

THE CORPORATION OF THE MUNICIPALITY OF LEAMINGTON

AGENDA



PUBLIC MEETING

ENGINEER'S REPORT 5th CONCESSION ROAD DRAIN OUTLET - HWY 77 BRANCH

MONDAY, MAY 2, 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 April 6, 2011 (previously circulated under separate cover)

2. Report DR 19/11 dated April 5, 2011 re: Ministry of Transportation - Request for Petition Drains - 5th Concession Road Drain - Highway 77 Branches - Part Lots 6-7, Concession 5, Municipality of Leamington
Pages 3-5

Suggested Recommendation:

That the Engineer's Report dated April 6th, 2011, as prepared by N.J. Peralta Engineering, re: 5th Concession Road Drain - Hwy 77 Branches, be adopted;

And That By-law 125-11, 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 6th day of June, 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 19-11).

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
April 19, 2011

To: All Affected Owners

Dear Sir or Madam:

Re: **ENGINEER'S REPORT - 5th Concession Road Drain Outlet -
Highway 77 Branch
Municipality of Leamington, County of Essex**

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 April 6, 2011, a copy of which is attached, was filed with the Clerk of the Municipality of Leamington on April 6, 2011, and will be considered at a meeting of the Leamington Council:

Date: Monday, May 2, 2011

Time: 7:00 p.m.

**Location: Council Chambers of the Municipal Building
111 Erie Street North, Leamington, Ontario**

Yours truly,

Kim Siddall,
Manager of Corporate Services

/cd
Attach.

T:\Community Services\Drainage\DRAINS FILES BY NAME\Highway 77 Drain Branches\5th Concession Road Drain Outlet - Hwy 77\Notices\Public Meeting - 5th Concession Road Drain Outlet - Hwy 77.doc

REPORT

TO: MAYOR & COUNCIL
MUNICIPALITY OF LEAMINGTON

FROM: LU-ANN BARRETO,
DRAINAGE SUPERINTENDENT

DATE: APRIL 5TH, 2011

SUBJECT: MINISTRY OF TRANSPORTATION - REQUEST FOR PETITION
DRAINS - 5TH CONCESSION ROAD DRAIN - HIGHWAY 77 BRANCHES
PART LOTS 6-7, CONCESSION 5, MUNICIPALITY OF LEAMINGTON

AIM:

To recommend Leamington Council adopt the Engineer's Report prepared by N.J. Peralta Engineering dated April 6, 2011, new petition drain - 5th Concession Road Drain - Highway 77 Branches, 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 been 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	14,000	9,984	With Council
4	Robert Anderson Drain - Hwy 77 Branches		7,852	In progress
5	5th Concession Rd Dr - Hwy 77 NE Branch - Hwy 77 NW Branch - Hwy 77 SW Branch	16,340	11,777	With Council
6	Merged with Project #5			
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 and 7 - 9	24,940		
	TOTALS:	\$120,000	\$93,189	

Council has adopted Projects 1,2 and 3 above. The Drainage Superintendent anticipates receiving all remaining reports (Projects 4, 7- 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 May 2nd, 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, a cost of \$93,189 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), Enns Drain (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 \$27,811 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 April 6th, 2011, as prepared by N.J. Peralta Engineering, re: 5th Concession Road Drain - Hwy 77 Branches, be adopted;

AND THAT By-law 125-11, 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 6th day of June, 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 19-11).

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

5TH CONCESSION ROAD DRAIN OUTLET - HIGHWAY 77 BRANCH (PHILIPS ENGINEERING NETWORKS 5 & 6)

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: APRIL 6th, 2011

MUNICIPALITY OF LEAMINGTON BENCHMARK:

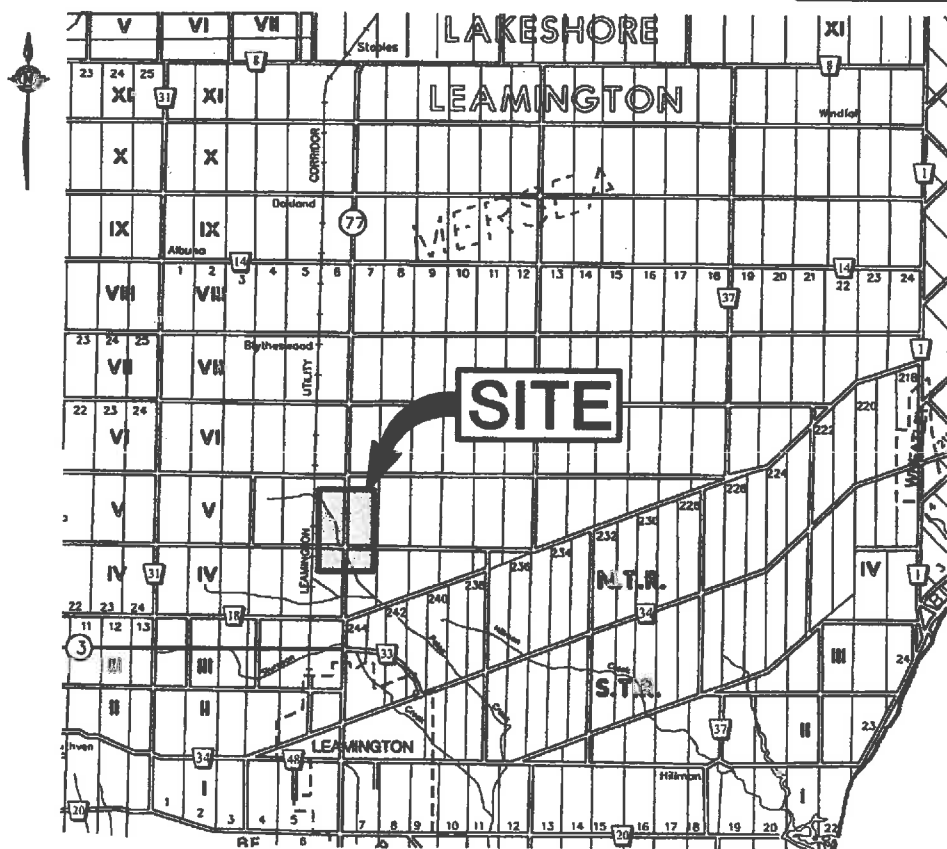
MAYOR: JOHN PATERSON
CLERK: BRIAN SWEET
DRAINAGE
SUPERINTENDENT: LU-ANN BARRETO

TOP OF SECOND ROW OF CONCRETE BLOCKS IN THE
SOUTHWEST CORNER OF FOUNDATION AT M.N. 510
LOCATED ON THE EAST SIDE OF KING'S HIGHWAY 77
AT STA. 13+670.3. (BM# B008)

ELEV. = 193.894m

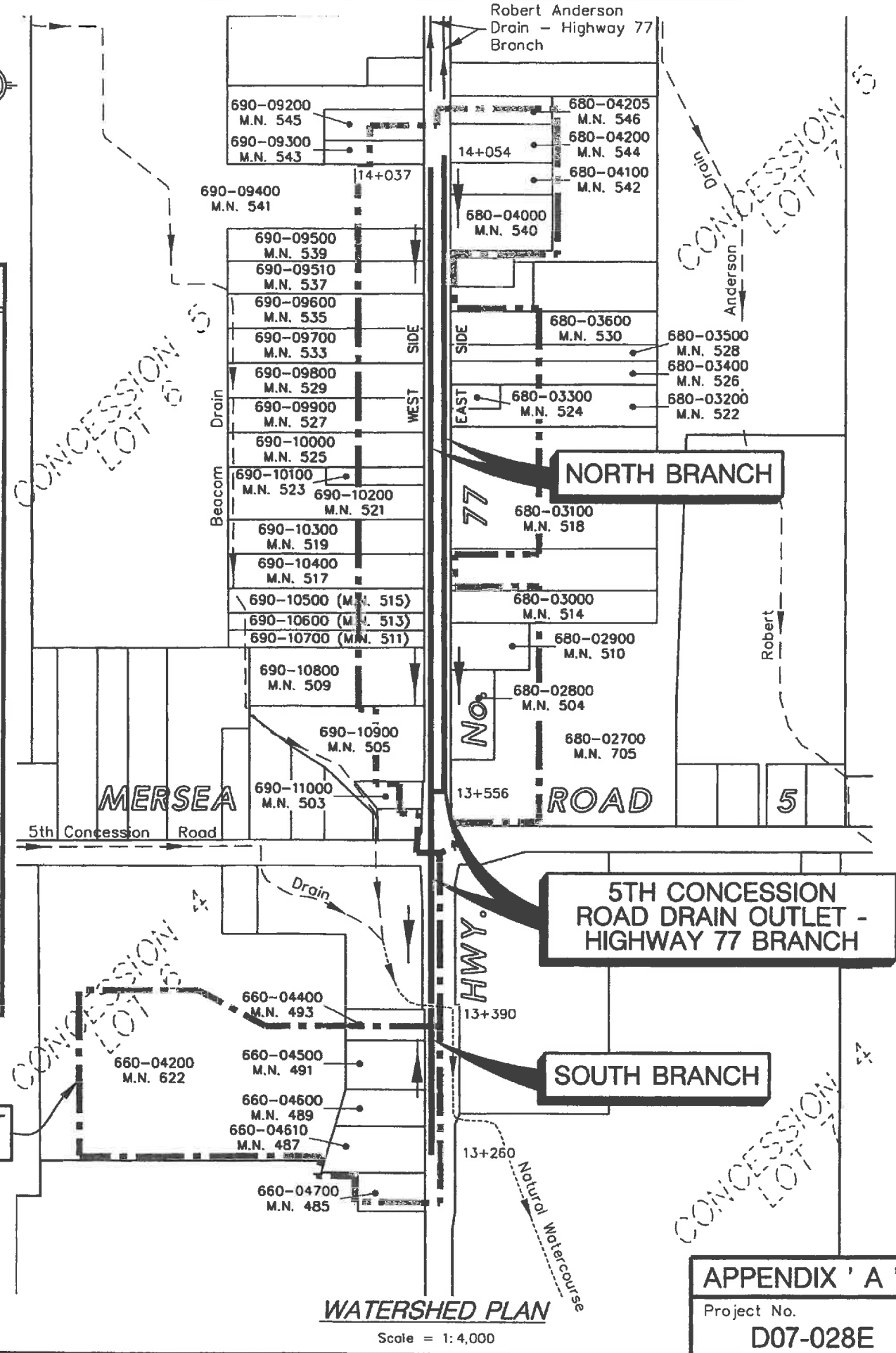
ROLL INFORMATION

660-04200	Greater Essex County District School Board
660-04400	John Keller
660-04500	Ronald & Marlene Wilkins
660-04600	Allan & Judith Ahlstedt
660-04610	Peter Wiebe
660-04700	Kari & Michael Salive
680-02700	Mary Vodarek
680-02800	James Banyai
680-02900	James Banyai
680-03000	Henry & Suzanna Neufeld
680-03100	893147 Ontario Limited c/o Larry Santos
680-03200	Franz Schmitt Trustee c/o Franz Schmitt
680-03300	Sara Martens
680-03400	Vasile Cuptor
680-03500	Peter & Aganetha Neufeld
680-03600	Saher Sadow & Zuhira Esao
680-04000	Edward & Audrey Fittler
680-04100	Bruce & Verna Beggs
680-04200	David & Maria Friesen
680-04205	Andrew & Annie Sich
690-09200	Lisa Lucier
690-09300	Marielle Stevenson
690-09400	Jacob & Elizabeth Lehn
690-09500	Justina & Maria Fehr
690-09510	Max Jr. & Candace Massad
690-09600	Jana & Zeana Youssef
690-09700	John & Gladys Rauth
690-09800	Roger & Carole Branco
690-09900	John & Maria Fast
690-10000	Johnny & Beverly Wiebe
690-10100	Heinrich & Susana Fehr
690-10200	Peter & Maria Fast
690-10300	Enrique & Sara Klassen
690-10400	David Massad
690-10500	Rosaire & Evelyn St. Pierre
690-10600	Johann Banman
690-10700	Andrew & Laurie Girardin
690-10800	1300068 Ontario Inc.
690-10900	Hanna & Nelida Makhlof
690-11000	Isaac & Katharina Friesen



KEY PLAN

Scale = 1:40,000



WATERSHED PLAN

Scale = 1:4,000

APPENDIX 'A'

Project No.
D07-028E