

THE CORPORATION OF THE MUNICIPALITY OF LEAMINGTON

AGENDA

PUBLIC MEETING

ROBERT ANDERSON DRAIN-
HIGHWAY 77 BRANCHES

MONDAY, AUGUST 8, 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 July 4th, 2011 (previously circulated under separate cover)

2. Report DR 38/11 dated July 25, 2011 re: Ministry of Transportation Request for Petition Drains - Robert Anderson Drain - Highway 77 Branches, Pt Lot 6 & 7, Concession 5
Pages 3-5

Suggested Recommendation:

That the Engineer's Report dated July 4th, 2011, as prepared by N.J. Peralta Engineering, re: Robert Anderson Drain - Hwy 77 Branches, be adopted;

And that By-law 147-11, authorizing the work be presented to Council for 1st and 2nd reading;

And that 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 12th day of September, 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 38-11).



THE CORPORATION OF THE MUNICIPALITY OF LEAMINGTON

111 Erie Street North, Leamington, ON, Canada N8H 2Z9
Telephone (519) 326-5761 • Fax (519) 326-2481

Kim Siddall, Manager of Corporate Services
Email: ksiddall@leamington.ca

NOTICE - PUBLIC MEETING

Leamington, Ontario
July 27, 2011

To: All Affected Owners

Dear Sir or Madam:

Re: **ENGINEER'S REPORT - ROBERT ANDERSON DRAIN - HIGHWAY 77 BRANCH**
Lot 6 & 7, Concession 5
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 Tony Peralta, N.J. Peralta Engineering dated July 4th, 2011, a copy of which is attached, was filed with the Clerk of the Municipality of Leamington on July 6th, 2011, and will be considered at a meeting of the Leamington Council:

Date: Monday, August 8, 2011

Time: 7:00 p.m.

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

Yours truly,

Kim Siddall
Manager of Corporate Services

/Im
Attach.

T:\Community Services\Drainage\DRAINS FILES BY NAME\Highway 77 Drain Branches\Robert Anderson- Highway 77 Branch\notices\PUBLIC MEETING - NOTICE - August 8 2011.doc

REPORT

TO: MAYOR & COUNCIL
MUNICIPALITY OF LEAMINGTON

FROM: LU-ANN BARRETO,
DRAINAGE SUPERINTENDENT

DATE: July 25, 2011

SUBJECT: MINISTRY OF TRANSPORTATION - REQUEST FOR PETITION
DRAINS - ROBERT ANDERSON DRAIN - HIGHWAY 77 BRANCHES
PART LOT 6 & 7, CON 5, MUNICIPALITY OF LEAMINGTON

AIM:

To recommend Leamington Council adopt the Engineer's Report prepared by N.J. Peralta Engineering dated June 10, 2011, new petition drain - 4th 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	18,942	Complete
3	Enns Drain - Hwy 77 Branch	14,000	14,085	Complete
4	Robert Anderson Drain - Hwy 77 Branches	17,000	16,900	Public Meeting
5	5th Concession Rd Dr - Hwy 77 NE Branch - Hwy 77 NW Branch - Hwy 77 SW Branch	16,340	28,405	Complete
6	Merged with Project #5			
7	Jacob Fox Drain - Hwy 77 NE Branch - Hwy 77 NW Branch - Hwy 77 SW Branch	25,800	25,771	Complete
8	Merged with Project #7			
9	4th Concession Road Drain - Hwy 77 Branch	9,502	6,200	C of R Aug 8th
		107,952	Interest	
	TOTALS:	\$120,000	\$122,000	

This report is Project #4. Therefore this report is the final petition drain required by MTO.

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.

Please note that the Municipality is only asking Council to legalize the enclosed pipe as a Municipal Drain. This does not include the swales and culverts.

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 August 8th, 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 \$122,000 has been incurred for preparation of all the background design and information for each of the reports. We do not foresee any future billing at this time. There is no municipal cost to this project as project costs are fully recoverable from MTO.

RECOMMENDATION:

THAT the Engineer's Report dated July 4th, 2011, as prepared by N.J. Peralta Engineering, re: Robert Anderson Drain - Hwy 77 Branches, be adopted;

AND THAT By-law 147-11, authorizing the work be presented to Council for 1st and 2nd reading;

AND THAT 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 12th day of September, 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 38-11).

Respectfully,

Lu-Ann Barreto
Drainage Superintendent

Allan Botham, P.Eng.
Manager of
Engineering Services

Robert Sharon
Director of
Community Services

PLAN, PROFILES & SECTIONS OF THE

ROBERT ANDERSON DRAIN - HIGHWAY 77 BRANCH (PHILIPS ENGINEERING NETWORK 7)

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

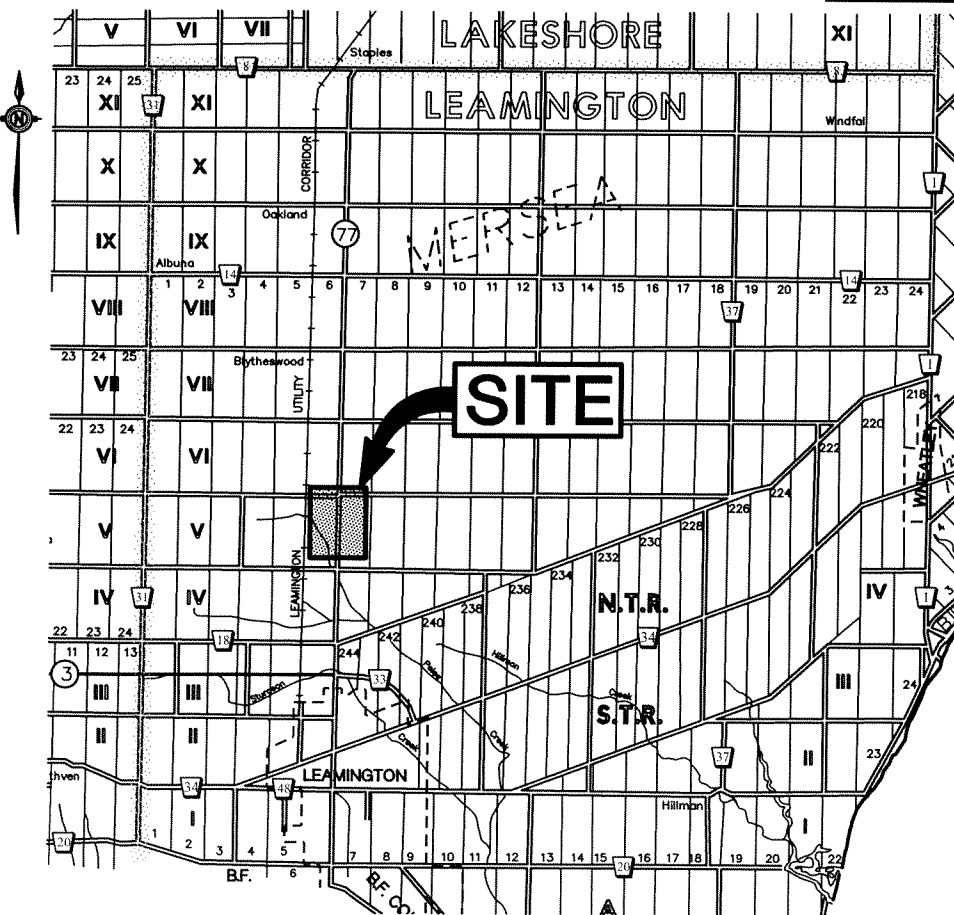
DATE: JULY 4th, 2011

MUNICIPALITY OF LEAMINGTON BENCHMARK:

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

TOP OF NORTHEAST CORNER OF CONCRETE PORCH
LOCATED AT THE SOUTHWEST CORNER OF THE
INTERSECTION OF KING'S HIGHWAY 77 AND MERSEA
ROAD 6 AT STA. 14+870.7. (BM# 8012)

ELEV. = 197.471m

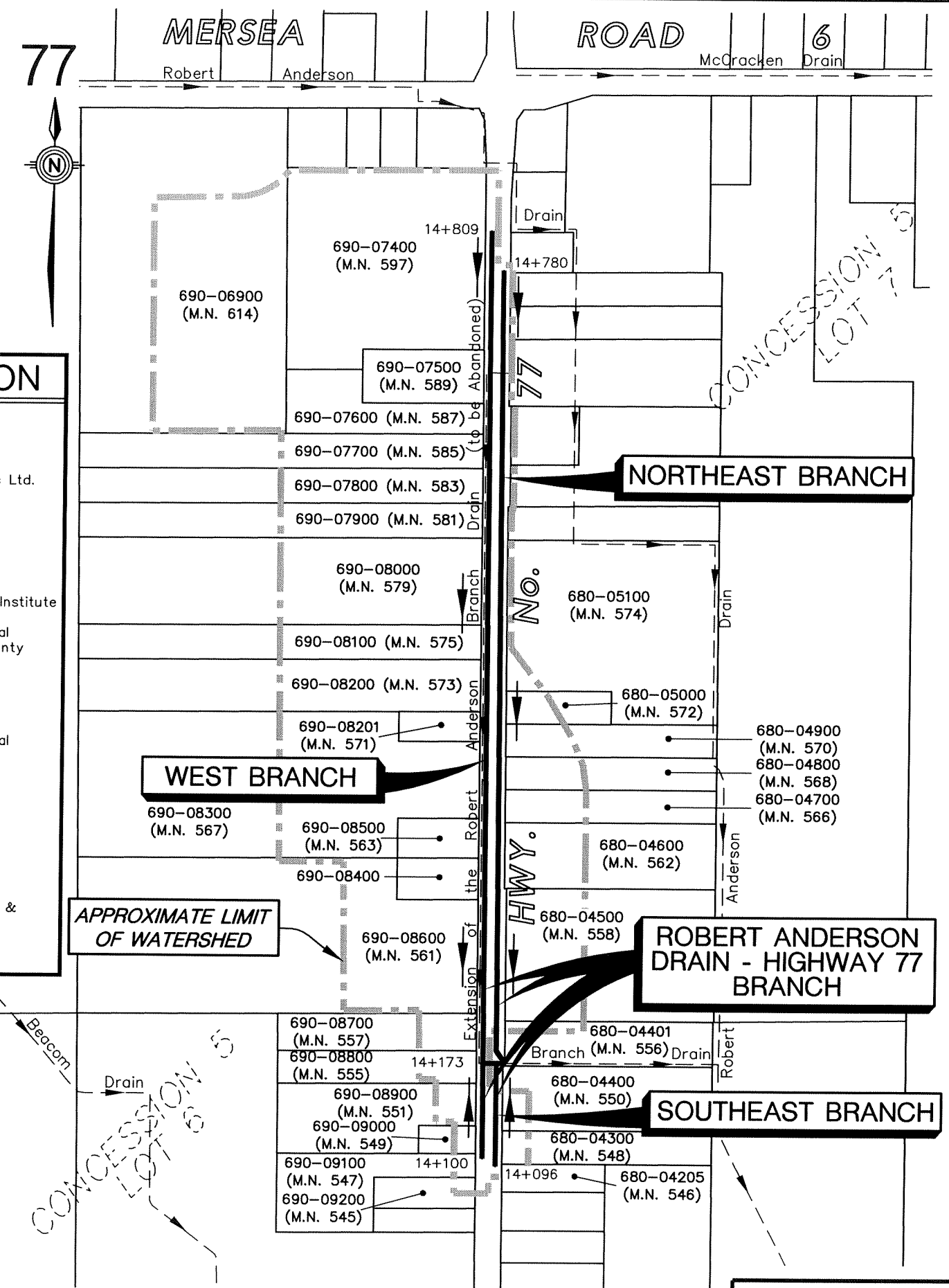


KEY PLAN

Scale = 1:40,000

ROLL INFORMATION

680-04205	Andrew & Annie Sich
680-04300	George & Lorraine Pollier
680-04400	Frank & Susanne Fittler
680-04401	1722927 Ontario Limited
680-04500	Myer's Truck & Trailer Repairs Ltd.
680-04600	Cornelius & Susana Wiebe
680-04700	Heinrich & Elizabeth Friesen
680-04800	Ian Rocheleau
680-04900	Richard & Ingrid Latam
680-05000	Kenneth & Vonda Olesen
680-05100	Johan & Gertruda Neudorf
690-06900	United Mennonite Educational Institute
690-07400	Cornelius & Anna Fehr
690-07500	Faith Everlasting Congregational Christian Church of Essex County c/o Penny Arquette
690-07600	Roger & Judith Dault
690-07700	David, Susana & William Wall
690-07800	Leontina Tavares
690-07900	Donald & Barbara Davie
690-08000	Cindy Osadzuk & Virginia Rymal
690-08100	Alfred & Rita Unrau
690-08200	Herman Dyck
690-08201	Jose & Maria Sousa
690-08300	Peter & Maria Banman
690-08400	Anthony Massad
690-08500	Cornelius & Helena Friesen
690-08600	Mashen Massad
690-08700	Daniel & Joyce Rahm
690-08800	Larry & Deanna Desmarais
690-08900	John Redekop
690-09000	Cornelius Friesen and Suzanne & Frank Fehr
690-09100	Margaret Marentette
690-09200	Lisa Lucier



WATERSHED PLAN

Scale = 1:4,000

APPENDIX 'A'

Project No.
D07-028D

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