



**PORT COLBORNE**

**Subject: Northland Estates Municipal Drain**

**To: Council**

**From: Public Works Department**

Report Number: 2024-161

Meeting Date: August 27, 2024

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**Recommendation:**

That Public Works Department Report 2024-161 be received; and

That Council direct the Drainage Superintendent to advance the Northland Municipal Drain Engineer's Report to a 'Meeting to Consider,' in accordance with section 41, Chapter D.17 of the *Drainage Act*.

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**Purpose:**

The purpose of this report is to provide Council with an update on the delivery of the Engineer's Report and requisite actions pertaining to the Meeting to Consider.

Receipt of an Engineer's Report, under Section 41, Chapter D.17 of the *Drainage Act*, requires Council's advancement of the report to a Meeting to Consider the report.

The Meeting to Consider the Report is tentatively set for September 18, 2024, pending acceptance of this report and direction for staff to complete a mailing of the required notification to the affected landowners.

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**Background:**

On November 12, 2019, Brandon Widner, P. Eng of Spriet Engineering was appointed to complete a new report under Section 78 of the Drainage Act R.S.O. 1990 for the Eagle Marsh Municipal Drain. The Eagle Marsh Drain outlets to Lake Erie in the southwest corner of the municipality near Lakeshore Road West. The drain proceeds northwest into the Township of Wainfleet and then back into the City of Port Colborne, where the drain ends at Highway #58 in the rear yards of Coronation Drive.

On November 22, 2022, a petition, under Section 4 of the Drainage Act was signed and submitted to the Clerk's office for new drainage. A request for a branch drain to outlet the proposed Northland Estates Subdivision was made. Being in the same watershed as the Eagle Marsh Drain, Spriet Associates was asked to add this petition drain to their scope of work.

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### **Discussion:**

At the onset of this development, it was the preference of staff to have the new subdivision drain to the existing storm sewer at Highway #58 and the extension of Franklin Avenue. Due to the lay of the land, and the depth of the existing storm sewer, that was not a possibility.

The southwest corner of the existing parcel for the development is not far from the Eagle Marsh Drain. The petitioner has requested for a 340-meter section of drain which will serve as a sufficient outlet for the development. The confluence of the proposed branch to the existing Eagle Marsh Drain will be at the westerly limit of 43 Coronation Drive.

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### **Internal Consultations:**

Consultation with various departments regarding the financials and the proposed work illustrated in the Engineers report have taken place.

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### **Financial Implications:**

The fees incurred by the municipality to date, for the survey of the drain, the drafting fees, and the engineering fees for the completed engineer's report, total approximately \$25,850. As per the Engineer's Report, the estimated cost of the project is \$189,900 inclusive of the Engineer's fees.

Should this report not proceed, the municipality will not have the opportunity to collect the funds expensed to date nor will there be drainage for the proposed subdivision known as Northland Estates.

As the City of Port Colborne is the only contributing municipality within this drainage project, it will continue to bear all costs until completion of construction of this project, at which time staff will bill to the respective property owners as detailed in the engineer's report. Although this municipal drain will be in the defined urban storm area, the initial cost of the report and the construction will be billed to the developer.

To finance the drainage works, the Municipality will charge interest. The interest rate is calculated at the City's Bank Prime Rate + 2%. As per the Drainage Act, interest will be calculated until the Engineer signs the certificate of final completion

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### **Public Engagement:**

Any reports or works completed through the *Drainage Act* must follow all regulations of the *Drainage Act*. Two meetings were held with the affected residents. Following Council's direction to proceed with the Meeting to Consider, staff will initiate a mailing to the landowners assessed in this report. The mailing will contain notification of the Meeting to Consider and directions to obtain a copy of the Engineer's report on the City's website. For those that are unable to use the website or prefer an electronic version of the report, they will be provided directions to contact staff.

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### **Strategic Plan Alignment:**

The initiative contained within this report supports the following pillar(s) of the strategic plan:

- Welcoming, Livable, Healthy Community
  - Increased Housing Options
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### **Conclusion:**

An up-to-date Engineer's Report allows for routine drain maintenance, effective roadside ditching programs ensuring road safety, enhancing community resiliency, and allows staff to provide residents with a standard level of service.

The Municipality is bound by the *Drainage Act* to comply and proceed accordingly, thus advancing the Engineer's Report to the Meeting to Consider, under Section 41 of the Act, complies with these requirements.

The advancement of this report initiates a public process, beginning with a notification for the upcoming 'Meeting to Consider' to each assessed owner within the engineer's report.

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### **Appendices:**

- a. Plan of the Northland Estates Drain

Respectfully submitted,

Alana Vander Veen  
Drainage Superintendent  
905-228-8127  
Alana.VanderVeen@portcolborne.ca

**Report Approval:**

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