



PORT COLBORNE

Subject: Revised Billing of the Young and Hopf-Wagner Municipal Drains

To: Council

From: Public Works Department

Report Number: 2025-42

Meeting Date: March 11, 2025

Recommendation:

That Public Works Department Report 2025-42 be received; and

That the revised billing for the Young and Hopf-Wagner Municipal Drains be approved and invoiced in accordance with the *Drainage Act*, as outlined in Appendix A of Public Works Department Report 2025-42.

Purpose:

This report has been prepared to inform Council that the Ontario Ministry of Agriculture, Food and Agribusiness (OMAFRA) grant for the Young and Hopf-Wagner Municipal Drain construction has been received but is lower than expected. The Report outlines the funding shortfall, next steps, and the process for a revised by-law and rebilling to affected property owners.

Background:

Council Report 2023-102 dated June 27, 2023, provides the background and overview of the Young and Hopf-Wagner Municipal Drain Project. Subsequent to that report, the OMAFA grant, which was applied for in 2023, has been received. OMAFA provides grants of up to one-third of for qualifying lands. The Municipality applies for the grant on behalf of the landowners and the qualifying landowners are responsible for the remaining costs. Once work is completed on the drain and the grants are received for a maintenance or construction project, a By-Law is passed to give authority to bill based on the assessment schedule.

The original application for the OMAFA grant for farm parcels totalled \$112,510.33, but since receiving the grant, the actual amount was less and therefore a new by-law is required to bill the remaining amounts.

Discussion:

The original application for the OMAFA grant for farm parcels totalled \$112,510.33 but the funding received resulted in a shortfall of \$21,629.95.

The OMAFA grant is issued to those parcels that have the Farm Property Class Tax and the amount of the grant is 1/3 of the net assessment to the parcel. OMAFA's review of the application indicated that several parcels did not have Farm Property Class Tax Rate as listed on the application.

Due to this discrepancy, a total of 29 parcels were incorrect and will be rebilled. Of those parcels, 25 are in Port Colborne, 1 in Fort Erie and 3 in Niagara Falls. Of the total parcels within Port Colborne, 23 will result in an increase in cost and 2 of the parcels will be receiving a credit from the original amount invoiced.

The net cost of the project is as follows:

	Previously Invoiced	New Invoice Amount	Difference
Town of Fort Erie	2,578.83	\$2,767.40	188.57
City of Niagara Falls	231,812.41	\$234,262.60	2,450.19
City of Port Colborne	774,934.35	\$793,925.53	18,991.18
Total	1,009,325.59	1,030,955.53	21,629.94

The parcels to be rebilled are detailed in Appendix A.

Internal Consultations:

Consultation was held with the City's Finance Division to discuss the duties required to complete the new invoicing of this work.

Financial Implications:

Due to the OMAFA grant being \$21,629.94 less than expected, the parcels detailed in Appendix A will be rebilled to ensure each parcel within the drainage shed is contributing according to the Engineers assessment schedules.

Public Engagement:

The *Drainage Act* has many points of public consultation. The following is a list of events identifying when mailings occur to inform the property owners defined within the engineer's report of the public meetings and public appeal processes set out by the *Drainage Act*.

- Notice of Public consultation prior to the completion of the report
 - Notice of Meeting to consider the report
 - Notice of Court of Revision
 - Notice of Tribunal
 - Notice of Meeting to Consider Contract Price
 - Notice of Construction
 - Previous Billing
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Conclusion:

It is recommended the City proceed with the passing of the by-law as defined in Section 61(1), a Levy by-law, of the *Drainage Act R.S.O. 1990* to complete the revised billing of the drainage work. If these funds are not collected from ratepayers, the City would need to absorb these costs. Approval of this report will allow staff to proceed with the billing of these works and collect this amount from the affected property owners.

Appendices:

- a. Schedule of Revised Assessments
- b. Original Assessment Schedule
- c. Young and Hopf-Wagner Levy By-law

Respectfully submitted,

Alana Vander Veen
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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.