



**Subject: 2025 Annual Drain Maintenance Billing**

**To: Council**

**From: Public Works Department**

Report Number: 2025-21

Meeting Date: April 8, 2025

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**Recommendation:**

That Public Works Department Report 2025-21 be received; and

That the Drainage Superintendent be directed to bill the outstanding drainage maintenance work by adding the calculated charges to the final tax bill of assessed property owners; and

That the By-law, attached as Appendix A, be brought forward for approval in order to amend the Assessment Schedules and levy the actual costs incurred for the maintenance of the following drains: Point Abino Drain, Biederman Drain, Wignell Drain, Oil Mill Creek Drain, Bearss West Branch West Drain, Marsh Drain, Zavitz Drain, Skelton Drain, Beaver Dam Drain, Michener 2 Drain, Henry Drain, Wm Michael Drain, Bearss Drain, Wagner Branch Drain, East Branch Lyons Creek Drain.

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**Purpose:**

This report provides an update to Council on municipal drain maintenance billing, as well as the timing of drainage billings for assessed properties. Staff have also prepared a levy by-law for Council to adopt, which will allow staff to bill outstanding maintenance balances on the 2025 final tax bill as previously directed.

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**Background:**

Once a Municipal Drainage Report has been adopted by Council, it is then the Municipality's responsibility to perform maintenance on the drain. The drain maintenance outlined in this report were performed under Section 74 of the *Drainage Act, R.S.O., 1990* (the Act). Section 74 of the Act provides that drainage maintenance performed by a

municipality shall be at the expense of all the upstream lands and roads assessed for the construction or improvement of the drainage works.

Maintenance expenses are distributed in the apportion amount determined by the appointed Engineer, unless varied through a successful appeal or granted through a severance. Following an appeal, each municipal drain was adopted through by-law. The respective by-law information can be found on each assessment schedule included in Appendix A to this report.

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## Discussion:

Municipal drains require regular maintenance such as beaver trapping, removal of dams, brushing and clearing of the drain and working corridor, excavation, levelling of excavated material, and gate control structure operation and maintenance. Works can be performed by both third-party contractors and Public Works staff. The following is a summary of the unbilled maintenance costs that have been accrued up to December 31, 2024.

	Drain	Outstanding Balance (\$)
A	Point Abino Drain	15,230.75
B	Biederman Drain	7,052.33
C	Wignell Drain South the Friendship Trail	3,108.81
C	Wignell Flood Gate Structure	2,741.40
D	Oil Mill Creek E-1	584.00
E	Bearss Drain West Branch West	294.17
F	Marsh Drain	793.79
G	Zavitz Drain	313.81
H	Skelton Drain	63.64
I	Beaver Dam Dain Outlet maintenance	6,504.35
J	Oil Mill Creek Main Branch	8,219.18
K	Oil Mill Creek West Branch	5,375.38
L	Michener Drain - M2	14,310.21
M	Henry Drain	247.81
N	Oil Mill Creek Outlet Structure	1,512.60
O	Wm Michael Drain	23,780.65
P	Bearss Drain (east perm work)	70,530.15
Q	Bearss Drain (outlet maintenance)	266.01
R	Beaver Dam Drain Flood Gate and Pump	2,567.16
S	Wagner Branch Drain	4,374.90
T	East Branch Lyons Creek	20,609.25
U	Beaver Dam Drain North of the Flood Gate	30,006.53
	Total	218,486.88

In the above list, some of the drain names are duplicated. When the reports were originally prepared and adopted, the engineer often prepared multiple schedules to address maintenance at specific locations on the drain.

A requirement of the Act is to ensure that the drainage schedules be kept up to date. Drainage staff work with the Planning Department and Financial Services to ensure that happens. The schedules in the attached by-law will act as a resolution of Council's endorsement to comply with Section 65(2) of the Act.

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### **Internal Consultations:**

Drainage staff have met with Financial Services staff to discuss the 2024 drainage works and outstanding fees. They have also set the deadlines for completing billing to ensure the assessed amounts are added to the final 2025 tax bills.

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### **Financial Implications:**

When the municipality carries out work on a municipal drain, the costs are initially paid for by the City. These expenses are then recovered from the property owners within the watershed at the time of billing. The following is a summary of costs to be billed this year:

Collection method	Amount to be collected (\$)
Added to tax accounts	172,366.45
Accounts receivable (Ministry of Transportation, Niagara Region, etc.)	10,359.95
City Portion (Municipal roads and municipal owned parcels)	16,985.80
Storm Sewer Rate (parcels assessed in a drainage report that also pay the storm sewer rate)	306.93
OMAFRA grant	18,467.75
Total	218,486.88

Ontario Ministry of Agriculture, Food and Agribusiness (OMAFRA) grants have been applied for; however, they have not yet been received. Should the 2024 grant be less than the anticipated standard of 1/3, or an error is noted from OMAFRA, another bill will be sent to assessed parcels for the difference in the cost. The cost breakdown for each drain can be found in the Levy By-law.

This billing exercise will resolve all maintenance accounts, except for accounts included in the Eagle Marsh Drain. Currently, there is no assessment schedule for that report. However, when the engineer completes the new report, they will incorporate the

accumulated maintenance costs into the new assessment schedules. Once the report is completed, the accrued amounts will be billed to the assessed property owners of the watershed. To date the account balance is \$134,011.72. It is anticipated that a draft report will be completed late this year.

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### **Public Engagement:**

Staff do notify the owners of parcels where maintenance work is being performed prior to work beginning.

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### **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 outstanding billable balance for the drainage maintenance accounts is \$217,846.78. This report provides an overview of works completed which is broken down in each drainage account as well as the method of billing.

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### **Appendices:**

- A. By-law to Amend the Assessment Schedules A-U and to Levy the Actual Costs Incurred for the Maintenance of Drainage Works 2024

Respectfully submitted,

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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.