

THE CORPORATION OF THE MUNICIPALITY OF LEAMINGTON

AGENDA

PUBLIC MEETING



ENGINEER'S PRELIMINARY REPORT SETTINGINGTON LANE DRAIN

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 Preliminary Report prepared by Dillon Consulting dated March 7, 2011 (previously circulated under separate cover)

2. Report DR 21/11 dated April 10, 2011 regarding Petition for Drainage on Settingington Lane
Pages 3-7

Suggested Recommendation:

That Leamington Council receive the Preliminary Report dated March 7, 2011. And that Alternative #1 be considered for the Final Report as noted in the report for lands in Lot 1&2, Concession 3, pursuant to Section 4, of the provisions of the Drainage Act R.S.O. 1990;

And that N.J. Peralta Engineering be advised to prepare the Final Report based on Alternative #1; and that the Final Report be forwarded to Council for consideration. (DR 21-11).

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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 18, 2011

To: All Affected Owners

Dear Sir or Madam:

Re: **ENGINEER'S REPORT - SETTERINGTON LANE DRAIN
LOTS 1 & 2, CONCESSION 3
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 Dillon Consulting dated March 7, 2011, a copy of which is attached, was filed with the Clerk of the Municipality of Leamington on March 7, 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
38 Erie Street North, Leamington

Yours truly,

Kim Siddall,
Manager of Corporate Services

/cd
Attach.

REPORT

TO: MAYOR & MEMBERS OF COUNCIL

FROM: LU-ANN BARRETO, DRAINAGE SUPERINTENDENT

DATE: April 10, 2010

**SUBJECT: PETITION FOR DRAINAGE - SETTERINGTON LANE DRAIN
LOTS 1 & 2, CONCESSION 3,
MUNICIPALITY OF LEAMINGTON**

AIM:

To obtain a resolution of Council to adopt the Preliminary Engineer's Report prepared by N.J. Peralta Engineering dated March 7, 2011 for the Petition for new Municipal Drain, namely, Setterington Lane Drain pursuant to the provisions of Section 4 of *The Drainage Act* R.S.O. 1990.

BACKGROUND:

Administration received a signed petition, pursuant to Section 4 of the Drainage Act, from several landowners in Part Lots 1 & 2, Concession 3, requesting drainage.

The abutting landowners of 123 Mersea Road 3 have advised the Municipality of several occasions of surface runoff coming onto their properties after rainfall events. Property at 123 Mersea Road 3 is used as a disposal site for vegetable waste, excavated material and miscellaneous soils.

The property at 123 Mersea Road 3 is assessed into the Sturgeon Creek but does not have a legal outlet to the drain, meaning surface water has no right of drainage. Therefore a municipal drain would create a legal outlet.

The Drainage Superintendent notes that the property to the east of 123 Mersea Road 3 had installed a drainage pipe on his property to take the surface runoff from 123 Mersea Road 3 to the Highway 3 roadside ditch in the hope to resolve the problem but it hasn't.

It should be noted that the landowners are also concerned with the runoff coming from 123 Mersea Road 3 in the fact that it may be contaminated and can cause harm to their greenhouse crops. They also advised that they are corresponding through their lawyers with the Ministry of the Environment and Ministry of Agriculture, Food and Rural Affairs.

COMMENTS:

Council passed the following resolution on March 1, 2010:

No. C-67-10

Moved by: Deputy Mayor Schmidt **Seconded by:** Councillor Enns

That Leamington Council receive and proceed with the Petition received December 29, 2010 for residents in Lot 1 & 2, Concession 3, pursuant to Section 4, of the provisions of the Drainage Act R.S.O. 1990;

And that Council direct Administration to notify the petitioners, landowners affected, Essex Region Conservation Authority, Ministry of Environment and the Ministry of Natural Resources of their intention to proceed with the creation of a new drainage works;

And further, that if no response is received from the notification, Dillon Consulting be appointed as Engineer to prepare a Preliminary Report for the drainage works for the purpose of determining the extent of the work required, possible alternatives for construction of a drain and approximate cost. (DR 4-10)

FINANCIAL IMPACT:

This project is included in the 2011 Draft Municipal Budget for \$60,000; however, as shown below the revised project estimate is \$121,800. Should Council proceed with this petition other projects shown in the draft budget will be deferred to stay within the requested budget.

The amounts below are based on Option #1 of the Engineer’s Report.

| Task (2-680-8826-7630) | 2010 Budget | Estimated Final Cost (Incl. Net Tax) | \$ to complete |
|---------------------------|-----------------|---|----------------|
| Engineering Design | \$60,000 | \$14,000 | N/A |
| Allowances | \$0 | \$25,200 | N/A |
| Construction Estimate | \$0 | \$82,600 | N/A |
| Total | \$60,000 | \$121,800 | N/A |
| Funding 1/3 grant | \$20,000 | \$30,000 | N/A |
| Leamington Share | \$0 | \$0 | N/A |
| Landowner/Other | \$40,000 | \$91,800 | N/A |

Staff are anticipating to remove the Pelee Creek Drain - Repairs and Improvements from the 2011 Draft Budget to make up the difference of \$60,000.00. In doing this it will remove \$10,000 from the Municipal portion of that project as well.

It is anticipated that the existing lands would drain toward the Sturgeon Creek, therefore would have an impact on County Road #33.

There is no Municipal Roads or Urban Assessment for this project.

Once the final report is created it will be forwarded to Council for consideration.

RECOMMENDATIONS:

That Leamington Council receive the Preliminary Report dated March 7, 2011. And that Alternative #1 be considered for the Final Report as noted in the report for lands in Lot 1&2, Concession 3, pursuant to Section 4, of the provisions of the Drainage Act R.S.O. 1990;

And that N.J. Peralta Engineering be advised to prepare the Final Report based on Alternative #1; and that the Final Report be forwarded to Council for consideration. (DR 21-11);

Respectfully submitted;

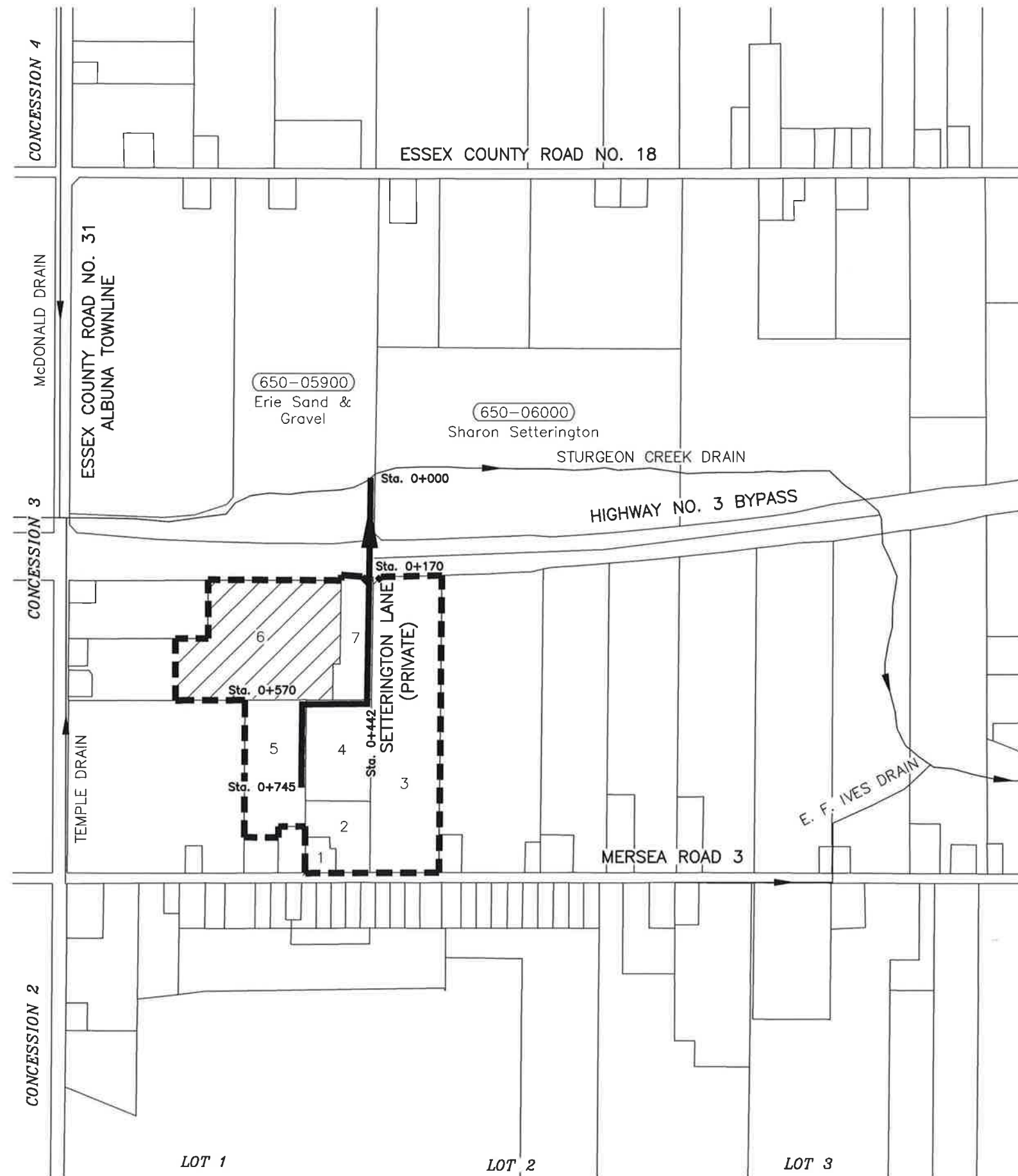
Lu-Ann Barreto
Drainage Superintendent

Allan Botham, P. Eng.,
Manager of Engineering
Services

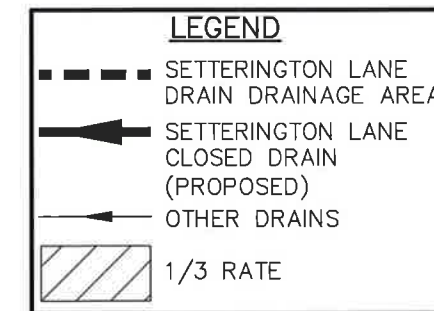
John Tofflemire, P. Eng.,
Director of Community Services

LB

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| TABLE A | | |
|---------|-----------|------------------------------|
| REF. # | ROLL # | OWNER NAMES |
| 1 | 650-04900 | CHRISTOPHER DEL GRECO |
| 2 | 650-04800 | BRUNATO FARMS LIMITED |
| 3 | 650-04600 | BRUNATO FARMS LIMITED |
| 4 | 650-04710 | BRUNATO FARMS LIMITED |
| 5 | 650-05100 | SABELLI BOILER WORKS INC. |
| 6 | 650-05400 | CRISTOFARI FARMS INC. |
| 7 | 650-04700 | ANTONIO P. & MARIA BERNARDES |



ALTERNATIVE No. 1



OVERALL PLAN

SCALE: 1:10,000

SCHEDULE 'G'

DRAINAGE REPORT
FOR THE
**SETTINGINGTON
LANE DRAIN**

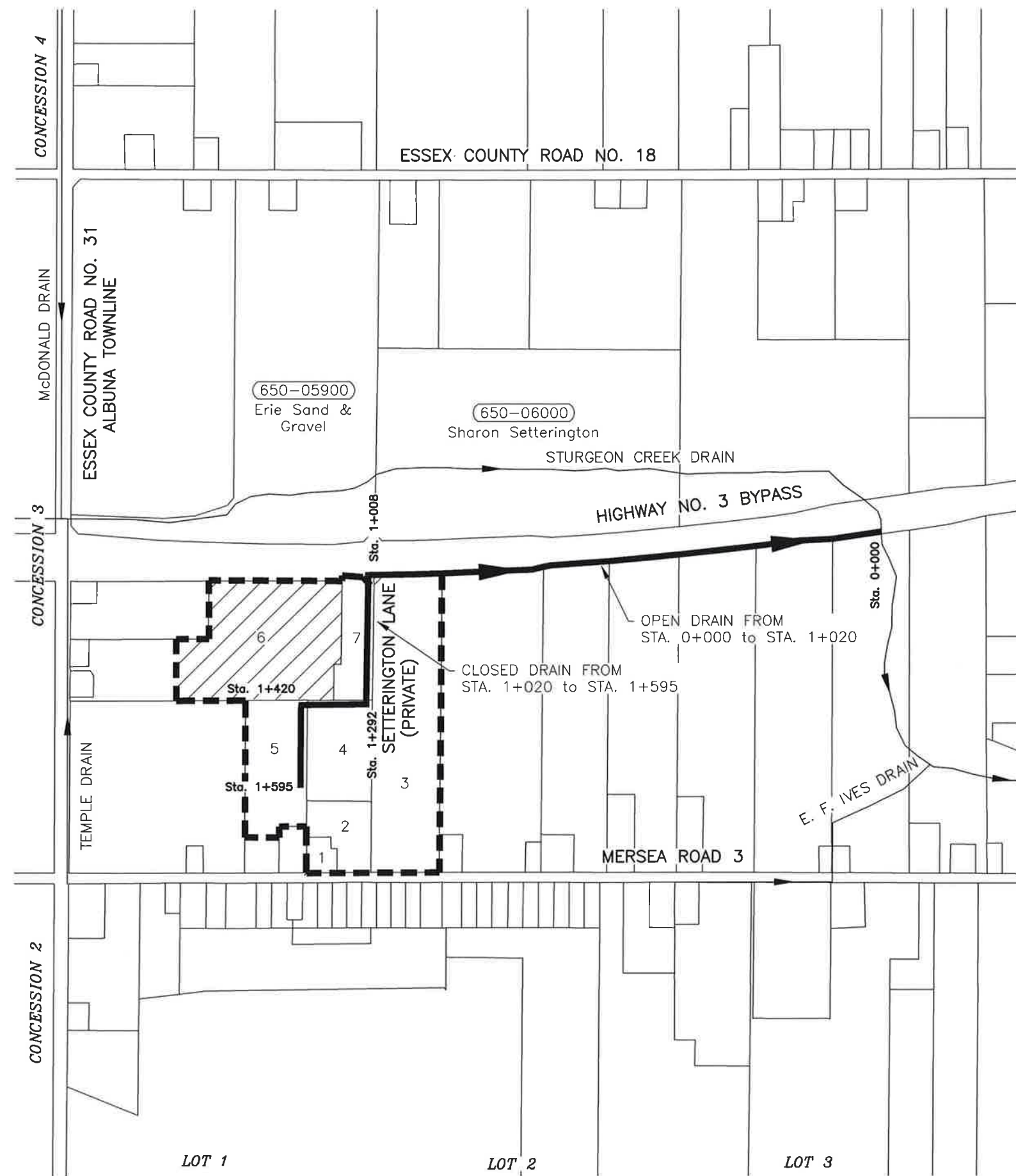
MUNICIPALITY OF LEAMINGTON

7 MARCH 2011

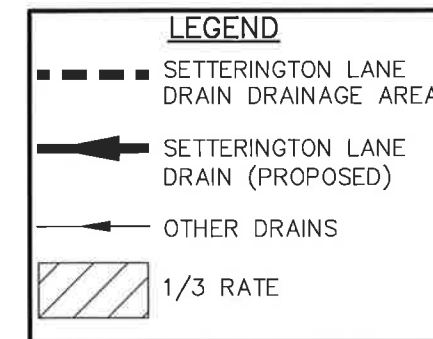
PROJECT No. 10-3208

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| TABLE A | | |
|---------|-----------|------------------------------|
| REF. # | ROLL # | OWNER NAMES |
| 1 | 650-04900 | CHRISTOPHER DEL GRECO |
| 2 | 650-04800 | BRUNATO FARMS LIMITED |
| 3 | 650-04600 | BRUNATO FARMS LIMITED |
| 4 | 650-04710 | BRUNATO FARMS LIMITED |
| 5 | 650-05100 | SABELLI BOILER WORKS INC. |
| 6 | 650-05400 | CRISTOFARI FARMS INC. |
| 7 | 650-04700 | ANTONIO P. & MARIA BERNARDES |



ALTERNATIVE No. 2

SCHEDULE 'G'



DILLON CONSULTING

OVERALL PLAN

SCALE: 1:10,000

DRAINAGE REPORT FOR THE SETTINGINGTON LANE DRAIN

MUNICIPALITY OF LEAMINGTON

7 MARCH 2011

PROJECT No. 10-3208

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