2011, as prepared by N.J. Peralta Engineering, re: Enns Drain - Hwy 77 Branch, be adopted;

AND THAT By-law 117-11, authorizing the work be presented to Council for 1st and 2nd reading. And that the Clerk send by prepaid mail a copy of the By-law and Notice of the Court of Revision to each of the affected parties;

AND THAT a Court of Revision be held on the 9th day of May, 2011, and that Tony Peralta, P.Eng., Allan Botham, P.Eng., Manager of Engineering Services and Lu-Ann Barreto, Drainage Superintendent, be appointed as Commissioners to let and superintend the said drainage works (DR 13-11).

mam

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THE CORPORATION OF THE MUNICIPALITY OF LEAMINGTON

38 Erie Street North, Leamington, ON, Canada N8H 2Z3
Telephone (519) 326-5761 • Fax (519) 326-2481

Lu-Ann Barreto, Drainage Superintendent
lbarreto@leamington.ca

NOTICE - PUBLIC MEETING

Leamington, Ontario
March 23, 2011

To: All Affected Owners

Dear Sir or Madam:

Re: **ENGINEER'S REPORT - ENNS DRAIN - HIGHWAY 77 BRANCH
LOT 6 AND LOT 7, CONCESSION 6
MUNICIPALITY OF LEAMINGTON**

This is to notify that you have property affected by the above proposed drainage project, pursuant to the provisions of The Drainage Act, R.S.O. 1990, as amended.

The Engineer's Report as prepared by N.J. Peralta Engineering dated March 10, 2011, a copy of which is attached, was filed with the Clerk of the Municipality of Leamington on March 11, 2011, and will be considered at a meeting of the Leamington Council:

Date: Monday, April 4, 2011

Time: 7:00 p.m.

Location: Council Chambers of the Municipal Building
38 Erie St. N., Leamington, Ontario

Yours truly,

Kim Siddall,
Manager of Corporate Services

/cd
Attach.

REPORT

TO: MAYOR & COUNCIL
MUNICIPALITY OF LEAMINGTON

FROM: LU-ANN BARRETO,
DRAINAGE SUPERINTENDENT

DATE: FEBRUARY 4TH, 2011

SUBJECT: MINISTRY OF TRANSPORTATION - REQUEST FOR PETITION
DRAINS - ENNS DRAIN - HIGHWAY 77 BRANCH
PART LOTS 6-7, CONCESSION 6, MUNICIPALITY OF LEAMINGTON

AIM:

To obtain a resolution of instruction from Leamington Council to adopt the Engineer's Report prepared by N.J. Peralta Engineering dated March 11th, 2011, new petition drain - Enns Drain - Highway 77 Branch, pursuant to the provisions of Section 4, of *The Drainage Act* R.S.O. 1990.

BACKGROUND:

The Ministry of Transportation has reconstructed Highway 77 from Staples to the Highway 3/County Rd 33 along with installing storm sewers along the highway. The Ministry of Transportation has investigated the existing right-of-way drainage and has found several illegal storm and sanitary connections discharging to the road drainage. Corrections to these illegal connections have been made by way disconnecting any overflow pipes and installing new septic systems and have approved all approved by our Building Department. Staff notes that only storm water can outlet to these sewers.

The Municipality has received several petitions from the Ministry of Transportation to convert all MTO sewer drains into Municipal Drains and to legalize the watersheds. Since there are several watersheds it was proposed that a report be created for each drain. The chart below outlines the status of each project:

Project #	Engineer's Report - Drain Name	Estimated Cost	Actual to Date	Progress
1	Reid Drain - Highway 77 Branch	\$6,500	\$7,222	Complete
2	Hooker Drain - Hwy 77 East Branch - Hwy 77 West Branches	18,900	9,197	Report complete - final bill o/s
3	Enns Drain - Hwy 77 Branch	14000	9,984	In progress
4	Robert Anderson Drain - Hwy 77 Branches		7,852	In progress
5	5th Concession Rd Dr - Hwy 77 NE Branch - Hwy 77 NW Branch		7,852	In progress
6	5 th Conc Road Drain - Hwy 77 SW Branch		3,926	In progress
7	Jacob Fox Drain - Hwy 77 NE Branch		3,926	In progress
8	Jacob Fox Drain - Hwy 77 NW Branch - Hwy 77 SW Branch		7,852	In progress
9	4th Concession Road Drain - Hwy 77 Branch		3,926	In progress
	Projects 3 through 9	80,600		
	TOTALS:	\$120,000	\$61,737	

Council has adopted the Reid Drain - Highway 77 Branch report (Project #1) under Bylaw 68-10, and the Hooker Drain - Highway 77 East branch and Highway 77 West Branch (Project #2) under Bylaw 107-11. Enns Drain - Highway 77 Branch (Project #3) is now complete and is recommended for adoption. The Drainage Superintendent anticipates receiving all remaining reports (Projects 4 through 9) within the 2011 calendar year.

The drainage improvements completed by MTO included covered drains that are generally located in built-up areas. These covered drains normally collect water only from the roadside ditches and swales and convey it to the existing Municipal drainage outlets. However since there were several connections from abutting residential/farm parcels MTO submitted the petitions for conversion to municipal drains based on the service provided to both the roadway and adjacent lands.

COMMENTS:

In discussion with the Ministry of Transportation it was decided that the Engineer's Report and cost for construction would be borne 100% by MTO and no assessment made to benefitting landowners for those costs.

It was also noted that any future maintenance would be apportioned as per a newly adopted maintenance schedule under the proposed reports.

All landowners affected by this project will receive a copy of the report and will be invited to attend Council during the Public Meeting schedule for April 11, 2011.

FINANCIAL

The cost for all projects was estimated and approved in the 2010 budget at a total of \$120,000, with full funding to be provided by MTO. To date, cost of \$61,731 has been incurred for preparation of all the background design and information for each of the reports, completion of the Reid Drain report (Project #1) and partial payment for the Hooker Drain report (Project #2) (noted in chart above). It is still expected that the balance of work will be completed within the \$120,000 estimated total; therefore, the balance of \$66,758 has been included in the 2011 budget request. There is no municipal cost to this project as project cost fully recoverable by MTO.

RECOMMENDATION:

THAT the Engineer's Report dated March 11, 2011, as prepared by N.J. Peralta Engineering, re: Enns Drain - Hwy 77 Branch, be adopted;

AND THAT By-law 117-11, authorizing the work be presented to Council for 1st and 2nd reading. And that the Clerk send by prepaid mail a copy of the By-law and Notice of the Court of Revision to each of the affected parties;

AND THAT a Court of Revision be held on the 9th day of May, 2011, and that Tony Peralta, P.Eng., Allan Botham, P.Eng., Manager of Engineering Services and Lu-Ann Barreto, Drainage Superintendent, be appointed as Commissioners to let and superintend the said drainage works (DR 13-11).

Respectfully,

Lu-Ann Barreto
Drainage Superintendent

Allan Botham, P.Eng.
Manager of
Engineering Services

John Tofflemire
Director of
Community Services

PLAN, PROFILES & SECTIONS OF THE
ENNS DRAIN - HIGHWAY 77 BRANCH
 (PHILIPS ENGINEERING NETWORK 8)

IN THE
 MUNICIPALITY OF LEAMINGTON
 IN THE
 COUNTY OF ESSEX, ONTARIO

Antonio B. Peralta
 ANTONIO B. PERALTA, P.ENG.



N. J. PERALTA ENGINEERING LTD.
 45 DIVISION STREET NORTH
 KINGSVILLE, ONTARIO
 N9Y 1E1

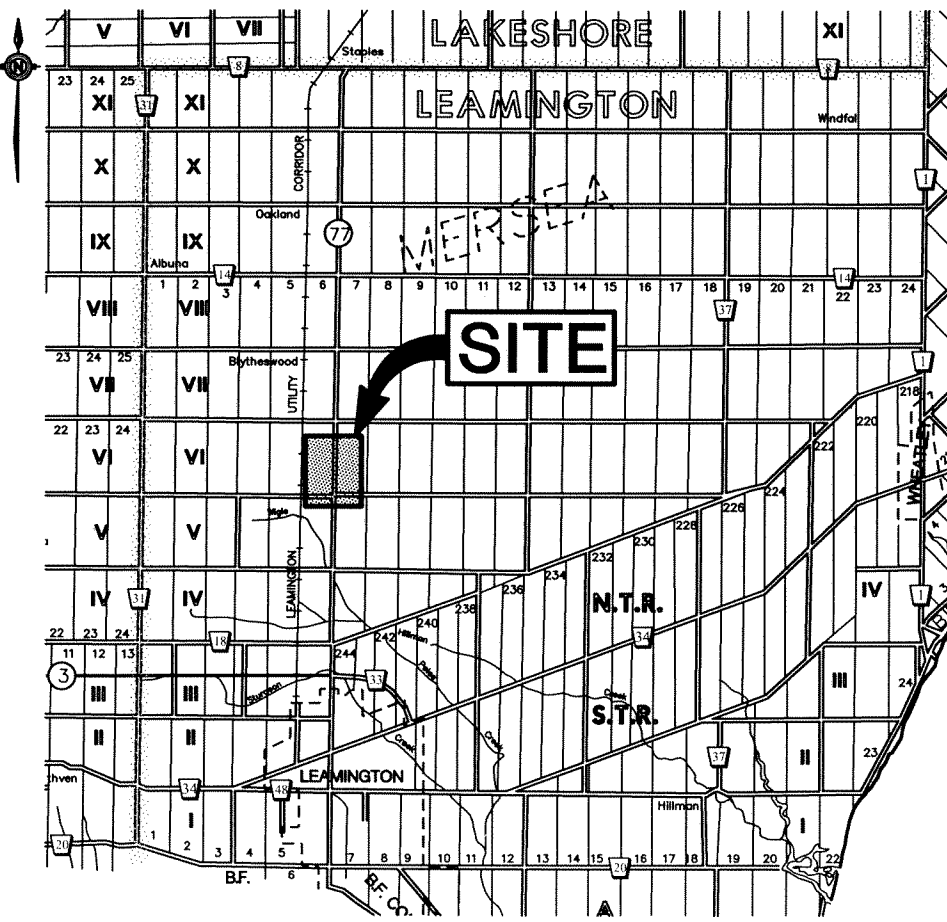
DATE: MARCH 10th, 2011

MUNICIPALITY OF LEAMINGTON
 MAYOR: JOHN PATERSON
 CLERK: BRIAN SWEET
 DRAINAGE SUPERINTENDENT: LU-ANN BARRETO

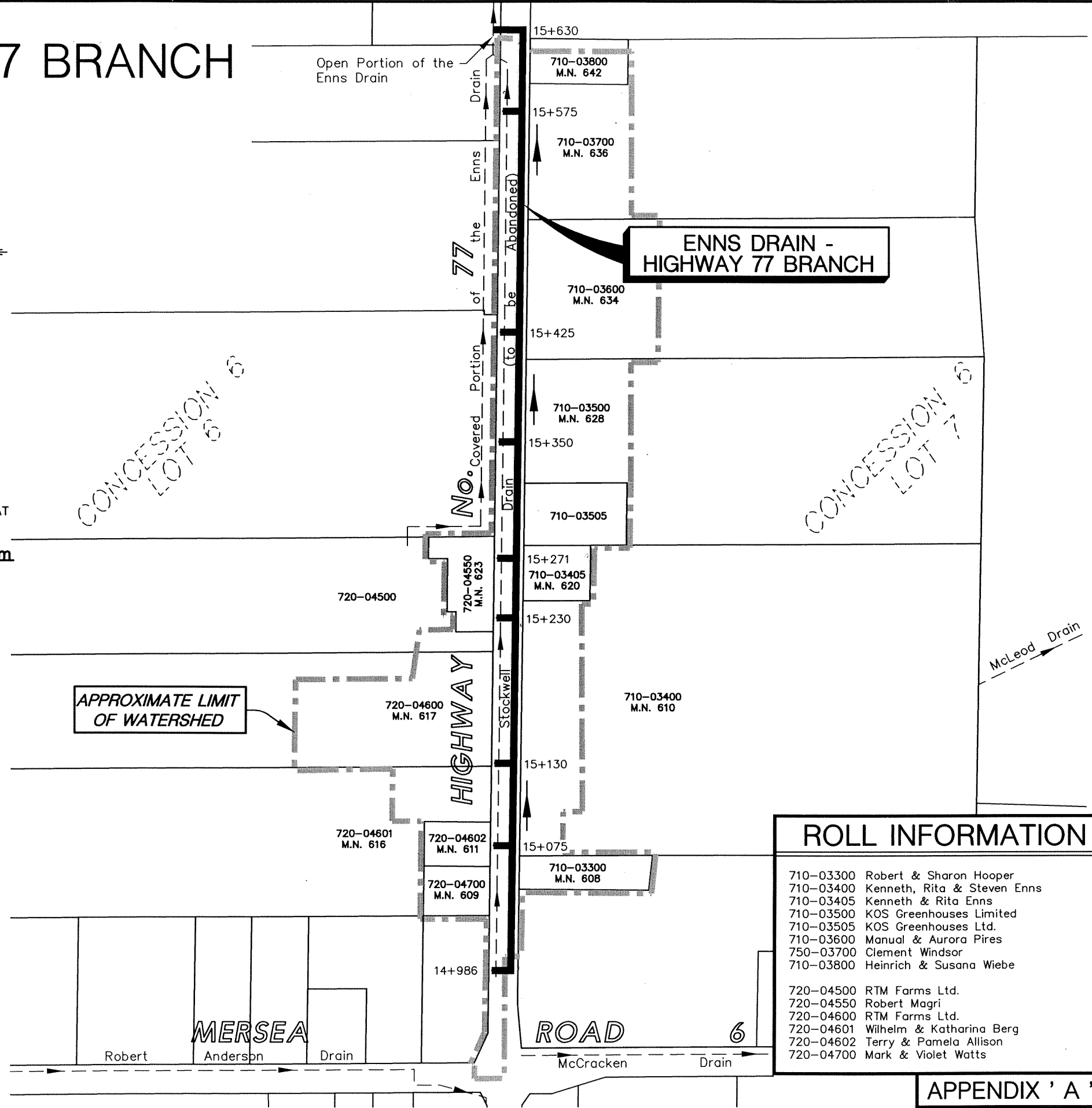
BENCHMARK:
 TOP OF NORTHEAST CORNER OF CONCRETE PORCH AT
 M.N. 617 LOCATED ON THE WEST SIDE OF KING'S
 HIGHWAY 77 STA. 15+176.5. (BM#8013)
ELEV. = 197.714m



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KEY PLAN
 Scale = 1:40,000



ROLL INFORMATION	
710-03300	Robert & Sharon Hooper
710-03400	Kenneth, Rita & Steven Enns
710-03405	Kenneth & Rita Enns
710-03500	KOS Greenhouses Limited
710-03505	KOS Greenhouses Ltd.
710-03600	Manual & Aurora Pires
750-03700	Clement Windsor
710-03800	Heinrich & Susana Wiebe
720-04500	RTM Farms Ltd.
720-04550	Robert Magri
720-04600	RTM Farms Ltd.
720-04601	Wilhelm & Katharina Berg
720-04602	Terry & Pamela Allison
720-04700	Mark & Violet Watts

APPENDIX 'A'
 Project No.
D07-028C

WATERSHED PLAN
 Scale = 1:3,000