



# **Municipality of West Elgin**

## **Agenda**

### **Court of Revision**

### **Pursuant to the Drainage Act, R.S.O. 1990**

June 26, 2025, 3:45 p.m.

Council Chambers

160 Main Street

West Lorne

Meetings are held in-person at 160 Main Street, West Lorne, and the post-meeting recording available at [www.westelgin.net](http://www.westelgin.net), when available (pending no technical difficulties).

Pages

1. Call to Order

2. Appoint Chair

**Recommendation:**

That Court of Revision for McGill Branches of the McMillan Drain hereby appoints \_\_\_\_\_ as chair.

3. Understanding Court of Revision Procedures (OMAFRA) - For Information Purposes Only

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4. Disclosure of Pecuniary Interest

5. Adoption of Previous Court of Revision Minutes

5

**Recommendation:**

That the Court of Revision hereby adopt the previous minutes of February 27, 2025, Fleuren Drain, as presented.

6. McGill Branches of the McMillan Drain, J. M. Spriet, Spriet Associates Engineering

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6.1 Written Appeals

**6.2 Comment from Landowners**

**6.3 Comment from Members of the Court of Revision**

**7. Decision**

**Recommendation:**

That the Court of Revision hereby approve the Schedule of Assessment for the McGill Branches of the McMillan Drain, as outlined in the report prepared by Spriet Associates Engineering Limited, date April 10, 2025.

**8. Adjournment**

**Recommendation:**

That the Court of Revision for the McGill Branches of the McMillan Drain, hereby adjourn at \_\_\_\_\_pm.



# Understanding Court of Revision Procedures Under the Drainage Act

Sharon McCartan, OMAFRA

FEBRUARY 2010

## INTRODUCTION

The Court of Revision is an appeal body established under the Drainage Act and administered by the local municipality. The Court of Revision allows landowners to challenge their drainage assessments quickly and informally. Unlike the Drainage Tribunal or the Drainage Referee, the Court of Revision has one power – to re-allocate funds in a drainage assessment schedule.

To learn more about assessments under the Drainage Act, refer to fact sheet Agdex 557 Order # 92-035, “Understanding Drainage Assessments.”

## STEPS LEADING UP TO THE COURT OF REVISION

The Drainage Act sets out a democratic process for constructing new drains or improving existing drains. The following is a very basic outline of how a typical report would get to the Court of Revision. Refer to the Drainage Act for specific process requirements.

- One or more property owners submit a petition for drainage to their municipality. A project to improve an existing drain can also be initiated with a landowner request to council.
- The Council reviews the petition or request and decides whether to accept it.
- If accepted, Council sends a notice to the petitioner(s) and the local Conservation Authority, or, where a Conservation Authority does not exist, to the Minister of Natural Resources.
- After a 30 day period Council appoints an engineer to prepare a report.
- After completion of all meetings, surveys, design calculations or possible preliminary reports, the Engineer submits a final report which includes an assessment schedule that levies a share of the project cost on individual properties.
- The report is considered by council at a “meeting to consider the report”. The property owners affected by

the drain are invited to this meeting and have an opportunity to influence council’s decision.

- If council decides to proceed with the project, they give two readings of a bylaw adopting the report; at this stage, the bylaw is known as a ‘provisional bylaw’.
- A copy of the provisional by-law and a notice of the date and time of the Court of Revision hearing is sent to all involved property owners.
- The Court of Revision must be held before the third and final reading of the bylaw.

As you can see, quite a few steps must occur before a municipality can hold the Court of Revision’s first sitting.

## APPEALS PROCEDURE AND TIMELINES

### 1 – Notice of the Sitting of Court

The municipal clerk must send notice of the first sitting of the Court to all landowners in the watershed of the proposed drain. The notice must be sent not more than 30 and not less than 20 days before the Court date. The notice must also be sent within 30 days of the second reading of the provisional bylaw. This notice must include:

- Date and time of the Court of Revision
- A copy of the provisional bylaw
- Procedure for Filing an Appeal

### 2 – Appeal Notice

Owners must send their appeal notices to the municipal clerk at least 10 days in advance of the date for the Court.

However, at their first sitting, the Court may, by resolution, agree to hear appeals that were not filed 10 days prior to the hearing date.

### 3 – Hearing

The municipality holds the hearing. For more detail on how to run a Court of Revision hearing, refer to “Suggested Procedure,” below.

### 4 – Appeals from the Court of Revision

All decisions made can be appealed to the Agriculture, Food and Rural Affairs Appeal Tribunal within 21 days of the pronouncement of the Court of Revision’s decision.

### 5 – Authorizing Bylaw

After all assessment appeals to the Court of Revision, Tribunal or Referee are exhausted, Council gives third reading to the authorizing bylaw. Due to the appeals process, 40 days is the minimum amount of time that must pass between mailing the notice of the Court’s first sitting, to giving the by-law its third reading. If landowners file appeals, the process will likely take longer.

#### THE ROLE OF THE CLERK

- The municipal clerk receives all notices of appeal to the Court of Revision.
- In advance of the Court of Revision hearing, the clerk should make a list of all appeals specifically listing the name of the appellant, the property of the appellant, the amount of the assessment and a summary of the grounds for the appeal
- If the Court of Revision is considering the reduction of a property assessment and is considering adding this reduction to a property whose owner is not in attendance, the court must adjourn. The clerk schedules a second sitting of the Court and notifies all property owners affected by the reduction.
- The clerk also alters any assessments changed by the Court and amends the provisional bylaw.

#### THE ROLE OF THE MEMBERS OF THE COURT OF REVISION

- Members of the Court may hear appeals on three grounds:
  - 1) Land or road has been assessed too high or low.
  - 2) Land or road should have been assessed but has not.
  - 3) Due consideration has not been given to the land’s use.
- The members of Court must hear these appeals and decide whether they are valid. The members must comply with the *Statutory Powers Procedure Act*, and they must conduct themselves fairly and without bias.
- The Court only has authority to change the schedule of assessments; they cannot make changes to the technical aspects of the report and they cannot refer the report back to the engineer for modifications.

- Total costs of the project must remain the same, which means that if the Court reduces an assessment, the Court re-allocates the shortfall among other assessed property owners.
- If the Court is considering adding to the assessment of one or more properties whose owners are not in attendance, the Court must adjourn and send notice to assessed property owners who were not at the Court of Revision at the time of the re-allocation. This allows the re-assessed landowners to appeal their new assessments.

#### THE ROLE OF THE APPELLANT

- If a landowner feels an assessment against their lands is too low, that land should have been assessed but has not, or that consideration has not been given to land use, they can file an appeal with the Court of Revision.
- Appeals must be filed with the clerk at least 10 days before the date of the Court of Revision.
- If a landowner wishes to appeal, but misses the date for filing the appeal, they can appear at the first sitting of the Court of Revision and request to have their appeal heard.
- At the sitting of the Court, the list of appellants will be read out and the Engineer will give evidence. When his or her time to present their case comes, the appellant must explain their reasons for appealing the assessment schedule.
- After the Court of Revision pronounces their decision, affected property owners have 21 days to appeal this decision to the Agriculture, Food and Rural Affairs Appeal Tribunal and the Tribunal’s decision on this appeal is final.

#### COMPOSITION OF THE COURT OF REVISION

- If a drainage works only affects the initiating municipality, the initiating municipality’s council appoints 3 to 5 members to make up the Court of Revision.
- If a drainage works affects two or more municipalities, the council of the initiating municipality appoints two members of the Court; and every other involved municipality appoints one person to be a member. One of the members appointed by the initiating

- municipality is the chair of the Court of Revision.
- To be eligible to sit as a Court of Revision member, the individual must be eligible to seek election as a member of council.
- Members of council may be appointed as members of the Court. However, the two roles must be kept separate – if a council member wishes to hear information or pass resolutions outside of the scope of the Court of Revision, they must close the Court, then open a new council meeting.

## **SUGGESTED PROCEDURE**

- Opening of the Court of Revision
- Oaths
  - Members may take an oath, but it is not legally required.
  - Members are still legally required to act fairly and impartially, whether they declare this publicly as an oath or not.
- Order of Appeals
  - The appeals and the order in which they will be held are read out.
- Engineer Gives Evidence
  - The engineer gives his or her evidence regarding each appeal before the Court, per s. 55 of the Act.
- Appellants Present their Case
  - The landowners orally make a case for why their land was improperly assessed before the members of court.
  - The engineer may rebut the landowner's case.
- Late Appeals
  - If the Court of Revision members choose, they agree to entertain late appeals, per s. 52(2) of the Act.
- Deliberations
  - The Court of Revision members should retreat to deliberate these appeals and make decisions in private.
  - If court is considering reducing an assessment and adding it to a property whose owner is not present, then they must adjourn the Court of Revision, send notice to the absent parties to allow them to appeal the change, then reconvene, per s. 53 of the Act.
- Closing the Court of Revision and Rendering a Decision
  - The Court of Revision may give oral decisions on each appeal but this oral decision should be followed up with a decision in writing.
- Choosing which schedule to adopt

- The Court of Revision should document whether they decided to adopt an altered version of the assessment schedule, or whether they chose to adopt the schedule as presented by the engineer.
- A sample decision is included below.

## **FURTHER INFORMATION**

### **Related Factsheets**

Understanding Drainage Assessments, Agdex 557  
Drainage Act Appeals, Agdex 557

### **Author Information**

These Court of Revision guidelines were authored by Sharon McCartan, OMAFRA, Environmental Management Branch, Guelph, Ontario.  
Reviewed by Sid Vander Veen, Drainage Coordinator, and by Andy Kester, Drainage Inspector.

**Sample Decision of the Court of Revision:**

DECISION of the COURT OF REVISION

RE: \_\_\_\_\_ Municipal Drain

Decisions Pronounced on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Appeal #1 – Appellant: \_\_\_\_\_ Property: \_\_\_\_\_

Appeal Summary: Assessment should be lowered because a portion of the property drains into another municipal drain.

Decision: That the assessment of costs on Lot 19, Con 84, Roll #0330 be reduced by two thirds from \$300.00 to \$100.00 and that the difference of \$200.00 be assessed to municipal road.

Appeal #2 – Appellant: \_\_\_\_\_ Property: \_\_\_\_\_

Appeal Summary: The crop damage allowance is insufficient and should be increased.

Decision: The appeal is dismissed as it is outside the jurisdiction of the Court of Revision. Property owners have the right to appeal their allowances to the Agriculture, Food and Rural Affairs Appeal Tribunal.

Appeal #3 – Appellant: \_\_\_\_\_ Property: \_\_\_\_\_

Appeal Summary: Assessment should be lowered because the engineer has calculated the assessment based on 100% agricultural land use; actual use is 50% agriculture and 50% bush.

Decision: The assessment on this property is reduced by \$300 and the reduction is added to the assessment on property \_\_\_\_\_. The owner of this property was present at the hearing of the court of revision.

Appeal #4 – Appellant: \_\_\_\_\_ Property: \_\_\_\_\_

Appeal Summary: Assessment should be lowered because the owner has no intention of using the land for agricultural purposes.

Decision: That the appeal be dismissed. Property still has the potential to be used for agriculture and has been assessed at similar rates to nearby agricultural properties.

Appeal #5 – Appellant: \_\_\_\_\_ Property: \_\_\_\_\_

Appeal Summary: Assessment on all private properties should be reduced and an environmental agency should be charged \$5000 for the cost of studies that were required for the agency's approval of the project.

Decision: The appeal is dismissed. The Drainage Act only allows properties to be assessed and the environmental agency is not a property owner.

**FURTHER APPEAL RIGHTS**

If dissatisfied with the Decisions of the Court of Revision which were pronounced on the \_\_\_\_<sup>th</sup> day of \_\_\_\_\_, 20\_\_\_\_, anyone may appeal this decision to the Agriculture, Food and Rural Affairs Appeal Tribunal by filing a notice of appeal with Clerk of the municipality within 21 days of the date of this decision.

Signed:

\_\_\_\_\_  
(name), Chair

Court of Revision for the \_\_\_\_\_ Municipal Drain

Dated this \_\_\_\_<sup>th</sup> day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_, Clerk

Municipality of \_\_\_\_\_

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**Sample Court of Revision Decision.** A written decision should be mailed to every appellant after the hearing concludes.

**For more information:**  
**Telephone:** 1-888-466-2372  
**E-mail:** about.omafra@ontario.ca

**www.ontario.ca/omafra**



# Municipality of West Elgin

## Minutes

### Court of Revision

February 27, 2025, 3:45 p.m.

Council Chambers

160 Main Street

West Lorne

**Present:** Richard Leatham  
Taraesa Tellier  
Bill Denning  
Ryan Statham  
Heather Dougherty

**Staff Present:** Tom Mohan, Drainage Superintendent  
Terri Towstiuc, Recording Secretary/Clerk  
Robin Greenall, Chief Administrative Officer  
Lee Gosnell, Manager of Operations and Community Services

**Also Present:** JM Spriet, P. Eng., Spriet Associates

**1. Call to Order**

Call to Order for the Court of Revision for the Fleuren Municipal Drain 3:51 pm.

**2. Appoint Chair**

**Resolution No. 2019- 01**

**Moved:** Richard Leatham

**Seconded:** Bill Denning

That Court of Revision for Fleuren Drain hereby appoints Heather Dougherty as chair.

**Carried**

**3. Disclosure of Pecuniary Interest**

None.

**4. Adoption of Previous Court of Revision Minutes**

**Resolution No. 2019- 02**

**Moved:** Taraesa Tellier

**Seconded:** Bill Denning

That the Court of Revision hereby adopt the previous minutes of August 15, 2024, South Rodney Municipal Drain, as presented.

**Carried**

**5. Fleuren Drain, J. M. Spriet, Spriet Associates Engineering**

**5.1 Written Appeals**

None received prior to meeting.

**5.2 Comment from Landowners**

None.

**5.3 Comment from Members of Court of Revision**

None.

**6. Decision**

**Resolution No. 2019- 03**

**Moved:** Taraesa Tellier

**Seconded:** Ryan Statham

That the Court of Revision hereby approve the Schedule of Assessment for the Fleuren Drain (revised), as outlined in the report prepared by Spriet Associates Engineering Limited, revision date December 16, 2024.

**Carried**

**7. Adjournment**

**Resolution No. 2019- 04**

**Moved:** Taraesa Tellier

**Seconded:** Bill Denning

That the Court of Revision for the Fluere Drain hereby adjourn at 3:54 pm.

**Carried**



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Richard Leatham, Mayor

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Terri Towstiuc, Clerk

**McGILL BRANCHES OF THE  
McMILLIAN DRAIN**

**Municipality of West Elgin**



**SPRIET  
ASSOCIATES**  
ENGINEERS & ARCHITECTS

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London, Ontario  
April 10, 2025

## **McGILL BRANCHES OF THE McMILLIAN DRAIN**

### **Municipality of West Elgin**

To the Mayor and Council of  
the Municipality of West Elgin

Mayor and Council:

We are pleased to present our report on the construction of the McGill Branches of the McMillian Municipal Drain serving parts of Lots 24 and Y, Concession 3 in the Municipality of West Elgin.

### **AUTHORIZATION**

This report was prepared pursuant to Section 4 of the Drainage Act. Instructions were received from your Municipality with respect to a motion of Council. The work was initiated by a petition signed by the owners whose lands contain over 60 percent of the area requiring drainage.

### **DRAINAGE AREA**

The total watershed area as described above contains approximately 29 hectares. The area requiring drainage for the McGill Branches is described as the lands contained within Lots 24 and Y, Concession 3, south-half, owned by B. McGill (Roll No.'s 70-047 and 70-049). The lands are just north of the watershed boundaries of the McGill Drain 2008 and the McAllister Drain.

### **EXISTING DRAINAGE CONDITIONS**

A site meeting held with respect to the project and through later discussions the owners reported the following:

- that the landowner, B. McGill (Roll No.'s 70-047 and 70-049), indicated that his lands are tributary to the McMillian Drain and they require drainage. He stated that the lands are currently draining through a private tile, installed some time ago, that drain to the McMillian Drain. This drain is undersized by today's standards and, as a result, he experiences excess water on his lands
- that the landowner's representative for L. McCallum (Roll No. 70-046) indicated that a portion of their lands would also benefit from surface drainage if a new drain was constructed



### EXISTING DRAINAGE CONDITIONS (cont'd)

A field investigation and survey were completed. Upon reviewing our findings we note the following:

- that the lands owned by B. McGill (Roll No.'s 70-047 and 70-049) require drainage as the existing private tile is undersized
- that the existing culvert on the McMillian Drain in the L. McCallum (Roll No. 70-046) lands will require lowering to allow for the proposed drain to be installed with sufficient cover of the drain

Preliminary design, cost estimates, and assessments were prepared and an informal public meeting was held to review the findings and preliminary proposals. Further input and requests were provided by the affected owners at that time and at later dates. Based on the proposed design it was decided to proceed with the petition.

### DESIGN CONSIDERATIONS

The Drainage Coefficient method contained in the "DRAINAGE GUIDE FOR ONTARIO", Publication 29 by the Ontario Ministry of Agriculture, Food, and Rural Affairs (OMAFRA) is typically used to design municipal drains. The Drainage Coefficient defines a depth of water that can be removed in a 24-hour period and is expressed in millimetres per 24 hours. The coefficient used to design the Branches with respect to capacity was 50mm per 24 hours.

We would like to point out that there have been no indications of any adverse soil conditions, but this region is known to have stones present. It should be noted that no formal soil investigation has been made, with this information being provided by the owners.

The proposed design and report have been generally completed using the "GUIDE FOR ENGINEERS WORKING UNDER THE DRAINAGE ACT IN ONTARIO" OMAFRA Publication 852.

### RECOMMENDATIONS

We are therefore recommending the following:

- that a new drain works, to be referred to as the McGill Drain Branches of the McMillian Drain, be constructed as a closed drain. Branch A will commence at the existing McMillian Drain and run south-easterly through the lands of L. McCallum (Roll No. 70-046), into and through the lands of B. McGill (Roll No. 70-047), to its head just within the lands of B. McGill (Roll No. 70-049), for a total length of 570 lineal meters
- that Branch B will also be constructed as a closed drain, commencing at Branch A, within the lands of L. McCallum (Roll No. 70-046) and run southerly through these lands to just within the lands of B. McGill (Roll No. 70-047), for a total length of 131 lineal meters
- that the McMillian Open Drain be cleaned out downstream, for a distance of 200 meters, to allow for the proposed drain to be constructed with sufficient depth
- that the drain be upsized to a 50mm design coefficient at the request of the landowner B. McGill (Roll No.'s 70-047 and 70-049)
- that catchbasins be installed along the course of the drain to alleviate surface flows



## ENVIRONMENTAL CONSIDERATIONS AND MITIGATION MEASURES

There are no significant wetlands or sensitive areas within the affected watershed area or along the route of the drains. The proposed construction of the McGill Branches of the McMillian Drain includes quarry stone outlet protection and surface inlets which greatly help reduce the overland surface flows and any subsequent erosion. A temporary flow check of silt fencing is to be installed in the ditch downstream of the tile outlet for the duration of the construction.

## SUMMARY OF PROPOSED WORK

The proposed work consists of approximately 200 lineal meters of open ditch cleanout, reconstruction of a farm culvert; approximately 701 lineal meters of 250mm (10") to 525mm (21") diameter concrete field tile, including related appurtenances.

## SCHEDULES

Four schedules are attached hereto and form part of this report, being Schedule 'A' - Allowances, Schedule 'B' - Cost Estimate, Schedule 'C' - Assessment for Construction, and Schedule 'D' - Assessment for Maintenance.

Schedule 'A' - Allowances. In accordance with Sections 29 and 30 of the Drainage Act, allowances are provided for right-of-way and damages to lands and crops along the route of the drain as defined below.

Schedule 'B' - Cost Estimate. This schedule provides for a detailed cost estimate of the proposed work which is in the amount of \$120,000.00. This estimate includes engineering and administrative costs associated with this project.

Schedule 'C' - Assessment for Construction. This schedule outlines the distribution of the total estimated cost of construction over the roads and lands which are involved.

Schedule 'D' - Assessment for Maintenance. In accordance with Section 38 of the Drainage Act, this schedule outlines the distribution of future repair and/or maintenance costs for portions of, or the entire drainage works.

Drawing No. 1, Job No. 224262, and specifications form part of this report. They show and describe in detail the location and extent of the work to be done and the lands which are affected.

## ALLOWANCES

**DAMAGES:** Section 30 of the Drainage Act provides for the compensation to landowners along the drain for damages to lands and crops caused by the construction of the drain.

The amounts granted are based on the following:

- a) for closed drain installed with wheel machine - \$3,613.00/ha.
- b) for open ditch work with excavated material levelled adjacent to drain - \$4,647.00/ha.

This base rate is multiplied by the hectares derived from the working widths shown on the plans and the applicable lengths.



## **ALLOWANCES (cont'd)**

**RIGHT-OF-WAY** Section 29 of the Drainage Act provides for an allowance to the owners whose land must be used for the construction, repair, or future maintenance of a drainage works.

For tile drains where the owners will be able to continue to use the land, the allowance provides for the right to enter upon such lands, and at various times for the purpose of inspecting such drain, removing obstructions, and making repairs. Also, the allowance provides for the restrictions imposed on those lands to protect the right-of-way from obstruction or derogation. The amounts granted for right-of-way on tile drains is based on a percentage of the value of the land designated for future maintenance. Therefore, the amount granted is based on \$6,670.00/ha. through cropped lands. This value is multiplied by the hectares derived from the width granted for future maintenance and the applicable lengths.

## **ASSESSMENT DEFINITIONS**

In accordance with the Drainage Act, lands that make use of a drainage works are liable for assessment for part of the cost of constructing and maintaining the system. These liabilities are known as benefit, outlet liability and special benefit liability as set out under Sections 22, 23, 24 and 26 of the Act.

**BENEFIT** as defined in the Drainage Act means the advantages to any lands, roads, buildings or other structures from the construction, improvement, repair, or maintenance of a drainage works such as will result in a higher market value, increased crop production, improved appearance, better control of surface or sub-surface water, or any other advantages relating to the betterment of lands, roads, buildings, or other structures.

**OUTLET** liability is assessed to lands or roads that may make use of a drainage works as an outlet either directly or indirectly through the medium of any other drainage works or of a swale, ravine, creek, or watercourse.

In addition, a Public Utility or Road Authority shall be assessed for and pay all the increased cost to a drainage works due to the construction and operation of the Public Utility or Road Authority. This may be shown as either benefit or special assessment.

## **ASSESSMENT**

A modified "Todgham Method" was used to calculate the assessments shown on Schedule 'C'- Assessment for Construction. This entailed breaking down the costs of the drain into sections along its route.

The remainder is then separated into Benefit and Outlet costs. The Benefit cost is distributed to those properties receiving benefit as defined under "Assessment Definitions", with such properties usually being located along or close to the route of the drain. The Outlet Costs are distributed to all properties within the watershed area of that section on an adjusted basis. The areas are adjusted for location along that section, and relative run-off rates. Due to their different relative run-off rates forested lands have been assessed for outlet at lower rates than cleared lands.



**ASSESSMENT** (cont'd)

The actual cost of the work involving this report, with the exception of Special Assessments, is to be assessed on a pro-rata basis against the lands and roads liable for assessment for benefit and outlet as shown in detail below and on Schedule 'C' - Assessment for Construction.

**GRANTS**

In accordance with the provisions of Section 85 of the Drainage Act, a grant **may** be available for assessments against privately owned parcels of land which are used for agricultural purposes and eligible for the Farm Property Class Tax rate. Section 88 of the Drainage Act directs the Municipality to make application for this grant upon certification of completion of this drain. The Municipality will then deduct the grant from the assessments prior to collecting the final assessments. The increased costs to the drainage works for the 50mm design are directly assessed to the requesting landowner, B. McGill (Roll No.'s 70-047 and 70-049), and are non-grantable.

**MAINTENANCE**

Upon completion of construction, all owners are hereby made aware of Sections 80 and 82 of the Drainage Act which forbid the obstruction of or damage or injury to a municipal drain.

After completion the McGill Branches of the McMillian Drain shall be maintained by the Municipality of West Elgin at the expense of all upstream lands Schedule 'D' - Assessment for Maintenance and in the same relative proportions until such time as the assessment is changed under the Drainage Act.

Respectfully submitted,

SPRIET ASSOCIATES LONDON LIMITED



JMS:bv

J.M. Spriet, P.Eng.



**SPRIET ASSOCIATES**  
engineers & architects

## SCHEDULE 'A' - ALLOWANCES

**McGILL BRANCHES OF THE McMILLIAN DRAIN****Municipality of West Elgin**

In accordance with Sections 29 and 30 of the Drainage Act, we determine the allowances payable to owners entitled thereto as follows:

CONCESSION	LOT	ROLL NUMBER (Owner)	Section 29 Right-of-Way	Section 30 Damages	TOTALS
<b>McMILLIAN DRAIN</b>					
3	Pt. 24 &	Y 70-045 (R. & A. Tait)	\$ 100.00	\$ 170.00	\$ 270.00
3	NE $\frac{3}{4}$	Y 70-046 (L. McCallum)	710.00	1,230.00	1,940.00
Total Allowances			\$ 810.00	\$ 1,400.00	\$ 2,210.00

**TOTAL ALLOWANCES ON THE McMILLIAN DRAIN** **\$ 2,210.00**

**McGILL BRANCH A**

3	NE $\frac{3}{4}$	Y 70-046 (L. McCallum)	\$ 2,620.00	\$ 2,130.00	\$ 4,750.00
3	SE $\frac{1}{4}$	Y 70-047 (B. McGill)	1,090.00	890.00	1,980.00
3	SW $\frac{1}{4}$ Y & S	Z 70-049 (B. McGill)	90.00	70.00	160.00
Total Allowances			\$ 3,800.00	\$ 3,090.00	\$ 6,890.00

**TOTAL ALLOWANCES ON THE McGill BRANCH A** **\$ 6,890.00**

**McGILL BRANCH B**

3	NE $\frac{3}{4}$	Y 70-046 (L. McCallum)	\$ 830.00	\$ 680.00	\$ 1,510.00
3	W $\frac{1}{4}$ Y & S	Y 70-047 (B. McGill)	40.00	30.00	70.00
Total Allowances			\$ 870.00	\$ 710.00	\$ 1,580.00

**TOTAL ALLOWANCES ON THE McGill BRANCH B** **\$ 1,580.00**

**TOTAL ALLOWANCES ON THE McGill BRANCHES OF THE McMILLIAN DRAIN** **\$ 10,680.00**



**McGILL BRANCHES OF THE McMILLIAN DRAIN****Municipality of West Elgin**

We have made an estimate of the cost of the proposed work which is outlined in detail as follows:

**McMILLIAN DRAIN**

200 meters of open ditch reconstruction	\$	2,000.00
Levelling of excavated material	\$	900.00
Seeding ditch banks and buffer strips (Approx 1000 sq.m)	\$	500.00
Sta. -0+039 - Sta. -0+053		
Remove, reinstall & extend existing 10m - 1600mm dia.	\$	2,400.00
Supply & delivery of 4m - 1600mm dia, 2.8mm thick, 125mm x 25mm cor.	\$	2,600.00
Installation of pipe including supply and installation of bedding and backfill materials and disposal of any unacceptable materials including couplers	\$	5,900.00
Supply and installation of quarry stone riprap (Approx. 12m <sup>3</sup> Q.S. required)	\$	1,900.00
Exposing and locating existing tile drains and utilities	\$	500.00
Contingencies	\$	1,000.00
Allowances under Sections 29 & 30 of the Drainage Act	\$	2,210.00

**McGILL BRANCH A**

6 meters of 525mm dia., H.D.P.E. plastic sewer pipe including rodent gate, quarry stone rip-rap protection around pipe and end of ditch (Approximately 6m <sup>3</sup> quarry stone req'd)		
Supply	\$	900.00
Installation	\$	1,200.00
Installation of the following concrete field tile including supply & installation of geotextile around tile joints (approx. 850m req'd)		
564 meters of 525mm dia. concrete tile	\$	16,400.00
Supply of the above listed tile	\$	28,200.00
Strip, stockpile and releve topsoil from tile trench and adjacent working area (4m wide) specified on drawings (approx. 570m)	\$	3,400.00
Supply and install two 900mm x 1200mm standard catchbasin including birdcage grates, ditching, any required prefabricated fittings, removal and disposal of ex. catchbasins	\$	5,500.00
Exposing and locating existing tile drains and utilities	\$	1,000.00
Tile connections and contingencies	\$	2,400.00
Allowances under Sections 29 & 30 of the Drainage Act	\$	6,890.00

**McGILL BRANCHES OF THE McMILLIAN DRAIN**  
**Municipality of West Elgin**
**McGILL BRANCH B**

Installation of the following concrete field tile including supply & installation of geotextile around tile joints (approx. 200m req'd)	
131 meters of 250mm dia. concrete tile	\$ 3,800.00
Supply of the above listed tile	\$ 2,600.00
Strip, stockpile and releve topsoil from tile trench and adjacent working area (4m wide) specified on drawings (approx. 131m)	\$ 800.00
Supply and install one 600mm x 600mm standard catchbasin including birdcage grates, ditching and any required prefabricated fittings	\$ 2,500.00
Exposing and locating existing tile drains and utilities	\$ 500.00
Tile connections and contingencies	\$ 500.00
Allowances under Sections 29 & 30 of the Drainage Act	\$ 1,580.00

**ADMINISTRATION**

Interest and Net Harmonized Sales Tax	\$ 2,700.00
Survey, Plan and Final Report	\$ 13,900.00
Expenses	\$ 950.00
Supervision and Final Inspection	\$ 4,370.00
<b>TOTAL ESTIMATED COST</b>	<b>\$ 120,000.00</b>

## SCHEDULE 'C' - ASSESSMENT FOR CONSTRUCTION

## McGILL BRANCHES OF THE McMILLIAN DRAIN

## Municipality of West Elgin

Job No. 224262

April 10, 2025

\* = Non-agricultural

CON.	LOT	HECTARES AFFECTED	ROLL No. (OWNER)	BENEFIT	OUTLET	TOTAL
<b>McMILLIAN DRAIN</b>						
3	NE $\frac{3}{4}$ Y	5.80	70-046 (L. McCallum)	\$ 3,490.00	\$ 4,189.00	\$ 7,679.00
3	SE $\frac{1}{4}$ Y	9.30	70-047 (B. McGill)		7,096.00	7,096.00
3	SW $\frac{1}{4}$ Y & S $\frac{1}{2}$ Z	13.40	70-049 (B. McGill)		10,225.00	10,225.00
TOTAL ASSESSMENT ON LANDS				\$ 3,490.00	\$ 21,510.00	\$ 25,000.00
TOTAL ASSESSMENT ON THE McMILLIAN DRAIN						<u>\$ 25,000.00</u>
<b>McGILL BRANCH A</b>						
3	NE $\frac{3}{4}$ Y	5.80	70-046 (L. McCallum)	\$ 24,340.00	\$ 4,615.00	\$ 28,955.00
3	SE $\frac{1}{4}$ Y	9.30	70-047 (B. McGill)	10,570.00	11,659.00	22,229.00
			**Non-Grantable**	1,540.00	1,700.00	3,240.00
3	SW $\frac{1}{4}$ Y & S $\frac{1}{2}$ Z	13.40	70-049 (B. McGill)	1,840.00	20,476.00	22,316.00
			**Non-Grantable**	270.00	2,990.00	3,260.00
TOTAL ASSESSMENT ON LANDS				\$ 38,560.00	\$ 41,440.00	\$ 80,000.00
TOTAL ASSESSMENT ON THE McGILL BRANCH A						<u>\$ 80,000.00</u>
<b>McGILL BRANCH B</b>						
3	NE $\frac{3}{4}$ Y	0.50	70-046 (L. McCallum)	\$ 6,160.00	\$ 308.00	\$ 6,468.00
3	SW $\frac{1}{4}$ Y & S $\frac{1}{2}$ Y	3.04	70-047 (B. McGill)	1,340.00	7,192.00	8,532.00
TOTAL ASSESSMENT ON LANDS				\$ 7,500.00	\$ 7,500.00	\$ 15,000.00
TOTAL ASSESSMENT ON THE McGILL BRANCH B						<u>\$ 15,000.00</u>
TOTAL ASSESSMENT ON THE McGILL BRANCHES OF THE McMILLIAN DRAIN						<u>\$ 120,000.00</u>

## SCHEDULE 'D' - ASSESSMENT FOR MAINTENANCE

**McGILL BRANCHES OF THE McMILLIAN DRAIN****Municipality of West Elgin**

Job No. 224262

April 10, 2025

CON.	LOT	HECTARES AFFECTED	ROLL No. (OWNER)	PERCENTAGE OF MAINTENANCE COST
<b>McGILL BRANCH A</b>				
3	NE $\frac{3}{4}$ Y	5.8	70-046 (L. McCallum)	30.4 %
3	SE $\frac{1}{4}$ Y	9.3	70-047 (B. McGill)	30.7
3	SW $\frac{1}{4}$ Y & S $\frac{1}{2}$ Z	13.4	70-049 (B. McGill)	38.9
				=====
TOTAL ASSESSMENT ON LANDS				100.0 %
				=====
<b>TOTAL ASSESSMENT FOR MAINTENANCE OF THE McGill BRANCH A</b>				<b><u>100.0 %</u></b>
<b>McGILL BRANCH B</b>				
3	NE $\frac{3}{4}$ Y	0.5	70-046 (L. McCallum)	30.1 %
3	SW $\frac{1}{4}$ Y & S $\frac{1}{2}$ Y	3.0	70-047 (B. McGill)	69.9
				=====
TOTAL ASSESSMENT ON LANDS				100.0 %
				=====
<b>TOTAL ASSESSMENT FOR MAINTENANCE OF THE McGill BRANCH B</b>				<b><u>100.0 %</u></b>

# SCHEDULE OF NET ASSESSMENT

## McGILL BRANCHES OF THE McMILLIAN DRAIN

### Municipality of West Elgin

(FOR INFORMATION PURPOSES ONLY)

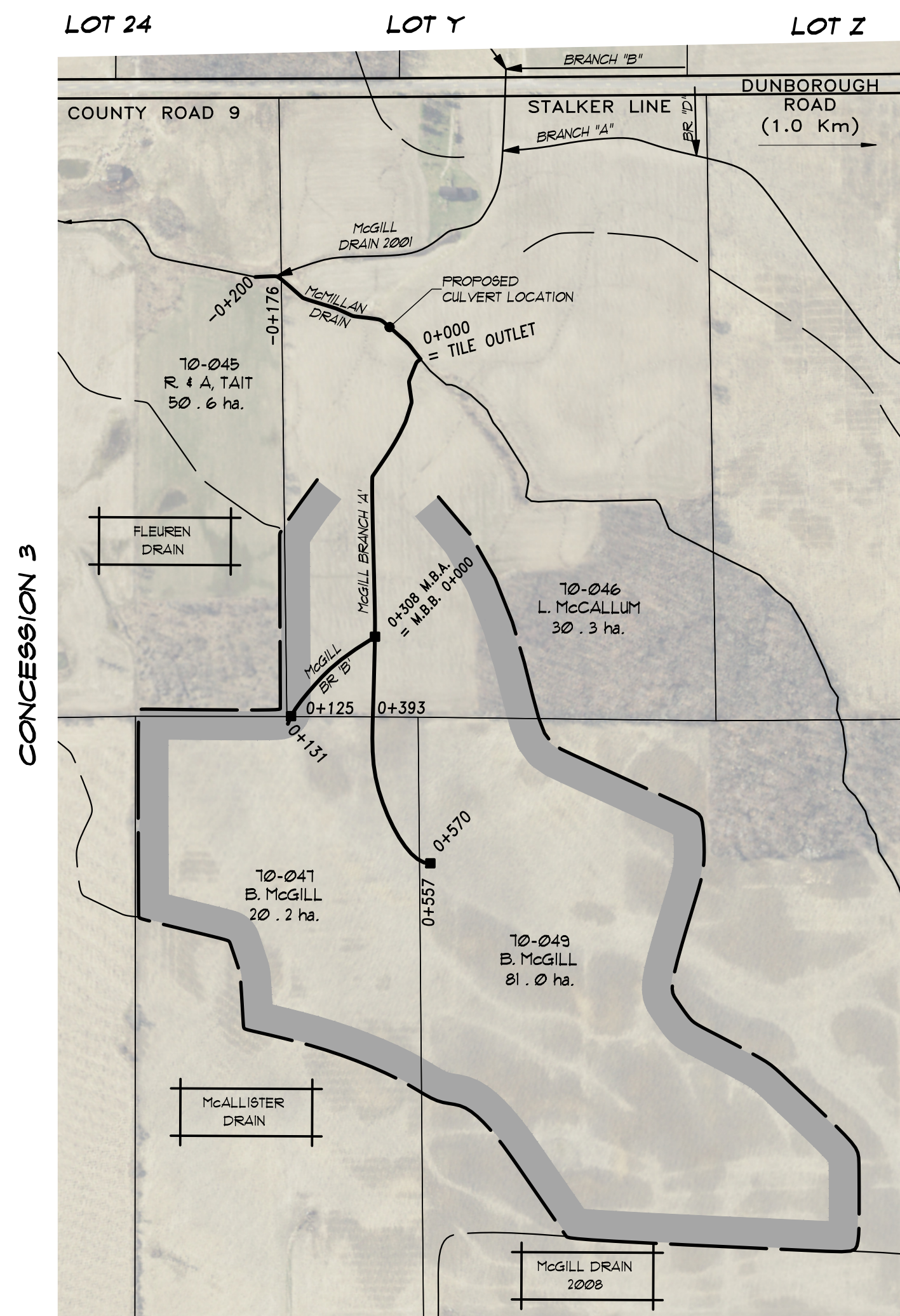
Job No. 224262

April 10, 2025

\* = Non-agricultural

ROLL NUMBER (OWNER)	TOTAL ASSESSMENT	GRANT	ALLOWANCES	APPROX. NET
70-045 (R. & A. Tait)	\$	\$	\$ 270.00	\$ -270.00
70-046 (L. McCallum)	43,102.00	14,367.00	8,200.00	20,535.00
70-047 (B. McGill)	37,857.00	12,619.00	2,050.00	23,188.00
* **Non-Grantable**	3,240.00			3,240.00
70-049 (B. McGill)	32,541.00	10,847.00	160.00	21,534.00
* **Non-Grantable**	3,260.00			3,260.00
<b>TOTALS</b>	<b>\$ 120,000.00</b>	<b>\$ 37,833.00</b>	<b>\$ 10,680.00</b>	<b>\$ 71,487.00</b>





PLAN SCALE 1 : 5,000

## GENERAL NOTES

- 1/ OUR SPECIFICATIONS DATED JANUARY 2020 APPLY TO THIS PROJECT.
- 2/ THE WORKING WIDTH AVAILABLE TO THE CONTRACTOR TO CONSTRUCT THE NEW DRAINS SHALL CONSIST OF THOSE LANDS IMMEDIATELY ADJACENT TO THE DRAIN AND CONNECTIONS AND SHALL NOT EXCEED THE FOLLOWING AVERAGE WIDTHS:  
- 15 meters ( INCLUDING 3m BUFFER )
- 3/ ALL OWNERS ALONG THE COURSE OF THE DRAIN SHALL MAKE AN ACCESS ROUTE FROM THE NEAREST ROAD TO THE DRAIN LOCATION AVAILABLE TO THE CONTRACTOR THE AVERAGE WIDTH OF THIS ROUTE SHALL NOT EXCEED 8 METERS. THE ACCESS ROUTE SHALL ALSO APPLY FOR FUTURE MAINTENANCE PURPOSES.
- 4/ a) ALL UTILITIES TO BE LOCATED AND EXPOSED PRIOR TO CONSTRUCTION SO THAT THE NEW TILE GRADES CAN BE CONFIRMED. IF THERE IS A CONFLICT IN ELEVATION BETWEEN THE PROPOSED DRAIN AND THE UTILITY, THE ENGINEER IS TO BE NOTIFIED IMMEDIATELY.  
b) CONTRACTOR TO NOTIFY ALL UTILITIES 72 HOURS PRIOR TO HIS SCHEDULED TIME FOR STARTING THE ABOVE WORK.  
c) THE COST FOR THIS WORK SHALL BE INCLUDED IN THE ITEM ON THE EXTENT OF WORK AND NO EXTRA PAYMENT SHALL BE MADE TO THE CONTRACTOR, EXCEPT IF ROAD RESTORATION IS REQUIRED.

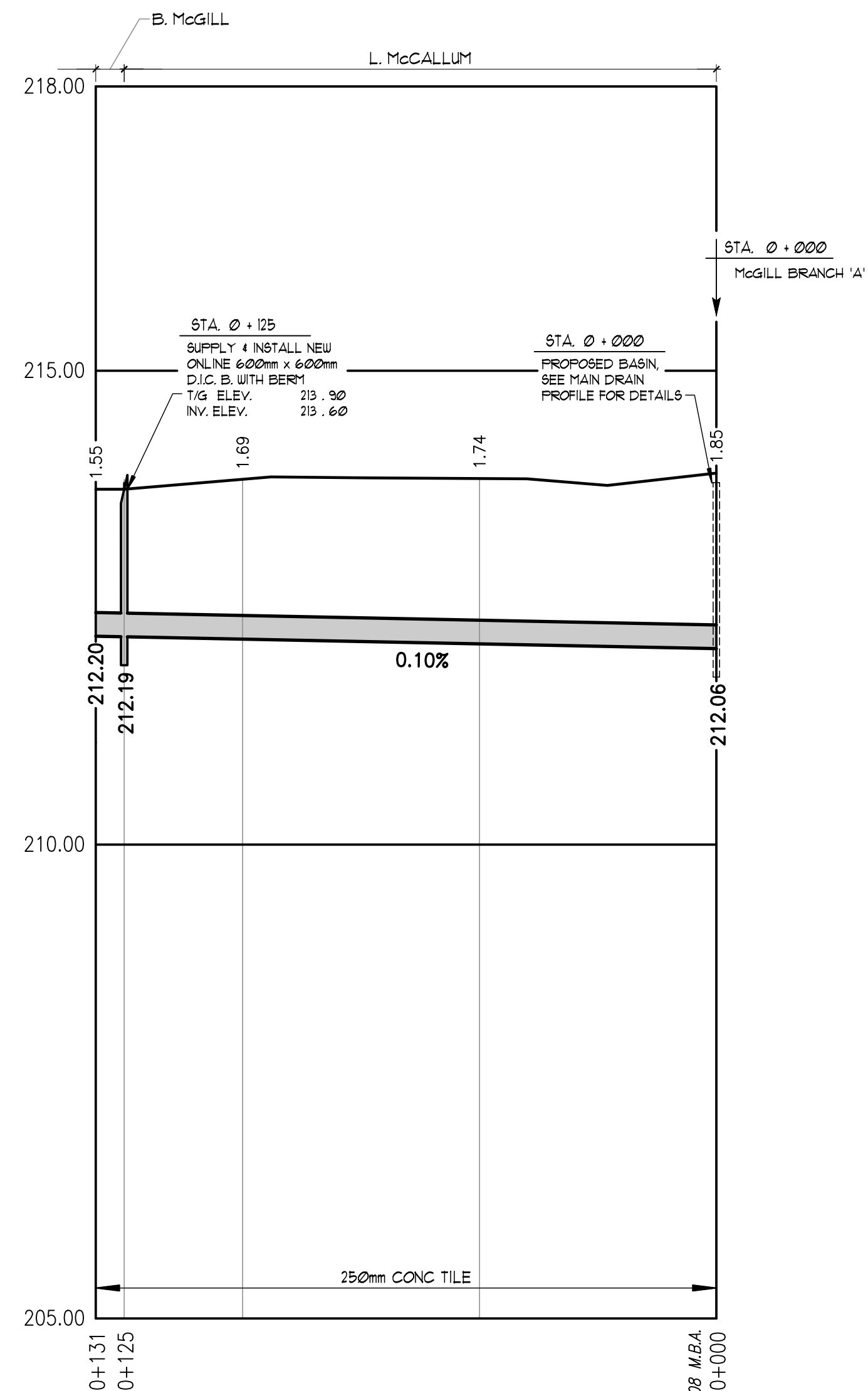
- 5/ ALL TREES, SCRUB, BRUSH, ETC. TO BE CLEARED AND GRUBBED IN ACCORDANCE WITH "SECTION B.3 AND C.4" SPECIFICATIONS.
- 6/ RIP-RAP TO BE SUPPLIED AND INSTALLED IN ACCORDANCE WITH "SECTION A.12" IN THE SPECIFICATIONS.
- 7/ CONTRACTOR TO ARRANGE A PRE-CONSTRUCTION MEETING WITH THE ENGINEER, DRAINAGE SUPERINTENDENT AND THE AFFECTED OWNERS. ALL PARTIES SHALL RECEIVE 48 HOURS NOTICE TO THE MEETING.

## CLOSED PORTIONS

- 8/ ALL CONCRETE TILE AND PIPE TO CONFORM TO "SECTION C.1" IN THE SPECIFICATIONS.  
a) CONCRETE TILE SHALL BE HEAVY DUTY
- 9/ ALL CATCHBASINS SHALL BE SUPPLIED AND INSTALLED IN ACCORDANCE WITH "SECTION C.16" IN THE SPECIFICATIONS, EXCEPT AS FOLLOWS:
- 10/ EXACT LOCATION OF NEW DRAIN TO BE DETERMINED AT TIME OF CONSTRUCTION BY DRAINAGE SUPERINTENDENT OR ENGINEER.

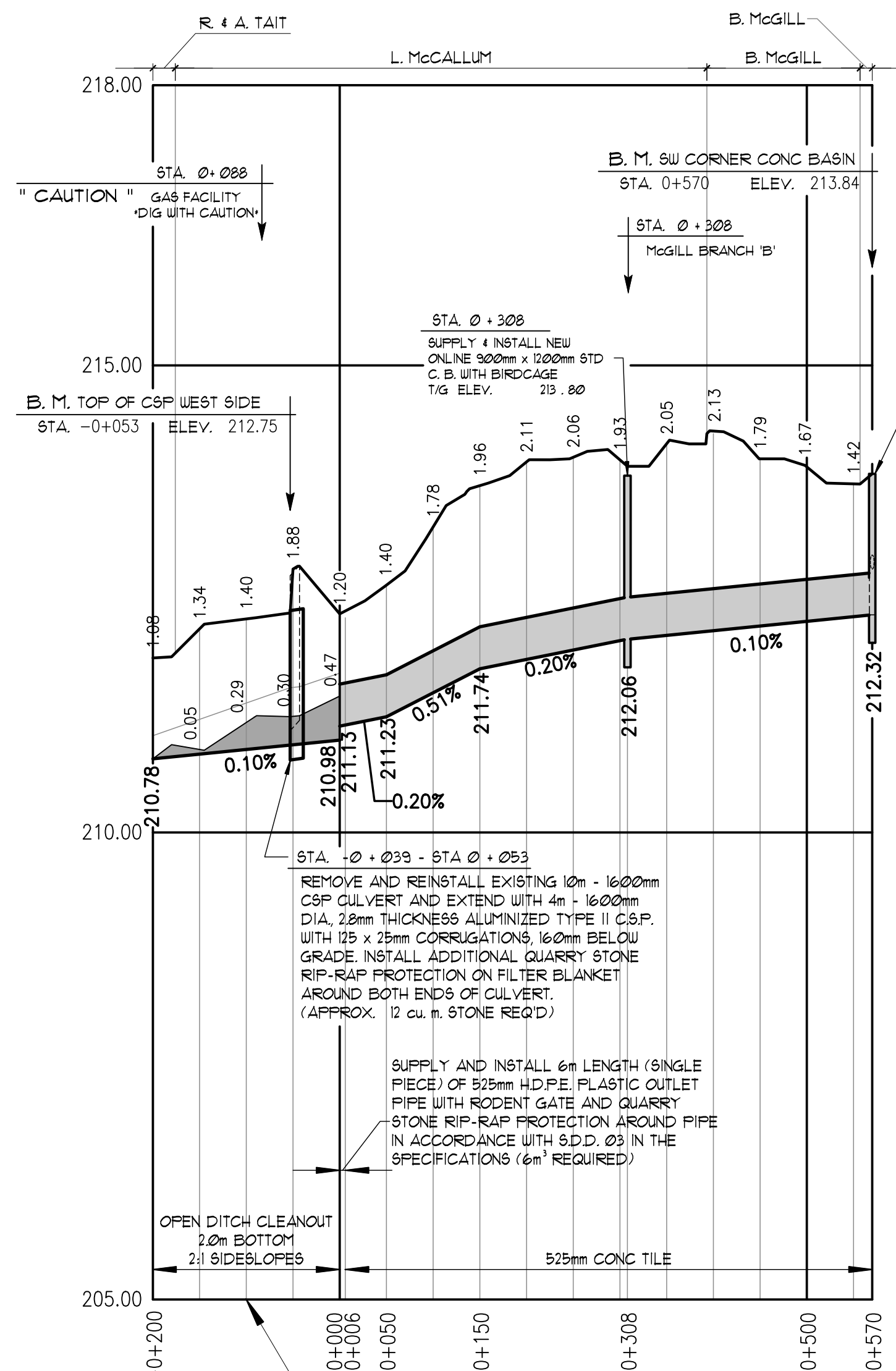
## OPEN PORTIONS

- 11/ EXISTING DITCH BOTTOM ONLY TO BE CLEANED OUT IN ACCORDANCE WITH SPECIFICATIONS UNLESS OTHERWISE NOTED ON PROFILES AND IN SECTIONS.
- 12/ WORK TO BE COMPLETED FROM AND EXCAVATED MATERIAL TO BE DEPOSITED AND LEVELLED ON THE FOLLOWING SIDES OF THE DITCH IN ACCORDANCE WITH "SECTION B.5" IN THE SPECIFICATIONS.  
STA. 0+000 TO STA. -0+200 - SOUTH SIDE AND LEVELED
- 13/ A 3 METER WIDE BUFFER STRIP OF NEW & EXISTING VEGETATION BETWEEN THE TOP OF THE BANK AND THE CULTIVATED LANDS ON BOTH SIDES OF THE DITCH SHALL BE MAINTAINED AS PART OF THE OPEN PORTION OF THE DRAIN.
- 14/ NEWLY EXPOSED DITCH BANKS ARE TO BE HAND SEEDDED UPON COMPLETION OF CONSTRUCTION IN ACCORDANCE WITH "SECTION B.11" IN THE SPECIFICATIONS
- 15/ SILT FENCE TO BE PLACED ACROSS DITCH BOTTOM AT STA. -0+200 DURING CONSTRUCTION TO PREVENT SILT FROM FLUSHING DOWNSIDE, AND ARE TO BE MAINTAINED AS NECESSARY DURING CONSTRUCTION. SILT FENCE AND SILT TO BE REMOVED AND DISPOSED OF AFTER CONSTRUCTION.



McGILL BRANCH 'B'

SCALE : HOR. 1 : 1,000  
VERT. 1 : 50

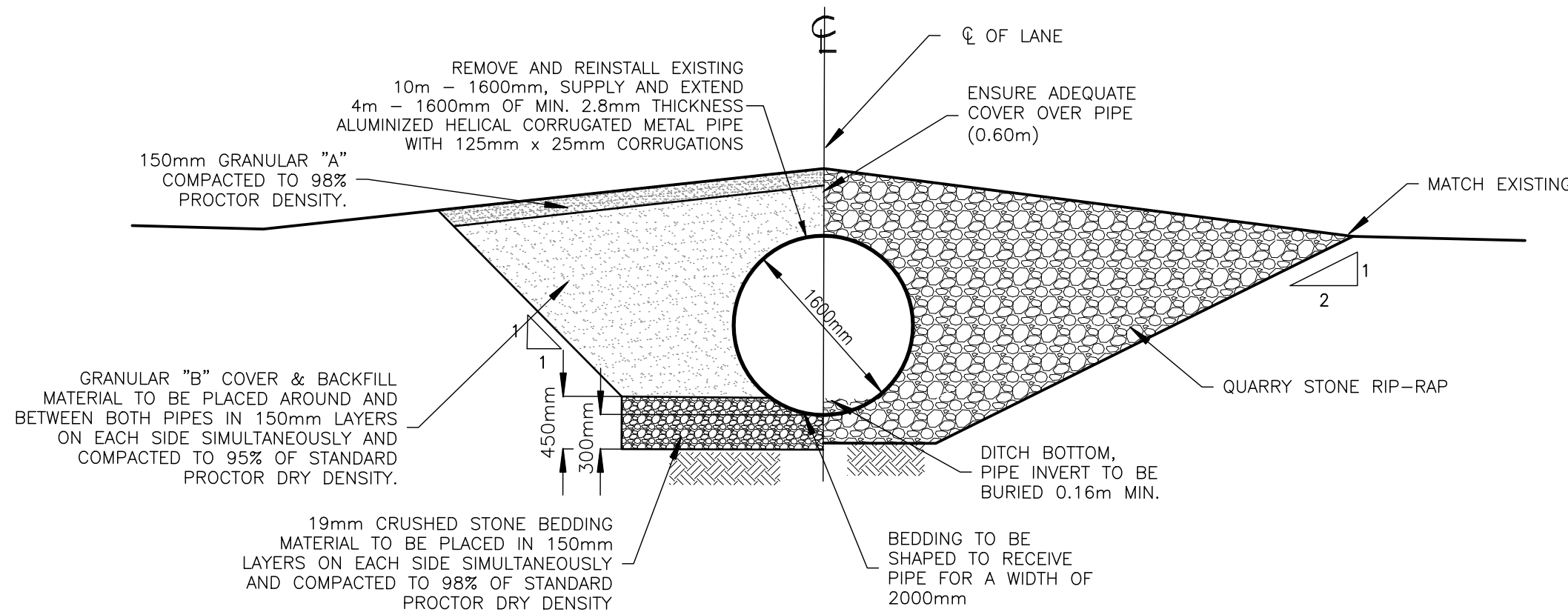


McMILLIAN DRAIN

SCALE : HOR. 1 : 5,000  
VERT. 1 : 50

McGILL BRANCH 'A'

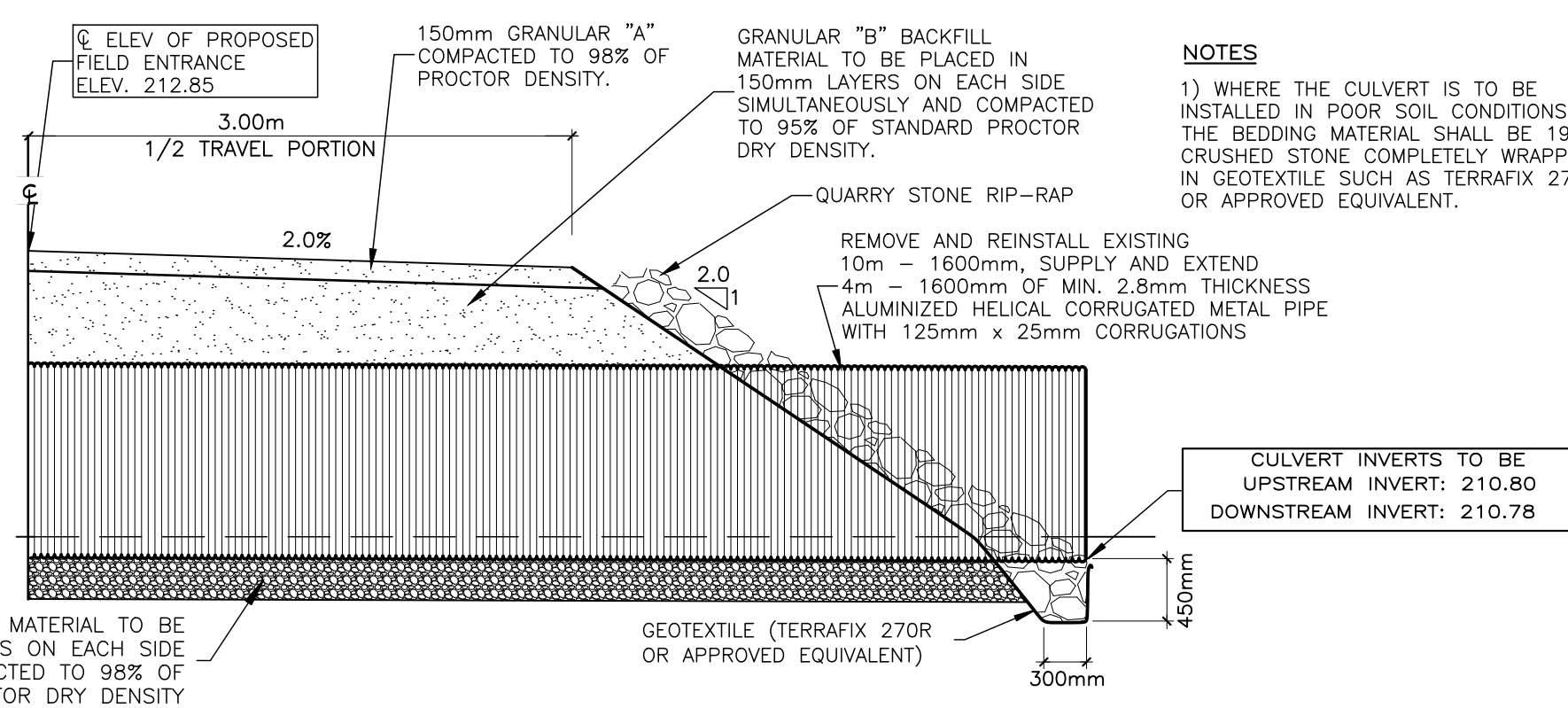
SCALE : HOR. 1 : 5,000  
VERT. 1 : 50



HALF SECTION

HALF ELEVATION

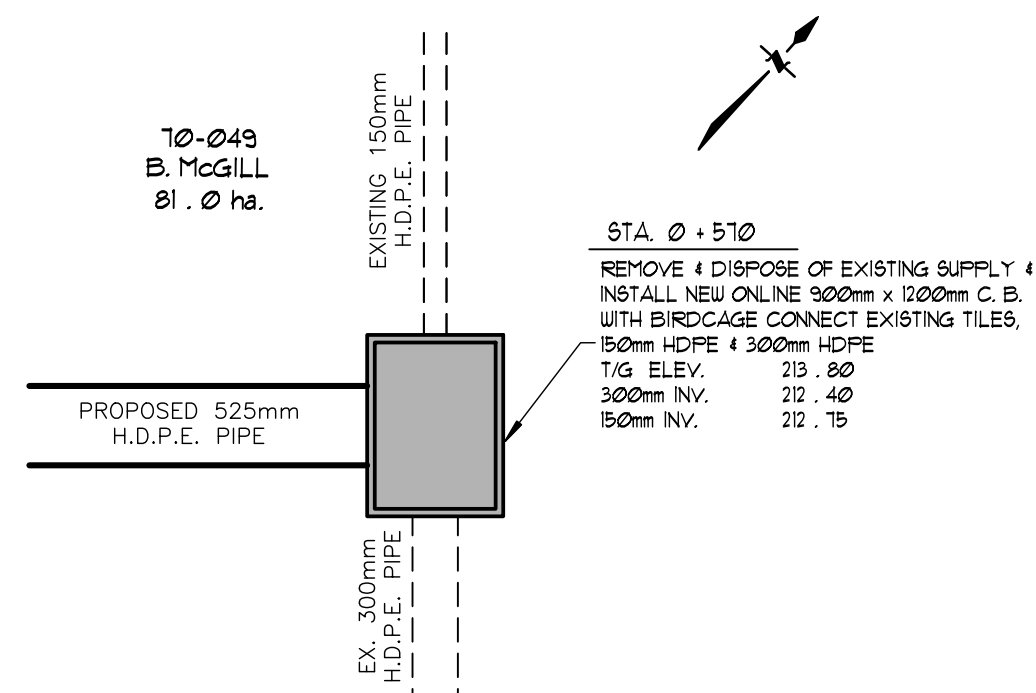
SCALE : 1 : 50



HALF SECTION THROUGH PIPE

N.T.S.

PIPE FARM CULVERT INSTALLATION



DETAIL 'A'

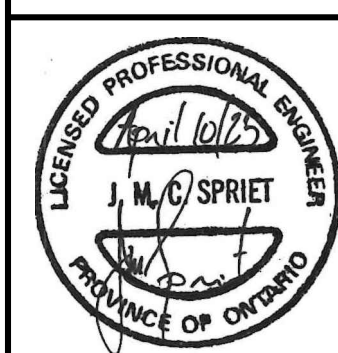
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## McGILL BRANCHES OF THE McMILLIAN DRAIN

Municipality of West Elgin

Drainage Superintendent: <b>TOM MOHAN</b> 519-785-0560	No.	REVISIONS	DATE



Drawn By: <b>MM</b>	Field Book: <b>GFS</b>	JOB No.: <b>224262</b>	Drawing No.: <b>1 of 1</b>
Date: <b>APR 10, 2023</b>			

PLAN, PROFILE, DETAILS & NOTES

**SPRIET ASSOCIATES**  
LONDON LIMITED  
**CONSULTING ENGINEERS**  
155 YORK STREET - LONDON (519) 672-4100 - N6A 1A8