

Court of Revision Agenda

Tuesday, October 28, 2025, 6:30 pm
Tecumseh Town Hall - Council Chambers
917 Lesperance Road
Tecumseh, Ontario N8N 1W9

Pages

A. Roll Call

B. Call to Order

C. Land Acknowledgement

We acknowledge that we are on land and surrounded by water, originally inhabited by Indigenous Peoples who have travelled this area since time immemorial. This territory is within the lands honoured by the Wampum Treaties; agreements between the Anishinaabe, Haudenosaunee, Leni Lenape and allied Nations to peacefully share and care for the resources around the Great Lakes. Specifically, we would like to acknowledge the presence of the Three Fires Confederacy Ojibwe, Odawa, Potawatomi and Huron/Wendat Peoples. We are dedicated to honouring Indigenous history and culture while remaining committed to moving forward respectfully with all First Nations, Inuit and Métis.

D. Disclosure of Pecuniary Interest

E. North 12th Concession Drain

1. Introduction and Purpose of Meeting

Chair Statement:

The purpose of the meeting is to hear from any affected land owner who wishes to appeal his/her or any part thereof as set out in the Drainage Report prepared by Josh Warner, P.Eng., of R Dobbin Engineering Inc., dated June 10, 2025.

2. Delegations

- a. Drainage Superintendent, Matthew Shiha and Drainage Engineer, Josh Warner, P.Eng

b. Appeals from Landowners (Written and/or Late)

Chair Statement:

The purpose of this Court of Revision is to hear appeals regarding the Schedule of Assessment only.

This Court does not have the authority to make any changes to the technical aspects of the Drainage Report. If you have concerns on the technical aspects to the proposed drainage works, the Drainage Superintendent can provide you with the information to apply for an appeal.

The Schedule of Assessment is the total cost for the proposed drainage works. If the Court decides to change an individual assessment, the difference will be reallocated to the assessments of the other affected land owners.

The Clerk has confirmed that no written appeal notices have been received in accordance with Drainage Act timelines or if any written appeals were received they are now appended to this published Agenda.

Pursuant to s. 52(2) of the Drainage Act, this Court upon resolution will now hear any late verbal appeals from Landowners present at this meeting who wish to speak to the Schedule of Assessment.

If any appeals are received or presented then this Court shall render a decision on such appeal(s).

Recommendation

Moved by _____

Seconded by _____

that the Appeal(s) from Landowner _____ be dismissed or accepted with the following amendments to be noted and made into the Schedule of Assessment.

F. Communications

- | | | |
|----|--|--------|
| 1. | Public Notice dated October 1, 2025 | 4 - 7 |
| 2. | PWES-2025-53 Request to Consider Engineer's Report - North 12th Concession Drain | 8 - 67 |

Recommendation

Moved by _____

Seconded by _____

That Communications - For Information A and B as listed on the October 28, 2025 Court of Revision Agenda, **be received**;

And that the Drainage Report for the North 12th Concession Drain as prepared by Josh Warner, P.Eng, Dillon Consulting Limited, dated June 10, 2025 be approved and that the assessments herein be as (presented/amended);

And further that By-Law 2025-104 **be recommended** for third and final reading upon expiry of the appellants appeal period.

G. Adjournment

Recommendation

Moved by _____

Seconded by _____

That there being no further business, the Tuesday, October 28, 2025 Court of Revision **be adjourned** at pm.

NOTICE OF COURT OF REVISION MEETING

Should you have additional concerns with respect to the drainage project or require a copy of the report in an alternative format, please contact the Town's Drainage Department using the contact information provided below.

Matthew Shiha, EIT
Drainage Superintendent
Public Works & Engineering Services
(519) 735-2184 x 105
mshiha@tecumseh.ca

Anne-Marie Moniz, C.Tech
Assistant Drainage Superintendent
Public Works & Engineering Services
(519) 735-2184 x 138
amoniz@tecumseh.ca

Sincerely,



Robert Auger
Director, Legislative Services & Clerk

4. **That** such debentures shall be made payable within five (5) years from the date of the debenture and shall bear interest at a rate as approved by resolution of Council.
5. **That** the specifications and General Specifications as established are adopted as set out in the Drainage Report which forms part of this By-Law.
6. **That** the Mayor and Clerk are authorized to cause a contract for the construction of the works to be made and entered into with some person or persons, firm or corporations, subject to the approval of the Council to be declared by resolution.
7. **That** this By-Law shall come into force upon and after the final passing thereof.

Read a first and second time this 23rd day of September, 2025.

Gary McNamara

Signed with ConsignO Cloud (2025/09/24)
Verify with verifio.com or Adobe Reader.



Gary McNamara, Mayor

Robert Auger

Signed with ConsignO Cloud (2025/09/24)
Verify with verifio.com or Adobe Reader.



Robert Auger, Clerk

Read a third and final time this [redacted] day of [redacted]

[redacted]

Gary McNamara, Mayor

Robert Auger, Clerk



The Corporation of the Town of Tecumseh

Public Works & Engineering Services

To: Mayor and Members of Council

From: Phil Bartnik, Director Public Works & Engineering Services

Date to Council: September 23, 2025

Report Number: PWES-2025-53

Subject: Request to Consider Engineer's Report – North 12th Concession Drain

Recommendations

It is recommended:

That the Report and Specifications for the North 12th Concession Drain (Drain) as prepared by Josh Warner, P.Eng., of R Dobbin Engineering Inc., dated June 10, 2025 (Drainage Report) **be received**;

And that consideration **be given** to the first and second readings of a provisional by-law to adopt the Drainage Report in accordance with Section 42 of the *Drainage Act* (Act);

And further that notice **be given** to all affected landowners of the Court of Revision to be held on October 28, 2025, at 6:30 pm in accordance with Section 46(1) of the Act, subject to the adoption of the provisional by-law.

Background

The purpose of this report is to provide a summary of the background and other information to assist Council in giving consideration to the Drainage Report for the North 12th Concession Drain in accordance with the Act.

On May 9, 2023, Council accepted the recommendation by the Director Public Works & Engineering Services through Report PWES-2023-38 and passed resolution (Motion: RCM 139/23) as follows:

- a. Referred back to the Drainage Engineer for reconsideration if it appears that there are, or may be errors in the report or for any other reason the report should be reconsidered; or
- b. Provisionally approved by giving first and second readings to a Provisional By-law.

Following provisional adoption of the By-law, a meeting of the Court of Revision shall be scheduled to allow any affected owner of land assessed for the drainage works to appeal their assessed costs subject to the following:

- a. Any land or road has been assessed too high or too low; or
- b. Any land or road that should have been assessed has not been assessed; or
- c. Due consideration has not been given as to type of land use.

Approvals

Regulatory Approvals have been reviewed for the North 12th Concession Drain and consist of:

- 1) Essex Region Conservation Authority (ERCA) – *Conservation Authorities Act*
A permit from ERCA will be required prior to construction.
- 2) Department of Fisheries & Oceans (DFO) – *Fisheries Act*
A review of the Drain classification has been undertaken. Correspondence with the DFO will occur prior to the tendering of the project. Best management practices will be implemented during construction to minimize any potential for adverse impacts to fish and/or fish habitat.
- 3) Ministry of Environment, Conservation & Parks (MECP) – *Endangered Species Act*
The Town's Species-At-Risk Mitigation Plan continues to comply with the *Endangered Species Act*. The recommendations of the Mitigation Plan will be implemented, and the Town and Contractor will gather information on encountered species and/or mitigation plans implemented prior to and throughout construction.

Consultations

Financial Services

R Dobbin Engineering Inc.

Financial Implications

Per the Drainage Report, the total estimated cost for the improvement work is \$393,415 including HST, which is assessed to the watershed as depicted in page 1 of 15 of the drawing set included in Attachment 1. The Town's affected lands include 5.24 Ha. (12.95 Ac.) of 12th Concession Road.

Other than costs to administer the project, the cost of constructing the project is 100% recoverable by assessed lands as detailed in the Assessment Schedule included in the Drainage Report. The Town will utilize the Drainage Lifecycle Reserve to pay for the Town's drainage assessment, estimated at \$57,218. Additionally, the Drainage Report includes an Assessment Schedule for future maintenance that includes lands/roads owned by the Town.

For assessments in excess of \$5,000 the Town offers landowners the option of paying the balance plus interest over a five (5) year period; the annual payments are added as a special charge on their taxes.

Link to Strategic Priorities

Applicable	2023-2026 Strategic Priorities
☒	Sustainable Growth: Achieve prosperity and a livable community through sustainable growth.
☐	Community Health and Inclusion: Integrate community health and inclusion into our places and spaces and everything we do.
☐	Service Experience: Enhance the experience of Team Tecumseh and our citizens through responsive and respectful service.

Communications

Not applicable ☒

Website ☐

Social Media ☐

News Release ☐

Local Newspaper ☐

This report has been reviewed by Senior Administration as indicated below and recommended for submission by the Chief Administrative Officer.

Prepared by:

Matthew Shiha, E.I.T.
Drainage Superintendent

Reviewed by:

John Henderson, P.Eng.
Manager Engineering Services

Reviewed by:

Tom Kitsos, CPA, CMA, BComm
Director Financial Services & Chief Financial Officer

Reviewed by:

Phil Bartnik, P.Eng.
Director Public Works & Engineering Services

Recommended by:

Margaret Misek-Evans, MCIP, RPP
Chief Administrative Officer

Attachment Number	Attachment Name
1	Drainage Report dated June 10, 2025, by Josh Warner, P.Eng., of R Dobbin Engineering Inc.
2	Drainage Act Excerpts



4218 Oil Heritage Road
Petrolia, Ontario, N0N 1R0
Phone: (519) 882-0032 Fax: (519) 882-2233
www.dobbineng.com

June 10, 2025

The Mayor and Council
The Town of Tecumseh
917 Lesperance Road
Tecumseh, Ontario
N8N 1W9

Gentlemen and Mesdames:

Re: North 12th Concession Drain

In accordance with your instructions, R. Dobbin Engineering has undertaken an examination with regards to improving the North 12th Concession Drain in the Town of Tecumseh.

Authorization under the Drainage Act

This is an Engineer's Report that has been prepared under Section 78 of the Drainage Act. R. Dobbin Engineering Inc. was appointed by council on May 9, 2023.

Section 78 of the Drainage Act states that, where, for the better use, maintenance or repair of any drainage works constructed under a bylaw passed under this Act, or of lands or roads, it is considered expedient to change the course of the drainage works, or to make a new outlet for the whole or any part of the drainage works, or to construct a tile drain under the bed of the whole or any part of the drainage works as ancillary thereto, or to construct, reconstruct or extend embankments, walls, dykes, dams, reservoirs, bridges, pumping stations, or other protective works as ancillary to the drainage works, or to otherwise improve, extend to an outlet or alter the drainage works or to cover the whole or any part of it, or to consolidate two or more drainage works, the Council whose duty it is to maintain and repair the drainage works or any part thereof may, without a petition required under Section 4 but on the report of an Engineer appointed by it, undertake and complete the drainage works as set forth in such report.

Existing Drainage

The North 12th Concession Drain outlets into the West Townline and Mooney Creek Drain in Lot 14, Concession 12 on the east side of Concession Road 12 (unopened

portion). It continues across Concession Road 12 and heads southerly along the west side of Concession Road 12 to the north side of North Talbot Road (County Road 46).

Under an Engineer's Report dated July 29th, 1958 the drain was moved off the road, and new culverts were installed.

Under an Engineer's Report dated November 27th, 1980 a culvert was removed, a culvert was moved and lengthened and the drain was cleaned.

Under an Engineer's Report dated January 27th, 1998 two culverts were replaced and the drain was cleaned.

Drain Classification

The North 12th Concession Drain is currently classified as a "Class F" drain. The West Townline and Mooney Creek Drain is currently classified as a "Class C" drain. This is according to the Department of Fisheries and Oceans (DFO) classification as presented by the Ontario Ministry of Agriculture, Food and Rural Affairs Agricultural Information Atlas.

"Class F" drains are intermittent or ephemeral (dry for more than two consecutive months).

The drain will require approval from the Essex Region Conservation Authority (ERCA) and the Department of Fisheries and Oceans. Construction cannot commence without necessary approvals.

A draft copy of the report was sent to the Essex Region Conservation Authority on January 8, 2024. On January 16, 2024 their office responded that they were generally supportive of the proposed design. The Town of Tecumseh will be responsible for providing the ERCA with a final report in order to obtain their approval.

Site Meeting

A site meeting for this drain was held on May 24th, 2023. The following were present:

- Josh Warner (R. Dobbin Engineering)
- Alessia Mussio (Drainage Superintendent, Town of Tecumseh)
- Mark Fishleigh (Field Service Engineer, County of Essex)
- Samantha Merret (Landowner at #4955 12th Concession Road)

The following is a brief summary of the meeting:

- General discussion of the Drainage Act and Landowners rights under the Drainage Act.
- Landowners were made aware that there has been a request for improvements on the 12th Concession Drain for a culvert replacement.
- Landowners mentioned that they would like to proceed with the culvert replacement on their property as soon as possible.
- Josh Warner stated that the Town's position is to incorporate buffer strips into Engineer's Report.
- Remaining culverts on the drain to be investigated for replacement. Future specifications to be developed for culverts not being replaced.
- Town requested an updated profile for the drain.

Discussion

Following the site meeting, the culvert at #4955 12th Concession Road was determined to need immediate replacement. Therefore, an Emergency Designation under Section 124 was received in order to have this completed prior to the finalization of the Engineer's Report. The application and approval from the Minister are included in Appendix A of this report.

Existing Conditions

Below is a summary of the condition of the existing culverts:

Culvert Number / Station	Location	Existing Culvert Size	Last Report Replacement Date	Condition	Recommendation
1 (0+008)	Unopened portion of 12th Concession Road north of 401	1200mm dia. CSP	1998	Poor – Bottom Rotted	Replace
2 (0+154)	510-00002200	1200mm dia. CSP	1958	Poor – Rusted, Holes	Replace
3 (0+471)	510-00002200	1200mm dia. CSP	1980- Reinstalled and Lengthened	Poor – Rusted and holes in original length	Replace
4 (0+804)	MTO	Concrete Box Culvert	Unknown	Okay	Leave

5 (0+894)	510-000100	1050mm dia. CSP	1958. Has been replaced since.	Poor-Rust throughout. Small holes found.	Replace
6 (0+922)	510-000150	1050mm dia. CSP	1958	Poor – Rust below spring line. Some holes found.	Replace
7 (1+026)	510-000200	1050mm dia. Sanitite	2022	Good	Leave
8 (1+303)	510-000201	1050mm dia. CSP	1958	Poor – Rust, Holes	Replace
9 (1+529)	510-000300	900mm dia. CSP	Unknown	Poor – Rust, but no holes found. Poor joint with soiling coming in.	Replace
10 (1+717)	510-000300	1000mm dia. CSP	1958	Poor – Rust, Holes	Replace
11 (2+228)	500-001250	900mm dia. CSP	1998	Ok - Rust below spring line but no holes found (could not see bottom)	Leave
12 (2+573)	510-000400	900mm dia. CSP	1958	Ok - Rust below spring line but no holes found (could not see bottom)	Leave
13 (2+826)	510-000500	900mm dia. CSP	1958	Poor – Rust, Holes, Bottom Rotted, Dented in Center	Replace

Generally, the drain had water laying in the channel and culverts. This made it difficult to inspect the bottom of many of the culverts. In the future, all culverts shall be inspected by the Drainage Superintendent after any cleanout to determine if they should be replaced.

An effort was made to contact all Landowners on the drain prior to sending out the draft reports for the Public Information Centre (PIC). This included sending out calling cards to the residences that we were unable to contact. Landowners that we were unable to contact or did not respond to the calling cards were never communicated with directly. The following is a brief summary of the Landowner comments regarding their culverts (NAC=Not Able to Contact):

Culvert Number / Station	Location	Travel Surface	Proposed Top Width	Location on Property
1 (0+008)	Unopened portion of 12th Concession Road north of 401	Gravel	7m	Keep Existing
2 (0+154)	374451000002200	Grass	NAC. 6m	NAC. Maintain Existing
*3 (0+471)	374451000002200	Gravel	NAC. 6m	NAC. Maintain Existing
4 (0+804)	MTO	Asphalt	Maintain Existing	Keep Existing
5 (0+894)	374451000000100	Gravel	NAC. 6m	NAC. Maintain Existing
6 (0+922)	374451000000150	Gravel	NAC. 6m	NAC. Maintain Existing
7 (1+026)	374451000000200	Gravel	6m	Held North Limit of Culvert for Emergency Replacement
8 (1+303)	374451000000201	Gravel	NAC. 6m	NAC. Maintain Existing
*9 (1+529)	374451000000300	Gravel	NAC. 6m	NAC. Maintain Existing
10 (1+717)	374451000000300	Asphalt	NAC. 6m	NAC. Maintain Existing
11 (2+228)	374450000001250	Asphalt	Maintain Existing. 9m	Maintain Existing
12 (2+573)	374451000000400	Gravel	Maintain Existing. 9m	NAC. Maintain Existing
13 (2+826)	374451000000500	Grass	NAC. 6m	NAC. Maintain Existing

*Denotes culverts deemed to be secondary access culverts.

Accesses will be restored with 150mm of Granular “A” as part of the project costs, any costs for other surfaces will be assessed back to the Landowner as a special benefit assessment.

Design

The proposed culverts have been designed to provide outlet for a 1 in 5-year storm event.

Recommendations

It is therefore recommended that the following work be carried out:

1. Culverts No. 1, 2, 3, 5, 6, 8, 9, 10 and 13 shall be replaced. The emergency replacement of Culvert No. 7 shall be incorporated under this report. Future specifications shall be developed for the replacement of Culverts No. 4, 11 and 12.
2. A 1.5m buffer strip shall be established along the west bank of the drain.
3. Future specifications shall be developed for maintenance and repair of the channel so that excavation of the drain can occur when it is required. At this time, excavation of the drain bottom is not necessary.

Estimate of Cost

It is recommended that the work be carried out in accordance with the accompanying Specification of Work and Profile that forms part of this Report. There has been prepared an Estimate of Cost in the amount of \$393,415.00, including engineering of the report, attending the Meeting to Consider the Report, attending the Court of Revision and estimates for tendering, construction inspection, permitting and contract administration. Appearances before appeal bodies have not been included in the cost estimate.

A plan has been prepared showing the location of the work and the approximate drainage area. A profile is included showing the depths and grades of the proposed work.

Assessment

As per Section 21 of the Drainage Act, the Engineer in his report shall assess for benefit and outlet for each parcel of land and road liable for assessment.

Lands, roads, buildings, utilities, or other structures that are increased in value or are more easily maintained as a result of the construction, improvement, maintenance, or repair of a drainage works may be assessed for benefit. (Section 22)

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 through the medium of any other drainage works or of a swale, ravine, creek, or watercourse may be assessed for outlet. The assessment for outlet shall be based on the volume and rate of flow of the water artificially caused to flow into the drainage works from the lands and roads liable for such assessments. (Section 23)

The Engineer may assess for special benefit any lands for which special benefits have been provided by the drainage works. (Section 24)

A Schedule of Assessment for the lands and roads affected by the work and therefore liable for the cost thereof will be prepared as per the Drainage Act. Also, assessments may be made against any public utility or road authority, as per Section 26 of the Drainage Act, for any increased cost for the removal or relocation of any of its facilities and plant that may be necessitated by the construction or maintenance of the drainage works. Items outside those identified in this report shall be assessed to the utility or road authority as per Section 26 of the Drainage Act plus a portion of the engineering (20% of the construction cost).

The cost of any fees for permits or approvals or any extra work required by any affected utility or road authority shall be assessed to that organization requiring the permit, approval, or extra work.

The proposed work has generally been assessed in the following manner, including all estimated fees, taxes and disbursements:

1. The additional cost to daylight and work around utilities has been assessed to the utility company as per Section 26 of the Drainage Act.
2. The replacement and engineering cost of Culvert No. 1 and No. 4, respectively, has been assessed to the road authority as per Section 26 of the Drainage Act.
3. The cost of asphalt driveways has been assessed to the benefitting property as a special benefit assessment.
4. The culverts have generally been assessed based on the average culvert cost to provide a 6m access width. This base culvert has been assessed with 50% of the cost applied as benefit assessment to the abutting property and the remainder assessed as an outlet assessment to upstream lands and roads based on equivalent hectares. Any culvert requested to be longer has been assessed with the extra length as a benefit assessment to the Landowner. The cost to have a second access culvert on a single property has been assessed as a special benefit to the Landowner. The cost of a secondary access will not be eligible for grant based on the current Agricultural Drainage Infrastructure Program (ADIP) policy.
5. The incorporation and installation of a buffer strip has been assessed with 10% of the cost applied as a benefit assessment to the abutting road authority, 45% applied as

Restrictions

No trees and shrubs shall be planted nor shall permanent structures be erected within 8m plus the depth of the drain to a maximum of 15m without prior written permission of Council.

Attention is also drawn to Sections 80 and 82 of the Drainage Act, which refer to the removal of obstructions in a drain and damage caused to a drain.

Agricultural Grant

If available, it is recommended that application for subsidy be made for eligible agricultural properties. Any assessments against non-agricultural properties are shown separately in the Schedule of Assessment.

Maintenance

The open channel shall be maintained and repaired in the same relative portions as contained in the channel portion of the enclosed Schedule of Assessment less any special benefit assessments. Maintenance shall be done in accordance with the enclosed specifications and profiles unless otherwise altered under provisions of the Drainage Act. For future maintenance and repair of the open channel, the excavated material across finished lawns shall be trucked and disposed offsite or spread on adjacent farm fields by the Contractor. The cost of trucking across finished lawns less the equivalent cost of levelling, shall be assessed to the individual property. Agricultural properties that wish to have the excavated material trucked will be assessed the cost of trucking less the cost of levelling. The cost of levelling will form part of the drain maintenance cost.

The buffer strips are to extend 1.5 metres from the top of the bank on the west side of the channel. If the buffer strip extends less than this due to encroaching cropping practices, the buffer strip shall be maintained with 100% of the cost assessed to the property. Otherwise, the buffer strip shall be maintained and repaired in the same relative portions as contained in the channel portion of the enclosed Schedule of Assessment less any special benefit assessments.

The culverts shall be maintained and repaired as follows:

Culvert Number	Abutting Property (Benefit)	Road Authority	Upstream Based on Equivalent Hectares as Contained in SofA (Outlet)
2, 5, 6, 7, 8, 10 & 13	50%		50%
11 & 12	60%		40%
1 & 4		100%	
3 & 9	100%		

If an owner requests an additional length of culvert beyond the top width achieved by the lengths shown on the profile with rip rap end walls or an asphalt travel surface the extra cost shall be borne by the Landowner making the request including the future maintenance and repair. The location of the top width shall be determined by the Drainage Superintendent and shall generally be in the primary access location and shall include any headwalls.

Each property is allowed one access culvert for each municipal drain with any second culvert on the property maintained and repaired 100% by the owner, coordinated with the Drainage Superintendent.

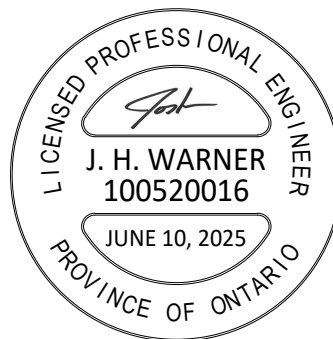
The drain shall be maintained as per the specifications and grades as shown on the Profile contained in this Engineer's Report.

Any additional cost as a result of a utility shall be assessed to that utility as per Section 26 of the Drainage Act.

Yours truly,



Josh Warner, P. Eng.
R. Dobbin Engineering Inc.



North 12th Concession Drain
Town of Tecumseh
June 10, 2025

ALLOWANCES

Allowances have been made as per Sections 29 and 30 of the Drainage Act for right of way and for damages to lands and crops.

Conc.	Lot or part	Roll No.	Owner	Section 29	Section 30	Total
11	Pt. Lot 9	510-000500	W. & M. O'Neil	2,100	350	2,450
	E 1/2 Lot 10	510-000400	Edward Chittle Farm Ltd	2,040	240	2,280
	Pt. E 1/2 Lot 10	510-000410	P. & M. Boretski	210	30	240
	E 1/2 Lot 11	510-000300	A. & E. Sirizzotti	2,250	470	2,720
	Pt. Lot 12	510-000201	K. Wallis	1,140	240	1,380
	Pt. Lot 12	510-000200	C. Colenutt & S. Merrett	230	130	360
	Pt. Lot 12	510-000150	W. & D. O'Neil	350	140	490
	Pt. Lot 12	510-000100	C. McGuire	230	130	360
	Pt. Lot 13 & Pt. Lot 14	510-002200	W. & E. O'Neil	2,830	540	3,370
TOTAL ALLOWANCES				\$11,380	\$2,270	\$13,650

Estimate of Cost

	<u>Quantity</u>	<u>Unit</u>	<u>Unit Cost</u>	<u>Total</u>
Pre-Construction Meeting	1	LS	400	400
Benchmark Loop	1	LS	800	800
Traffic Control	1	LS	3,000	3,000
Brushing	1	LS	2,000	2,000
Culvert No.1				
Removal of existing structure	1.0	LS	1,000	1,000
Supply & install 1200mm dia. Sanitite c/w Bedding	14.0	m	1,300	18,200
Place backfill	1.0	LS	1,200	1,200
Supply & install Granular 'A'	35.0	tonne	35	1,225
Supply & install rip rap endwalls	40.0	tonne	110	4,400
Provisional: Supply additional Granular "B" Type II and dispose of unsuitable material	80.0	tonne	50	4,000
Culvert No.2				
Removal of existing structure and excavated material	1.0	LS	2,000	2,000
Supply & install 1200mm dia. Sanitite c/w Bedding	12.0	m	1,300	15,600
Supply and install Granular 'B' Type II	100.0	tonne	35	3,500
Supply & install Granular 'A'	30.0	tonne	40	1,200
Supply & install rip rap endwalls	30.0	tonne	110	3,300
Culvert No.3				
Removal of existing structure and excavated material	1.0	LS	2,000	2,000
Supply & install 1200mm dia. Sanitite c/w Bedding	12.0	m	1,300	15,600
Supply and install Granular 'B' Type II	100.0	tonne	35	3,500
Supply & install Granular 'A'	30.0	tonne	40	1,200
Supply & install rip rap endwalls	30.0	tonne	110	3,300
Culvert No.5				
Removal of existing structure and excavated material	1.0	LS	2,000	2,000
Supply & install 1050mm dia. Sanitite c/w Bedding	12.0	m	1,200	14,400
Supply and install Granular 'B' Type II	100.0	tonne	35	3,500
Supply & install Granular 'A'	30.0	tonne	40	1,200
Supply & install rip rap endwalls	30.0	tonne	110	3,300

	<u>Quantity</u>	<u>Unit</u>	<u>Unit Cost</u>	<u>Total</u>
Culvert No.6				
Removal of existing structure and excavated material	1.0	LS	2,000	2,000
Supply & install 1050mm dia. Sanitite c/w Bedding	12.0	m	1,200	14,400
Supply and install Granular 'B' Type II	100.0	tonne	35	3,500
Supply & install Granular 'A'	30.0	tonne	40	1,200
Supply & install rip rap endwalls	30.0	tonne	110	3,300
Completed Construction Cost for Emergency Designation: Replacement of Culvert No. 7	1.0	LS	14,000	14,000
Culvert No.8				
Removal of existing structure and excavated material	1.0	LS	2,000	2,000
Supply & install 1050mm dia. Sanitite c/w Bedding	12.0	m	1,200	14,400
Supply and install Granular 'B' Type II	110.0	tonne	35	3,850
Supply & install Granular 'A'	30.0	tonne	40	1,200
Supply & install rip rap endwalls	30.0	tonne	110	3,300
Locate and Work Around Telecom	1.0	LS	500	500
Culvert No.9				
Removal of existing structure and excavated material	1.0	LS	2,000	2,000
Supply & install 900mm dia. HDPE c/w Bedding	12.0	m	1,100	13,200
Supply and install Granular 'B' Type II	140.0	tonne	35	4,900
Supply & install Granular 'A'	30.0	tonne	40	1,200
Supply & install rip rap endwalls	30.0	tonne	110	3,300
Culvert No.10				
Removal of existing structure and excavated material	1.0	LS	2,000	2,000
Supply & install 900mm dia. HDPE c/w Bedding	13.0	m	1,100	14,300
Supply and install Granular 'B' Type II	160.0	tonne	35	5,600
Supply & install Granular 'A'	30.0	tonne	40	1,200
Supply & install rip rap endwalls	30.0	tonne	110	3,300
Supply and Install HL3 Asphalt	35.0	sq.m	100	3,500
Locate and Work Around Telecom	1.0	LS	500	500
Culvert No.13				
Removal of existing structure and excavated material	1.0	LS	2,000	2,000
Supply & install 900mm dia. HDPE c/w Bedding	12.0	m	1,100	13,200
Supply and install Granular 'B' Type II	120.0	tonne	35	4,200
Supply & install Granular 'A'	30.0	tonne	40	1,200
Supply & install rip rap endwalls	30.0	tonne	110	3,300
Restoration / Seeding	1.0	LS	8,000	8,000
Buffer Strip	4370	m ²	5	21,850
Enviornmental Considerations including Silt Fence	1.0	LS	500	500
Contingency				11,000
Sub Total				295,725
Allowances				13,650
Engineering				48,090
Future Culvert Design				3,600
Locate, Expose and Survey Utilities				4,000
Tendering and Inspection (Estimate for Part Time Inspection)				21,000
ERCA Fee				800
Total Estimate excluding HST				386,865
Non-Recoverable HST (1.76%)				6,550
Total Estimate				\$393,415

ESTIMED NET ASSESSMENT

Net assessment subject to OMAFRA ADIP Policy and actual construction costs.

Conc.	Lot or Part	Affected Hectares	Roll No.	Owner	Total Assessment (\$)	Estimated Grant (\$)	Allowances (\$)	Estimated Net Assessment (\$)
Municipal Lands								
	King's Highway 401	2.80		Ministry of Transportation	3,052			3,052
	Pt. Lot 13	0.08	510-002210	Ministry of Transportation	40			40
	Pt. Lot 12	0.07	510-001400	Ministry of Transportation	35			35
	North Talbot Road (CR 46)	0.92		County of Essex	5,507			5,507
	12th Concession Road	5.24		Town of Tecumseh	57,218			57,218
Non-Agricultural Lands								
11	Pt. E 1/2 Lot 10	0.51	510-000410	P. & M. Boretski	1,441		240	1,201
	E 1/2 Lot 11	6.07	510-000300	A. & E. Sirizzotti	63,135		2,720	60,415
	Pt. Lot 12	0.48	510-000200	C. Colenutt & S. Merrett	17,170		360	16,810
12	Pt. Lot 9	11.68	500-001800	O. & A. Rizzo	23,309			23,309
	Pt. Lot 9	3.23	500-001700	E. Lys & M. Kawala-Lys & O. Vanes	8,594			8,594
	Pt. Lot 9	0.78	500-001805	A. & L. Mitchell	1,245			1,245
	Pt. Lot 9	0.78	500-001810	M. & J. Barkey	1,245			1,245
	Pt. Lot 10	0.36	500-001900	P. & L. Eyraud	546			546
	Pt. Lot 10	1.12	500-001350	A. & J. Mifflin	1,670			1,670
	Pt. Lot 10	0.40	500-002000	P. & C. Eyraud	671			671
	Pt. Lot 11	0.50	500-001105	M. Ciellza	784			784
	Pt. Lot 11	0.40	500-002500	D. McGuire & E. Bondy	614			614
	Pt. Lot 11 & Pt. Lot 12	8.09	500-000500	2829555 Ontario Inc	5,983			5,983
Agricultural Lands (Eligible for Available Grants)								
11	Pt. Lot 9	8.09	510-000500	W. & M. O'Neil	32,592	10,864	2,450	19,278
	E 1/2 Lot 10	17.47	510-000400	Edward Chittle Farm Ltd	22,529	7,510	2,280	12,739
	Pt. Lot 12	12.14	510-000201	K. Wallis	26,043	8,681	1,380	15,982
	Pt. Lot 12	5.59	510-000150	W. & D. O'Neil	19,954	6,651	490	12,813
	Pt. Lot 12	1.21	510-000100	C. McGuire	17,261	5,754	360	11,147
	Pt. Lot 13 & Pt. Lot 14	18.10	510-002200	W. & E. O'Neil	58,311	7,520	3,370	47,421
12	Pt. Lot 10	6.20	500-001300	R. Eyraud & E. Ayers	6,932	2,311		4,621
	Pt. Lot 10	5.26	500-00					

SCHEDULE OF ASSESSMENT

Conc.	Lot or Part	Hectares Owned	Affected Hectares	Roll No.	Owner	Culverts			Channel			Total	Equivalent Ha
						Special Benefit (\$)	Benefit (\$)	Outlet (\$)	Special Benefit (\$)	Benefit (\$)	Outlet (\$)		
Municipal Lands													
	King's Highway 401		2.80		Ministry of Transportation		1,200	1,135		432	285	3,052	2.52
	Pt. Lot 13		0.08	510-002210	Ministry of Transportation		-	32		-	8	40	0.07
	Pt. Lot 12		0.07	510-001400	Ministry of Transportation		-	28		-	7	35	0.06
	North Talbot Road (CR 46)		0.92		County of Essex		-	4,714		-	793	5,507	0.83
	12th Concession Road		5.24		Town of Tecumseh		42,989	8,628		3,757	1,844	57,218	4.72
	Total Municipal Lands					-	44,189	14,537	-	4,189	2,937	65,852	
Non-Agricultural Lands													
11	Pt. E 1/2 Lot 10	0.51	0.51	510-000410	P. & M. Boretski		600	646		106	89	1,441	0.20
	E 1/2 Lot 11	27.60	6.07	510-000300	A. & E. Sirizzotti	37,972	16,713	4,631		3,440	379	63,135	1.82
	Pt. Lot 12	0.48	0.48	510-000200	C. Colenutt & S. Merrett		16,713	313		117	27	17,170	0.19
12	Pt. Lot 9	11.68	11.68	500-001800	O. & A. Rizzo		-	19,951		-	3,358	23,309	3.50
	Pt. Lot 9	16.24	3.23	500-001700	E. Lys & M. Kawala-Lys & O. Vanes		-	7,356		-	1,238	8,594	1.29
	Pt. Lot 9	0.78	0.78	500-001805	A. & L. Mitchell		-	1,008		-	237	1,245	0.31
	Pt. Lot 9	0.78	0.78	500-001810	M. & J. Barkey		-	1,008		-	237	1,245	0.31
	Pt. Lot 10	0.36	0.36	500-001900	P. & L. Eyraud		-	465		-	81	546	0.14
	Pt. Lot 10	1.12	1.12	500-001350	A. & J. Mifflin		-	1,419		-	251	1,670	0.45
	Pt. Lot 10	0.40	0.40	500-002000	P. & C. Eyraud		-	570		-	101	671	0.18
	Pt. Lot 11	0.50	0.50	500-001105	M. Ciellza		-	703		-	81	784	0.23
	Pt. Lot 11	0.40	0.40	500-002500	D. McGuire & E								

Conc.	Lot or Part	Hectares Owned	Affected Hectares	Roll No.	Owner	Culverts			Channel			Total	Equivalent Ha
						Special Benefit (\$)	Benefit (\$)	Outlet (\$)	Special Benefit (\$)	Benefit (\$)	Outlet (\$)		
Agricultural Lands (Eligible for Available Grants)													
11	Pt. Lot 9	12.20	8.09	510-000500	W. & M. O'Neil		16,713	10,831		3,205	1,843	32,592	2.43
	E 1/2 Lot 10	27.37	17.47	510-000400	Edward Chittle Farm Ltd		600	16,490		3,113	2,326	22,529	5.24
	Pt. Lot 12	17.08	12.14	510-000201	K. Wallis		16,713	7,073		1,734	523	26,043	3.64
	Pt. Lot 12	10.12	5.59	510-000150	W. & D. O'Neil		16,713	2,507		527	207	19,954	1.68
	Pt. Lot 12	3.46	1.21	510-000100	C. McGuire		16,713	164		343	41	17,261	0.36
	Pt. Lot 13 & Pt. Lot 14	40.96	18.10	510-002200	W. & E. O'Neil	35,752	16,713	1,957		3,889	-	58,311	5.43
12	Pt. Lot 10	28.12	6.20	500-001300	R. Eyraud & E. Ayers		-	5,889		-	1,043	6,932	1.86
	Pt. Lot 10	14.28	5.26	500-001200	L. Daniher		-	4,933		-	793	5,726	1.58
	Pt. Lot 11	20.79	6.38	500-001100	D. & D. McGuire		-	5,984		-	544	6,528	1.91
Total Agricultural Lands						35,752	84,165	55,828	-	12,811	7,320	195,876	
Utilities													
	Telecom Utility				Bell		3,280	-		-	-	3,280	
	Gas Utility				Enbridge Gas		-	-		2,000	-	2,000	
Total - Utilities						-	3,280	-		2,000	-	5,280	
Total - Utilities						5,280							
Total Municipal Lands						65,852							
Total Non-Agricultural Lands						126,407							
Total Agricultural Lands						195,876							

North 12th Concession Drain
Town of Tecumseh
June 10, 2025

SPECIFICATION OF WORK

1. Location

The location of the proposed and future work outlined in this specification is along the length of the North 12th Concession Drain in Lot 9 to 14, Concession 11 in the Town of Tecumseh.

2. Scope of Work

The work to be included in this specification includes, but is not limited to, the following:

- Future open channel maintenance
- Establishment and maintenance of a 1.5m buffer strip
- Culvert Replacements

3. General

Each tenderer must inspect the site prior to submitting their tender and satisfy themselves by personal examination as to the local conditions that may be encountered during this project. The Contractor shall make allowance in their tender for any difficulties which they may encounter. Quantities or any information supplied by the Engineer is not guaranteed and is for reference only.

All work and materials shall be to the satisfaction of the Drainage Superintendent who may vary these specifications as to minor details but in no way decrease the proposed capacity of the drain.

The Contractor shall provide all labour, equipment, and supervision necessary to complete the work as shown in the Plans and described in these specifications. Any work not described in these specifications shall be completed according to the Ontario Provincial Standard Specifications and Standard Drawings.

All equivalents shall be requested to the Contract Administrator in writing prior to ordering any material.

Estimated quantities have been included in the Estimate of Cost in this Engineer's Report. If the items are tendered as lump sum items, the quantities in the estimate shall not form the basis for payment. It is up to the Contractor to determine the quantities that will be required for each item when bidding.

All property bars and survey monuments are to be flagged and protected by the Contractor. Any disturbed, damaged or removed bars and monuments shall be the responsibility of the Contractor to have an OLS reinstate the same.

4. Health and Safety

The Contractor at all times shall be responsible for health and safety on the worksite including ensuring that all employees wear suitable personal protective equipment including safety boots and hard hats.

When applicable the Contractor shall be responsible for traffic control as per the Ontario Traffic Manual Book 7 – Temporary Conditions (latest revision).

The Contractor shall be responsible to ensure that all procedures are followed under the Occupational Health and Safety Act to ensure that work sites are safe and that accidents are prevented. In the event of a serious or recurring problem, a notice of non-compliance will be issued. The Contractor will be responsible for reacting immediately to any deficiency and correcting any potential health and safety risk. Continuous disregard for any requirement of the Occupational Health and Safety Act could be cause for the issuance of a stop work order or even termination of the Contract.

The Contractor shall also ensure that only competent workers are employed onsite and that appropriate training and certification is supplied to all employees.

The Contractor shall submit their traffic control plan within 10 working days of notice of award. Road closures will not be permitted on this project without the approval of the Town of Tecumseh.

5. Workplace Safety and Insurance Board

The Contractor hereby certifies that all employees and officers working on the project are covered by benefits provided by the Contractor. The WSIB Clearance Certificate must be furnished prior to the execution of the Contract and updated every 90 days.

6. Utilities

The Contractor is responsible for organizing locates and exposing all the utilities along the length of the drainage works. If any utilities interfere with the proposed drainage works in a manner not shown on the accompanying Estimate of Cost or profile the Contractor shall notify the Drainage Superintendent and Engineer.

The Contractor is responsible for coordinating the replacement of additional utilities with the utility company if they interfere with the proposed drain. All costs for the utility to replace their services will be outside of this report and shall be borne by the utility as per Section 26 of the Drainage Act.

All additional costs to work around and organize replacement of the utilities not included in the estimate shall be tracked separately and the cost plus a portion of the engineering (20% of the cost) shall be borne by that utility.

7. Pre-Construction Meeting

There is a requirement for a pre-construction meeting to be held prior to any construction taking place. The meeting will be scheduled by the Contractor. Contact information will be provided to the Contractor by the Engineer. The affected Landowners, Engineer, County of Essex, MTO and the Town of Tecumseh shall be invited. The Contractor shall notify all parties at least one week prior to wanting to hold a pre-construction meeting.

8. Benchmarks

The benchmarks are based on geodetic elevations. Elevations are available at the locations shown on the Plan and Profile drawings. Where these elevations are on existing structures to be replaced, they shall be transferred by the Contractor prior to the removal.

The Contractor is required to complete a benchmark loop prior to construction to verify the benchmarks. If discrepancies exist the Contractor must notify the Drainage Superintendent and Engineer prior to completing any work.

9. Traffic Control

Access and driveways to private properties shall not be obstructed longer than the minimum time necessary for the work and shall be reinstated as soon as possible all to the satisfaction of the Engineer. The Contractor shall schedule any obstruction of existing driveways and accesses with the owners at least two full working days in advance. Should the access to a residential property extend beyond 24 hours, the Contractor shall be responsible for providing a walking access across the drain to that property. The

Traffic Plan must be approved by the Town prior to the commencement of any construction.

- a) The Contractor shall supply, erect and maintain all detour signs and special signs necessary for detours to divert traffic from the area under construction as directed by the Drainage Superintendent or Engineer. All this work shall be at the Contractor's expense.
- b) The Contractor shall be responsible for supplying, erecting and maintaining all signs, supports, barricades, flashers, cones, etc. in the construction area and at the boundaries of the work as part of the above detours, all to the satisfaction of the Engineer or Drainage Superintendent. All this work shall be done by the Contractor at their own expense.
- c) The Contractor shall not be allowed to proceed with construction activities unless proper signage and flagmen are present. Flagging procedures, signage and detours shall conform to the recommendations of Book 7, Temporary Conditions, Ontario Traffic Manual, issued by the Ministry of Transportation. Conformance shall be enforced by the Ministry of Labour Inspector.

10. Access and Working Area

Access to the work site for construction and future maintenance shall be from 12th Concession Road. Access shall be restricted to a width of 6m and shall generally be along the edge of the drainage works and across existing culverts.

The working area at each culvert shall extend 10 metres from the bank on both sides and for 10 metres along the channel on either side of the culvert.

The working area for the construction and future maintenance of the channel shall be restricted to a width of 12m from the top of bank that the working is taking place from. The excavation shall generally be done from the west (field) side of the channel except across finished lawns. Across finished lawns the excavation shall generally be done from the east (road) side with the excavated material being trucked and disposed off site or levelled in the adjacent farm fields.

11. Removals

The culverts and any native backfill material, when required, shall be removed in their entirety. The culvert, backfill and the concrete rubble shall be disposed offsite at the

15. Installation of Culverts

The Contractor is required to notify the Landowner forty-eight (48) hours prior to the removal of a culvert.

Sanitite Pipe shall be SaniTite HP Dual Wall Pipe with 320kPa and bell and spigot joints or approved equivalent. HDPE shall be CSA approved 320 kPa with bell and spigot joints or approved equivalent.

The culverts designated to be replaced in the future under this report shall be examined after any cleanout of the open channel as to its condition. If it is found to be in disrepair (i.e. there are holes corroded in the bottom or sides) it shall be replaced as per these specifications.

The culverts shall be installed generally in the same location or as approved by the Contract Administrator. The culverts shall be installed with the invert 10% (minimum 150mm) below the original channel bottom elevation unless otherwise shown in order to achieve the minimum cover. It is the Contractors responsibility to ensure that the minimum cover is achieved when backfilling the culverts.

All culverts may have concrete block or rip rap end walls. The lengths on the drawings are based on utilized rip rap end walls. If block end walls are used the lengths shall be reduced accordingly. The access culverts shall be assessed, as per the report, to provide an 6m access width. If an owner requests a longer culvert than that required to achieve an 6m top width, please refer to the report.

Any tile outlets extended as a result of a culvert shall be extended downstream at the landowner's expense. The pipes that shall be extended upstream or downstream of the proposed culvert shall be done with non-perforated HDPE agricultural tubing with a manufactured coupling, elbow and rodent grate.

Access Culverts:

The bottom of the excavation shall be excavated to a minimum of 100mm below the proposed invert. The pipe shall be bedded with $\frac{3}{4}$ " clear stone. When the pipe has been installed to the proper grade and depth, the excavation shall be backfilled with $\frac{3}{4}$ " clear stone and wrapped in filter fabric from the bottom of the excavation to the spring line of the pipe. Care shall be taken to ensure that the backfill on either side of the culvert does not differ by more than 300mm so that the pipe is not displaced. The access culverts shall be backfilled from the spring line to within 150mm of finished grade with Granular "B" Type II. The top 150mm shall be backfilled with compacted 100% crushed Granular "A"

If the Contractor cannot perform the work. The Town will hold the money against the tender or collect it from the tenderer.

17. Subsurface Drainage

All existing subsurface drains encountered during construction of the open channel shall be reconnected or extended to the open channel unless otherwise noted on the drawings or as directed by the Drainage Superintendent or Engineer.

A suitable length of equivalent sized PE agricultural tubing shall be used to connect the drain to the open channel. Manufactured fittings shall connect the PE tile to the existing drain. The connections shall be carefully backfilled to ensure there is adequate support under the pipe and large clumps of clay do not displace the tile.

Tile outlets larger than 150mm in diameter, or as determined by the Drainage Superintendent or Engineer at the time of construction, require erosion protection and rodent grates. The erosion protection made up of rip rap and filter fabric shall be installed on the embankment slope from 0.3m above the tile outlet to the channel bottom. The erosion protection shall be 1.0m wide. Rip rap shall be made up of 150mm to 300mm quarry stone or approved equal. The area to receive the rip rap shall first be graded to allow the placement of the rip below finished grade. After grading, a layer of filter fabric (Mirafi P270 or approved equal) is to be placed with any joints overlapped a minimum of 600mm. Rip rap shall then be placed with the smaller pieces placed in the gaps and voids to give it a uniform appearance.

18. Buffer Strip

A grassed buffer strip shall be incorporated into the drainage works. The buffer strip shall extend 1.5 metres from the top of the bank on the west side. The seed mixture shall be as specified in the Seeding/Restoration specification.

19. Seeding/Restoration

The side slopes of the channel, road right of way, buffer strip, finished lawns, and all areas disturbed by construction, shall be topped with 100mm of topsoil and hydroseeded in the spring or fall following construction. The time of application shall be approved by the Drainage Superintendent or Engineer.

Hydraulic seed and mulch in accordance with OPSS 804. Seed mixture, fertilizer and application rates are as follows:

- The Contractor shall remove non-biodegradable erosion and sediment control materials once site is stabilized.
- Remove all construction materials from site upon project completion.

Light duty silt fencing shall be installed down-gradient of the work for the duration of construction.

The light duty silt fencing shall be supplied and installed in accordance with OPSS 805 and OPSD 219.110. The light duty silt fencing shall be removed once the disturbed area has been re-vegetated.

APPENDIX A

Emergency Designation Request and Approval

Appendix: Photos of the pipe and Culvert Location Plan

cc. Tim Brook, Drainage Coordinator, Ministry of Agriculture and Food and Rural Affairs
Alessia Mussio, Drainage Superintendent, Town of Tecumseh

This designation is granted on the condition that the replacement is made under the supervision of R. Dobbin Engineering Inc., appointed by council under Section 78 of the Drainage Act. Any additional drain improvements will need to progress through the normal *Drainage Act* process. Since the total project cost is unknown at this time, all involved property owners must be given an opportunity to appeal their share of the project cost to the appeal bodies established under the act.

Please note that this emergency designation does not exempt you and your municipality from any approvals that may be required from other agencies including the local conservation authority and Fisheries and Oceans Canada.

Sincerely,



Lisa M. Thompson

Minister of Agriculture, Food and Rural Affairs

Did you know about the Farmers' Wellness Initiative?

- Your mental health is important! If you're a farmer or a member of a farm family and in need of mental health support, please call 1-866-267-6255 and arrange to speak with a professional today.
- For additional resources visit: <https://farmerwellnessinitiative.ca/>.

