



Subject: Point Abino Drain

To: Council

From: Public Works Department

Report Number: 2025-91

Meeting Date: May 13, 2025

Recommendation:

That Public Works Department Report 2025-91 be received; and

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

Purpose:

This report has been initiated in response to the final delivery of the Point Abino Municipal Drain Engineer's Report, as prepared by Paul Marsh, P. Eng of EWA Engineering Inc. 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.

Background:

Municipal records indicate the Point Abino Municipal Drain has been in existence since about 1892. The lower reach of the drain, or more easily defined as the down stream end or area nearest Lake Erie, has had different flow paths as well as different outlets in both Fort Erie and Port Colborne. Since 1892, this drainage system has undergone several changes and many reports, with the latest report being completed in 1983 by C J Clarke.

As per the *Drainage Act R.S.O. 1990*, the upstream municipality is typically responsible for initiating the drainage process. As such, the City of Port Colborne appointed Paul Marsh, P.Eng. of EWA Engineering Inc. on October 28, 2019, under Section 74 of the Drainage Act to prepare a new report for the watershed. Due to the time that had

elapsed since the original appointment, Mr. Marsh was formally reappointed by Council at its meeting on January 25, 2022.

During the time between 2019 and present, Mr. Marsh has completed a Baseline Report dated December 16, 2021, and a Hydraulic and Hydrology Study dated April 8, 2022. Both reports were prepared to assist with the complexities of the Point Abino Drain and are supplement documents to the Final Engineer's Report.

Discussion:

The Point Abino Municipal Drain is located on the far east side of Port Colborne and is a shared drain with the Town of Fort Erie. The outlet of the drain is in Abino Bay of Lake Erie just north of the Buffalo Yacht Club boat launch. Going up stream, the drain runs westerly for approximately 530 meters, northly through the Point Abino Marsh for 1350 meters, westerly towards Holloway Bay Rd for 1520 meters, north for 330m along the west side of Holloway Bay Rd, 650 meters west to Pleasant Beach Rd north 80 meters on the east side of Pleasant Beach Rd and a final 220 meters west to its end point within Sherkston Shores.

The East Branch of the drain is wholly within the Town of Fort Erie. This is located from the confluence point or connection to the main drain, where the main drain turns west to Holloway Bay and runs north-east upstream to Point Abino Road.

The Haggerty Branch is also wholly in the Town of Fort Erie. From the confluence of the main drain where it turns west to Pleasant Beach Road, the Haggerty Branch runs north on the west side of Holloway Bay Road for 218 meters, then north-east for another 670 meters towards Michener Road in Fort Erie terminating at 5354 Michener Road.

As noted in the report, the main drain total 4720 meters and services an area of 800 hectares. The drain is characterized as a shallow slope or slow watershed. The bottom half of the drain has low to no slope to the outlet and is influenced by Lake Erie's water elevation.

The largest design aspect of this report is to do with the culvert structure at Point Abino Road. Currently there is a twin concrete culvert structure with a length of 87m that is scheduled for replacement. The section of culvert, within the Town of Fort Erie's road allowance, is proposed to be a new single span concrete box structure. There will also be another small section of single span concrete box culvert to service 1 property approximately 65 m west of the road allowance. The remainder of the channel will be reconstructed as an open ditch, however due to the proximity to the road, the banks on the drain in this section will have a special engineered design to mitigate against future erosion. In addition to the replacement of the culverts from double to single is also the reconstruction of the flap gate to control the storm events.

The upstream end of the drain in Port Colborne has little to no changes from the previous design.

This Engineer's report captures any newly created lots (severances) within this watershed, bringing the assessment schedules up to date, as well as incorporate the proposed changes within the drainage area.

Staff received a copy of the Engineer's Report prepared by EWA Engineering Inc. dated April 9, 2025, and has subsequently filed with the City Clerk of Port Colborne on May 12, 2025.

Receipt of the Engineer's Report, under Section 41, of the Drainage Act, requires advancement of the report to a Meeting to Consider and initiates the obligations of the public process, including mailing of the report and Meeting to Consider date to each property owner within the watershed. Subject to Council approval, the tentative date for the Meeting to Consider will be July 7, 2025.

Financial Implications:

This municipal drain is outside the urban boundary therefore no funds will be used from the fees collected from the Storm Sewer Rate.

The total fees incurred by the City to date for the survey of the drain, the drafting fees, and the engineering fees for the completed engineer's report are approximately \$196,000. As per the Engineer's Report, the total estimated cost of this project is \$2,555,208.05, inclusive of the Engineer's Administration and Engineering fees.

A breakdown of that estimated cost is as follows:

Port Colborne's Portion for Roads	40,635.57
Port Colborne's Portion for Parcels	482,168.93
Fort Erie's Total Portion	2,032,403.55

Further break down of assessments will follow at the Meeting to Consider the Engineer's Report.

Should this report not proceed, the municipality will not be able to collect the funds expensed to date. The City will continue to bear all costs until the completion of construction, at which time staff will bill to the respective property owners as detailed in the engineer's report.

To finance the drainage works, the City will charge interest on funds that have been spent. 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.

Public Engagement:

Any reports or works completed through the *Drainage Act* must follow all regulations of the *Drainage Act*. Meetings have been held with assessed landowners within the watershed with the most recent being held on March 21, 2022.

Following Council's direction to proceed with the Meeting to Consider, staff will complete a mailing to the assessed property owners which will contain notification of the Meeting to Consider and instructions to view the Engineer's report.

If any resident is unable to view the report on the website, a copy of the report can be viewed at City Hall in Port Colborne, Town Hall in Fort Erie, the Port Colborne Engineering and Operations Facility as well and the Port Colborne Library. Additionally, if any assessed landowner would like a printed copy of the report, they may contact the Drainage Superintendent of either municipality.

Strategic Plan Alignment:

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

- Environment and Climate Change
 - Sustainable and Resilient Infrastructure
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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 a standard level of service to residents.

As the Municipality is obligated to comply with the Drainage Act, advancing the Engineer's Report to the Meeting to Consider stage, under Section 41 of the Act, fulfills this legislative requirement to proceed to the next step.

The approval of this staff report initiates the formal public process, which begins with mailing the Engineer's Report and a notice of the upcoming Meeting to Consider to all property owners within the watershed.

Appendices:

- a. Plan of the Point Abino Municipal Drain

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.