



Subject: Bearss Drain – Appointment of Engineer

To: Council

From: Public Works Department

Report Number: 2024-80

Meeting Date: April 23, 2024

Recommendation:

That Public Works Department Report 2024-80 be received; and

That Council approve the by-law attached as Appendix C, being a By-Law to Authorize Entering into an Engineering Agreement with Spriet Associated Architects & Engineers for the Bearss Municipal Drain, to complete the required engineer report for the Bearss Drain under Section 76 of the *Drainage Act* for the estimated cost of \$15,000.

Purpose:

The purpose of this report is to obtain Council's approval for the appointment of a qualified engineer to prepare an engineer's report that includes revised assessment schedules of the Bearss Municipal Drain report and necessary actions required under the *Drainage Act*.

Background:

On September 15, 1997, Council adopted the most recent engineer's report for the Bearss Municipal Drain by Bylaw 3429/11/97, being a by-law to provide for drainage works in the City of Port Colborne in the Regional Municipality of Niagara Bearss Drain and William Michael Drain.

In 2007, a new engineer's report for the neighbouring watershed of the Bearss Drain West Branch West was completed and adopted. While completing field investigations for the 2007 report, the engineer noted a change in the watershed limit including the installation of a catch basin and linear pipe system to convey water from the east side of Silver Bay Road to the west side. The change necessitates the revision and updating of assessment schedules of the original 1997 report.

Discussion:

Since the adoption of both the Bearss Municipal Drain and the addition of the Bearss Drain West Branch West, some properties were assessed and included in both drain reports. The affected parcels are located at the southeast end of Silver Bay Road and along Firelane 9, as depicted in Appendix A and B.

In the fall of 2023, staff received a request from the residents being assessed by both reports to be removed from one of the two assessment schedules, and that the reports be updated to reflect actual watershed limits.

The appointment of Spriet Associates Engineers and Architects will allow them to complete a thorough investigation of the drainage area to confirm current drainage patterns. This exercise will verify the current state of the drainage system and ensure assessment schedules for each of the drains are accurate and up to date. Following the assessment, an updated report will be prepared. Implementation of the changes will take place upon the completion and adoption of the report.

The nature of the required works does not include construction or physical enhancement and are not grant eligible under the requirements of the Ontario Ministry of Agriculture, Food and Rural Affairs.

Financial Implications:

The municipality is responsible for maintaining municipal drains and ensuring assessment schedules are kept up to date.

The total estimated cost to complete the updated engineer report reflecting the revised assessments is \$15,000 which, upon adoption, will be invoiced to affected property owners after the work is complete.

Public Engagement:

The *Drainage Act* is a public process and requires meetings with affected property owners, which are scheduled by the Drainage Superintendent as required.

Strategic Plan Alignment:

The initiative contained within this report supports the following pillars of the strategic plan:

- Welcoming, Livable, Healthy Community
 - Economic Prosperity
 - Sustainable and Resilient Infrastructure
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Conclusion:

The approval of this report will allow staff to appoint a qualified engineer to complete the necessary investigation work required to revise the watershed limit, update assessment schedules, and prepare an updated engineer's report. This update will ensure future costs related to drainage works are assessed based on accurate information and reflect the current watershed limits.

Appendices:

- a. Bearss Drain 2007 West Branch West Watershed
- b. Bearss Drain and Wm Michael Dr 1996 Watershed
- c. By-Law to Authorize Entering into an Engineering Agreement with Spriet
Associated Architects & Engineers for the Bearss Municipal Drain

Respectfully submitted,

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Report Approval:

All reports reviewed and approved by the Department Director and the City Treasurer when relevant. Final review and approval by the Chief Administrative Officer.