



# **Municipality of West Elgin**

## **Agenda**

### **Court of Revision**

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

October 23, 2025, 3:30 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**

**Recommendation:**

That the Court of Revision for the Mills Drain and the Fleuren Drain Extension, hereby convenes at \_\_\_\_\_ pm.

2. **Appoint Chair**

**Recommendation:**

That Court of Revision for the Mills Drain and Fleuren Drain Extension hereby appoints \_\_\_\_\_ as chair.

3. **Disclosure of Pecuniary Interest**

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

1

**Recommendation:**

That the Court of Revision hereby adopt the previous minutes of August 14, 2025, Dunborough Road drain, as presented.

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

3

**5.1 Written Appeals**

**5.2 Comment from Landowners**

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

**5.4 Decision**

**Recommendation:**

That the Court of Revision hereby approve the Schedule of Assessment for the Mills Drain, as outlined in the report prepared by Spriet Associates Engineering Limited, dated September 3, 2025.

**6. Fleuren Drain Extension, J.M. Spriet, Spriet Associate Engineering**

15

**6.1 Written Appeals**

**6.2 Comment from Landowners**

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

**6.4 Decision**

**Recommendation:**

That the Court of Revision hereby approve the Schedule of Assessment for the Fleuren Drain Extension, as outlined in the report prepared by Spriet Associates Engineering Limited, dated September 3, 2025.

**7. Adjournment**

**Recommendation:**

That the Court of Revision for the Mills Drain and the Fleuren Drain Extension hereby adjourn at \_\_\_\_\_ pm.



# Municipality of West Elgin

## Minutes

### Court of Revision

August 14, 2025, 3:30 p.m.

Council Chambers

160 Main Street

West Lorne

**Present:** Richard Leatham

Taraesa Tellier

Bill Denning

Ryan Statham

Philip Sousa

Ken Loveland, Dutton Dunwich

**Staff Present:** Terri Towstiuc, Recording Secretary/Clerk

Robin Greenall, Chief Administrative Officer

Dave Charron, Manager of Infrastructure & Development

**Also Present:** J.M. Spriet, P. Eng., Spriet Associates Ltd.

#### 1. Call to Order

Meeting called to order at 3:31 pm, for the Dunborough Road Drain.

#### 2. Appoint Chair

**Moved:** Bill Denning

**Seconded:** Ryan Statham

That Court of Revision for the Dunborough Road Drain hereby appoints Richard Leatham as chair.

**Carried**

#### 3. Disclosure of Pecuniary Interest

None.

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

**Moved:** Taraesa Tellier  
**Seconded:** Ryan Statham

That the Court of Revision hereby adopt the previous minutes of June 26, 2025, McGill Branches of the McMillian Drain, as presented.

**Carried**

**5. Dunborough Road Drain, J.M. Spriet, Spriet Associates Engineering**

JM Spriet, P. Eng., Spriet Associates Engineering Ltd. to present the Schedule of Assessment for the Dunborough Road Drain.

**5.1 Written Appeals**

None Received.

**5.2 Comment from Landowners**

No landowners present.

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

No comment.

**6. Decision**

**Moved:** Ken Loveland, Dutton Dunwich  
**Seconded:** Ryan Statham

That the Court of Revision hereby approve the Schedule of Assessment for the Dunborough Road Drain, as outlined in the report prepared by Spriet Associates Engineering Limited, dated April 29, 2025.

**Carried**

**7. Adjournment**

**Moved:** Taraesa Tellier  
**Seconded:** Philip Sousa

That the Court of Revision for the Dunborough Road Drain now closes at 3:33 pm.

**Carried**

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Richard Leatham, Mayor

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Terri Towstiuc, Clerk



# The Municipality of West Elgin

22413 Hoskins Line, Rodney, Ontario N0L 2C0

October 1, 2025

## **Re: Notice of Court of Revision, Pursuant to the *Drainage Act*.**

Subsequent to the Council of the Municipality of West Elgin considering Reconstruction of the **Mills Drain**, in accordance with Section 78 of the *Drainage Act*, you as an owner of land affected, are requested to attend a Court of Revision with the Municipality's Drainage Superintendent, Tom Mohan, and John M. Spriet, P. Eng., to discuss the Schedule of Assessment of the **Mills Drain**.

***The meeting will take place on Thursday October 23<sup>rd</sup>, at 3:35pm at the West Elgin Council Chambers, 160 Main Street, West Lorne.***

Attached is a copy of the Provisional By-law, 2025-55

If you do not attend the meeting, it will proceed in your absence. If you are affected by this proposed project, you will continue to receive notification as required by the Drainage Act.

Sincerely,

Terri Towstiuć  
Clerk

Hand Delivered and Purolator due to postal strike.

**MILLS DRAIN**  
**Municipality of West Elgin**



**SPRIET**  
**ASSOCIATES**  
ENGINEERS & ARCHITECTS  
155 York Street  
London, Ontario N6A 1A8  
Tel. (519) 672-4100  
Fax (519) 433-9351  
Email: [mail@spriet.on.ca](mailto:mail@spriet.on.ca)  
[www.spriet.on.ca](http://www.spriet.on.ca)

London, Ontario  
September 3, 2025

## **MILLS 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 reconstruction of parts of the Mills Municipal Drain serving parts of Lots 11 to 13, Concession 9 in the Municipality of West Elgin. The total watershed area contains approximately 58 hectares.

### **AUTHORIZATION**

This report was prepared pursuant to Section 78 of the Drainage Act. Instructions were received from your Municipality with respect to a motion of Council. The work was initiated by a request signed by one of the affected landowners.

### **HISTORY**

The Mills Drain was last reconstructed pursuant to a report submitted by W. Crossen, P. Eng., dated July 10, 1987 and consisted of the reconstruction of the open drain from Pioneer Line, through Lot 12, Concession 9 to the west side of Kerr Road. In total, approximately 1,200 lineal meters was reconstructed.

### **EXISTING DRAINAGE CONDITIONS**

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

- that the landowner, 100072899 Ontario Inc. (Roll No. 30-120), indicated that a portion of the drain, just south of Pioneer Line, bisects his land and he inquired as to the possibility of enclosing the open ditch to improve the farm efficiency and workability

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

- that, given the relatively small size of the upstream watershed, the open drain in the requested area could be filled in



## EXISTING DRAINAGE CONDITIONS (cont'd)

Preliminary design, cost estimates, and assessments were prepared and informal consultations were 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 request.

## DESIGN CONSIDERATIONS

The Drainage Coefficient method contained in "DRAINAGE GUIDE FOR ONTARIO", Publication 29 by the Ontario Ministry of Agriculture, Food, and Agribusiness (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 this drain with respect to capacity was 38mm per 24 hours.

We would like to point out that there have been indications of sandy 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" OMAFA Publication 852.

## RECOMMENDATIONS

We are therefore recommending the following:

- that a portion of the Mills Drain be constructed as a closed drain, commencing at the south property line of Pioneer Line and travel south through the lands of 100072899 Ontario Inc. (Roll No. 30-120) to the edge of the existing woodlot, for a total length of 263 lineal meters
- that the portion of the drain to be enclosed be backfilled in such a manner as to allow overland surface water from the upstream watershed to continue to flow along the route of the drain
- that the existing culvert at Sta. 0+230 be removed and officially abandoned from municipal status pursuant to Section 19 of the Drainage Act

Due to the indications of poor soil conditions our design includes the wrapping of tile joints with geotextile and a crushed stone bedding wrapped with geotextile.

## 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 Mills 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.



## ENVIRONMENTAL CONSIDERATIONS AND MITIGATION MEASURES (cont'd)

We have reviewed the proposed work with the Department of Fisheries and Oceans (File No. 25-HCAA-01606) as well as with the L.T.V.C.A. and they indicated the project was within their parameters and would issue a permit when it was required.

## SUMMARY OF PROPOSED WORK

The proposed work consists of approximately 263 lineal meters of 525mm (21") diameter concrete field tile and H.D.P.E. sewer pipe, 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 Section 30 of the Drainage Act, allowances are provided for 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 \$70,000.00. 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. 225183, 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 amount granted is based on \$3,613.00/ha. for closed drain installed with wheel machine. This base rate is multiplied by the hectares derived from the working widths shown on the plans and the applicable lengths.

Due to this being an existing open drain the right-of-way has been deemed to be sufficient for the closes drain and therefore transferred to it, no further right-of-way is being provided at this time.



## 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, and outlet 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 'D'- Assessment for Maintenance. 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. Also, roads and residential properties have been assessed for outlet at higher rates than cleared farmlands.

The actual cost of the work involving this report 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 on Schedule 'C' - Assessment for Construction. We assess the entire cost of this report to the sole benefitting landowner, 100072899 Ontario Inc. (Roll No. 30-120).

## GRANTS

The enclosure is not eligible for an agricultural grant.



## 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.

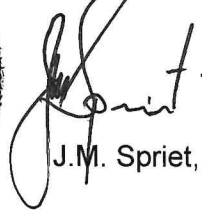
After completion the Mills Drain constructed under this report shall be maintained by the Municipality of West Elgin at the expense of all upstream lands and roads assessed in Schedule 'D' - Assessment for Maintenance and in the same relative proportions until such time as the assessment is changed under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

Respectfully submitted,

SPRIET ASSOCIATES LONDON LIMITED



JMS:



J.M. Spriet, P.Eng.



## SCHEDULE 'A' - ALLOWANCES

**MILLS 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 30<br>Damages | TOTALS      |
|-------------------------------------|-------------|---------------------------------|-----------------------|-------------|
| MAIN DRAIN                          |             |                                 |                       |             |
| 9                                   | Pt. 11 & 12 | 30-120 (100072899 Ontario Inc.) | \$ 1,430.00           | \$ 1,430.00 |
|                                     |             |                                 | =====                 |             |
| Total Allowances                    |             |                                 | \$ 1,430.00           | \$ 1,430.00 |
|                                     |             |                                 | =====                 |             |
| TOTAL ALLOWANCES ON THE MILLS DRAIN |             |                                 |                       | \$ 1,430.00 |

**MILLS DRAIN****Municipality of West Elgin**

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

**MAIN DRAIN**

|                                                                                                                                                                                                   |    |           |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----------|
| Removal and disposal of existing lane culvert, clearing and grubbing of existing ditch                                                                                                            | \$ | 900.00    |
| Backfilling of existing open ditch using on-site materials from ditch banks                                                                                                                       | \$ | 9,900.00  |
| 12 meters of 525mm dia., H.D.P.E. plastic sewer pipe including rodent gate,<br>quarry stone rip-rap protection around pipe and end of ditch<br>(Approximately 8m <sup>3</sup> quarry stone req'd) |    |           |
| Supply                                                                                                                                                                                            | \$ | 1,300.00  |
| Installation                                                                                                                                                                                      | \$ | 1,000.00  |
| Installation of the following concrete tile, including supply and installation of geotextile<br>around tile joins and supply and installation of bedding and backfill material                    |    |           |
| 251 meters of 525mm dia. concrete tile                                                                                                                                                            | \$ | 15,600.00 |
| Supply of the above listed tile and pipe                                                                                                                                                          | \$ | 12,600.00 |
| Supply & delivery of 19mm crushed stone (Approx. 80 tonnes req'd)                                                                                                                                 | \$ | 3,600.00  |
| Supply and install one 900mm x 1200mm side inlet catchbasin including grate and grading                                                                                                           | \$ | 3,000.00  |
| Strip, stockpile and releve topsoil from tile trench and adjacent working area<br>(4m wide) specified on drawings (approx. 263m)                                                                  | \$ | 1,700.00  |
| Exposing and locating existing tile drains and utilities                                                                                                                                          | \$ | 1,300.00  |
| Tile connections and contingencies                                                                                                                                                                | \$ | 2,500.00  |
| Allowances under Sections 30 of the Drainage Act                                                                                                                                                  | \$ | 1,430.00  |

**ADMINISTRATION**

|                                       |           |                                |
|---------------------------------------|-----------|--------------------------------|
| Interest and Net Harmonized Sales Tax | \$        | 1,700.00                       |
| Survey, Plan and Final Report         | \$        | 8,900.00                       |
| Expenses                              | \$        | 870.00                         |
| Supervision and Final Inspection      | \$        | <u>3,700.00</u>                |
| <b>TOTAL ESTIMATED COST</b>           | <b>\$</b> | <b><u><u>70,000.00</u></u></b> |

## SCHEDULE ' C ' - ASSESSMENT FOR CONSTRUCTION

**MILLS DRAIN****Municipality of West Elgin**

Job No. 225183

September 3rd, 2025

*\* = Non-agricultural*

| CON. | LOT | HECTARES<br>AFFECTED | ROLL No. (OWNER) | BENEFIT | OUTLET | TOTAL |
|------|-----|----------------------|------------------|---------|--------|-------|
|------|-----|----------------------|------------------|---------|--------|-------|

**MAIN DRAIN**

We assess the entire cost of this report to the landowner 100072899 Ontario Inc. (Roll No. 30-120).

**TOTAL ASSESSMENT ON THE MILLS DRAIN****\$ 70,000.00**

## SCHEDULE 'D' - ASSESSMENT FOR MAINTENANCE

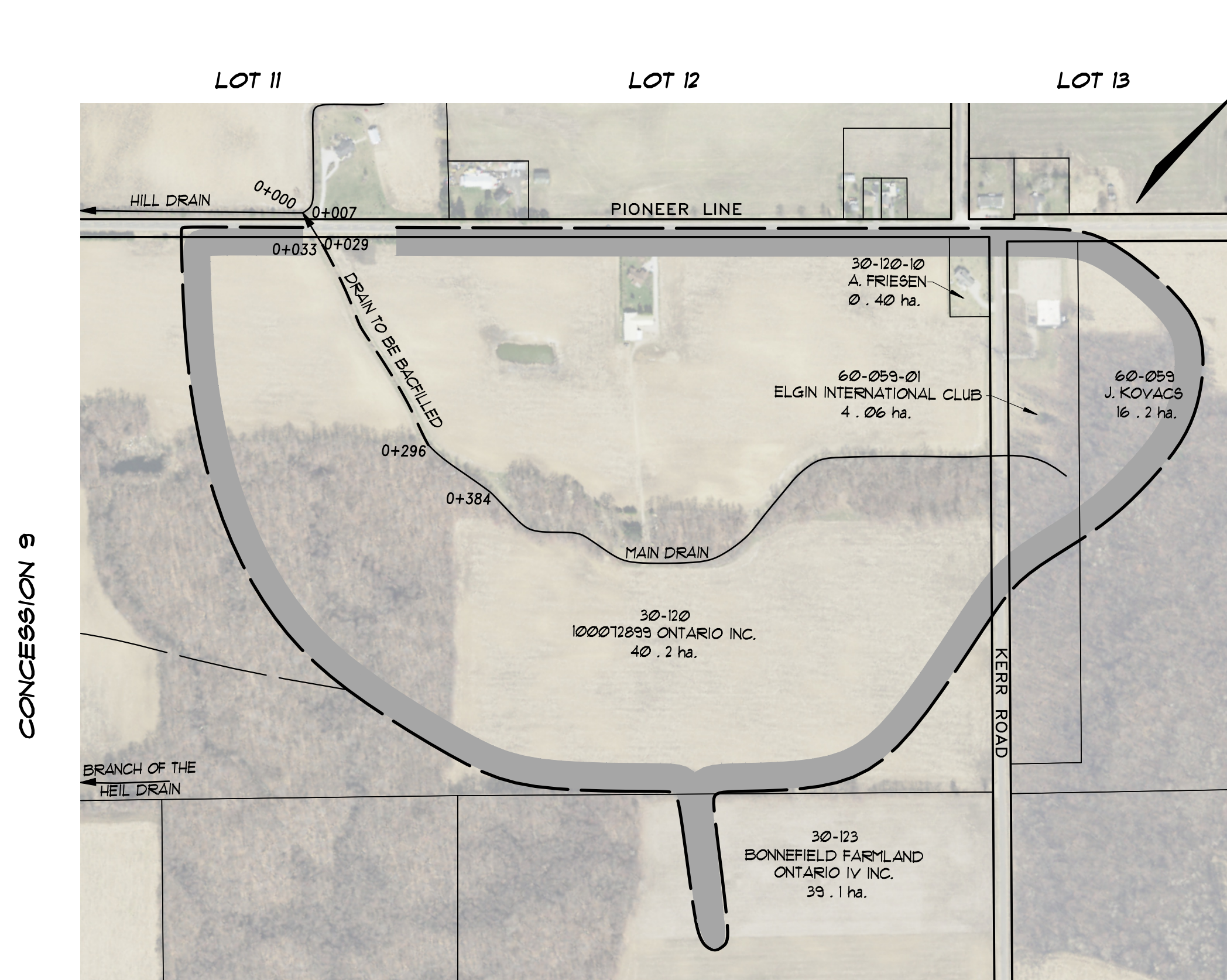
## MILLS DRAIN

## Municipality of West Elgin

Job No. 225183

September 3rd, 2025

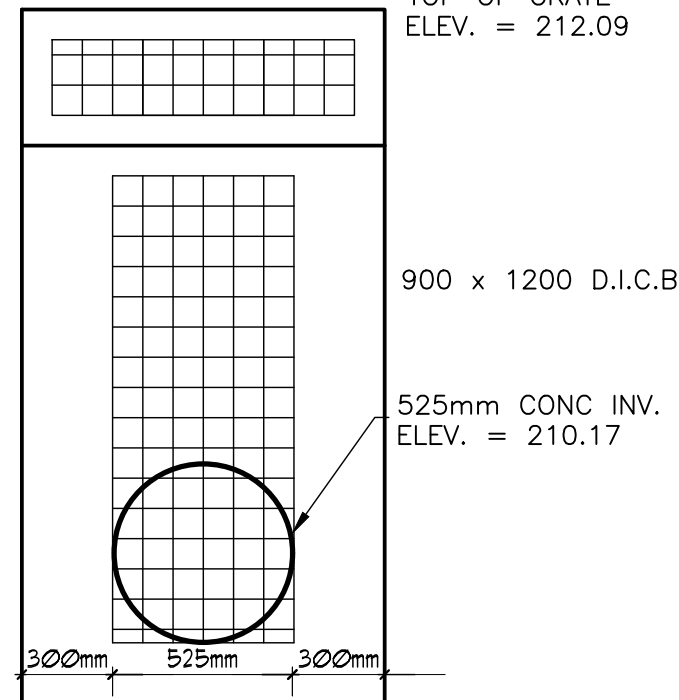
| CON.                                                           | LOT         | HECTARES<br>AFFECTED | ROLL No. (OWNER)                           | PERCENTAGE OF<br>MAINTENANCE COST |
|----------------------------------------------------------------|-------------|----------------------|--------------------------------------------|-----------------------------------|
| <b>MAIN DRAIN</b>                                              |             |                      |                                            |                                   |
| 9                                                              | Pt. 11 & 12 | 50.60                | 30-120 (100072899 Ontario Inc.)            | 88.6 %                            |
| 9                                                              | Pt. 12      | 0.40                 | 30-120-10 (A. Friesen)                     | 0.6                               |
| 9                                                              | Pt. 12      | 0.25                 | 30-123 (Bonfield Farmland Ontario IV Inc.) | 0.4                               |
| 9                                                              | Pt. 13      | 2.60                 | 60-059 (J. Kovacs)                         | 3.7                               |
| 9                                                              | Pt. 13      | 2.20                 | 60-059-01 (Elgin International Club)       | 3.1                               |
|                                                                |             |                      |                                            | =====                             |
| TOTAL ASSESSMENT ON LANDS                                      |             |                      |                                            | 96.4 %                            |
|                                                                |             |                      |                                            | =====                             |
| Pioneer Line                                                   |             | 0.15                 | Municipality of West Elgin                 | 0.2 %                             |
| Kerr Road                                                      |             | 0.83                 | Municipality of West Elgin                 | 3.4                               |
|                                                                |             |                      |                                            | =====                             |
| TOTAL ASSESSMENT ON ROADS                                      |             |                      |                                            | 3.6 %                             |
|                                                                |             |                      |                                            | =====                             |
| <b>TOTAL ASSESSMENT FOR MAINTENANCE OF THE<br/>MILLS DRAIN</b> |             |                      |                                            | <b><u>100.0 %</u></b>             |



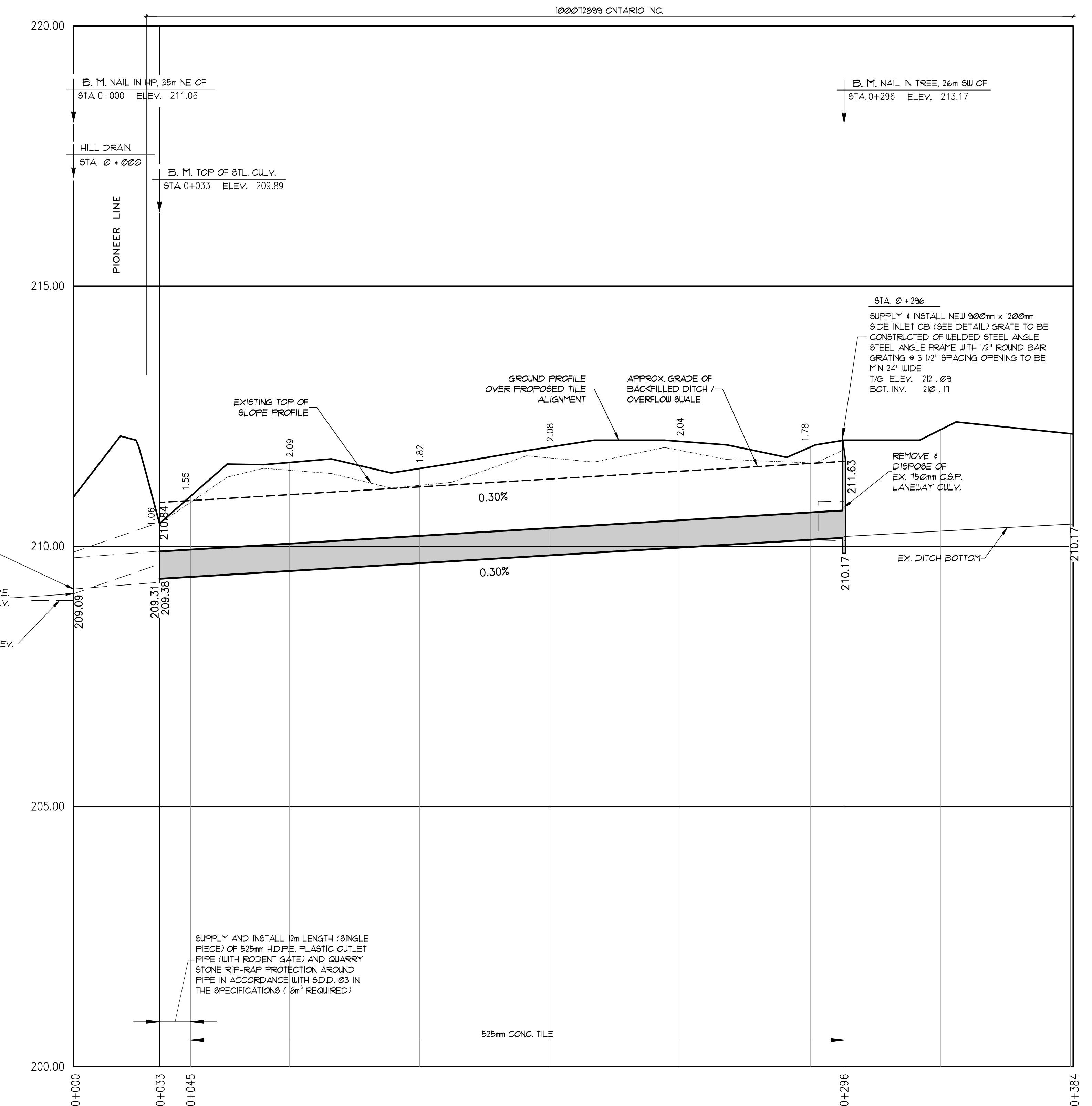
PLAN SCALE 1:5,000

### SIDE INLET CATCHBASIN

SCALE: N.T.S.  
STA. 0 + 296



EX. 600mm STL. ROAD CULV.  
D/S INV. ELEV. = 209.18  
EX. 150mm HDPE.  
ROAD CULV.  
EX. DITCH ELEV.



### MAIN DRAIN

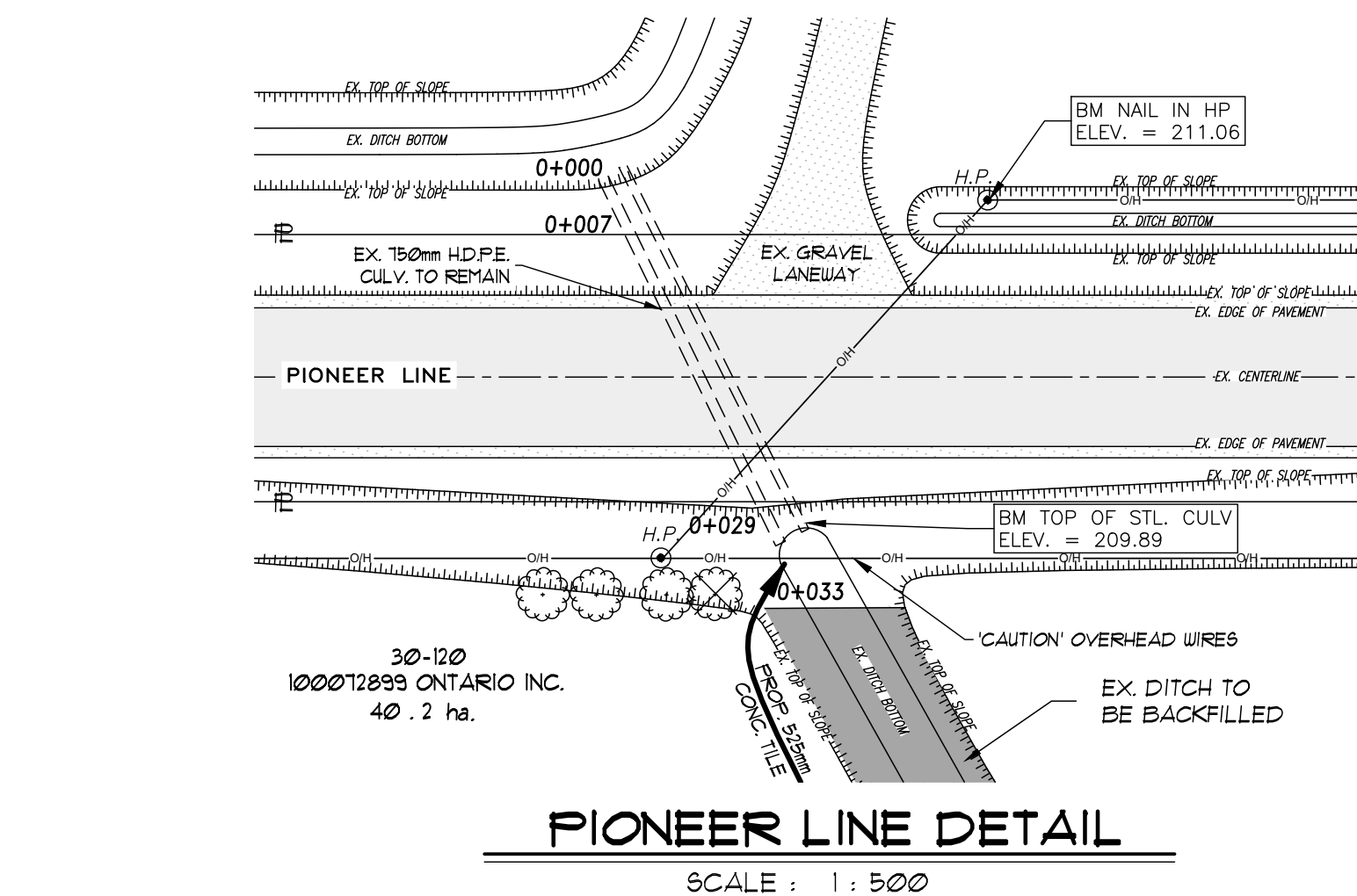
SCALE: HOR 1:1,000  
VERT. 1:50

### GENERAL NOTES

- OUR SPECIFICATIONS DATED JANUARY 2020 APPLY TO THIS PROJECT.
- 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:  
CLOSED PORTIONS - 20 meters  
THE WORKING WIDTH FOR PURPOSES OF FUTURE MAINTENANCE SHALL BE THE SAME AS ABOVE EXCEPT FOR CLOSED PORTIONS (NOT THROUGH BUSH) SHALL BE 20m.
- 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.
- 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 12 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.
- ALL TREES, SCRUB, BRUSH, ETC. TO BE CLEARED AND GRUBBED IN ACCORDANCE WITH "SECTION B.3 AND C.4" SPECIFICATIONS.
- RIP-RAP TO BE SUPPLIED AND INSTALLED IN ACCORDANCE WITH "SECTION A.12" IN THE SPECIFICATIONS.
- 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.

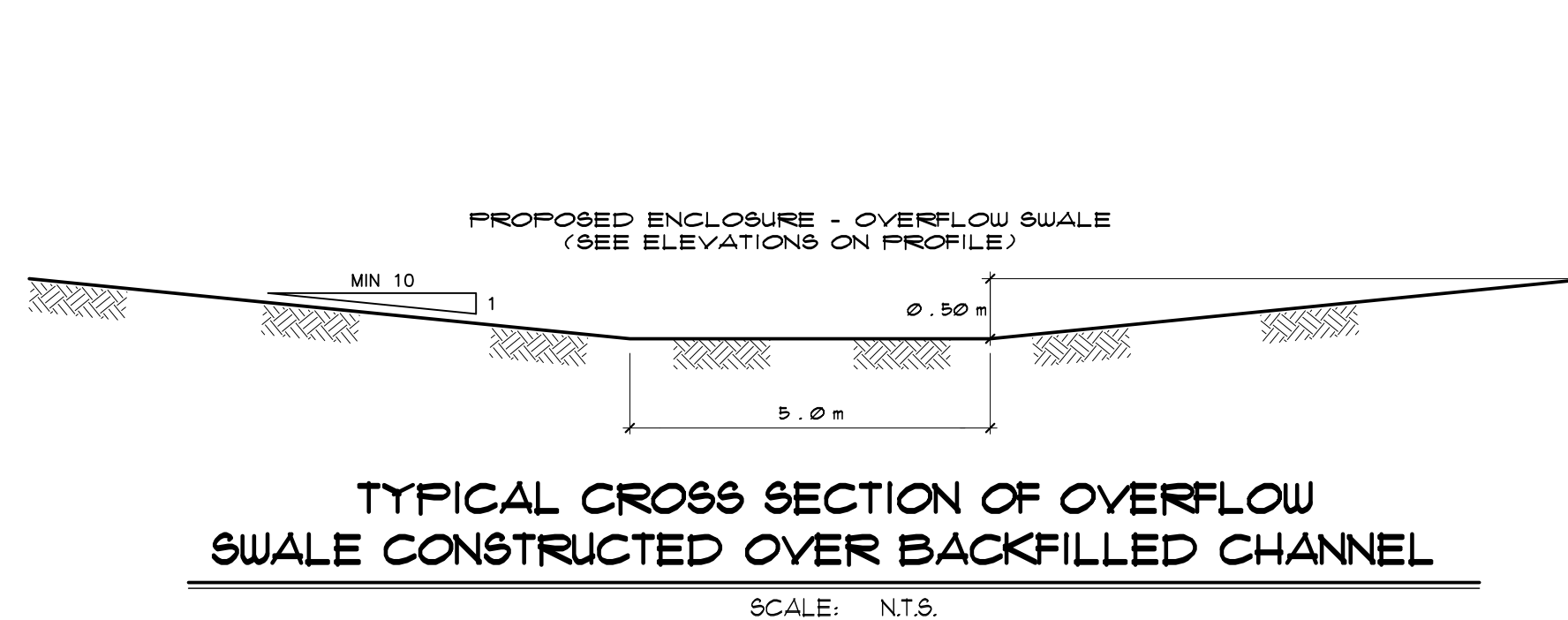
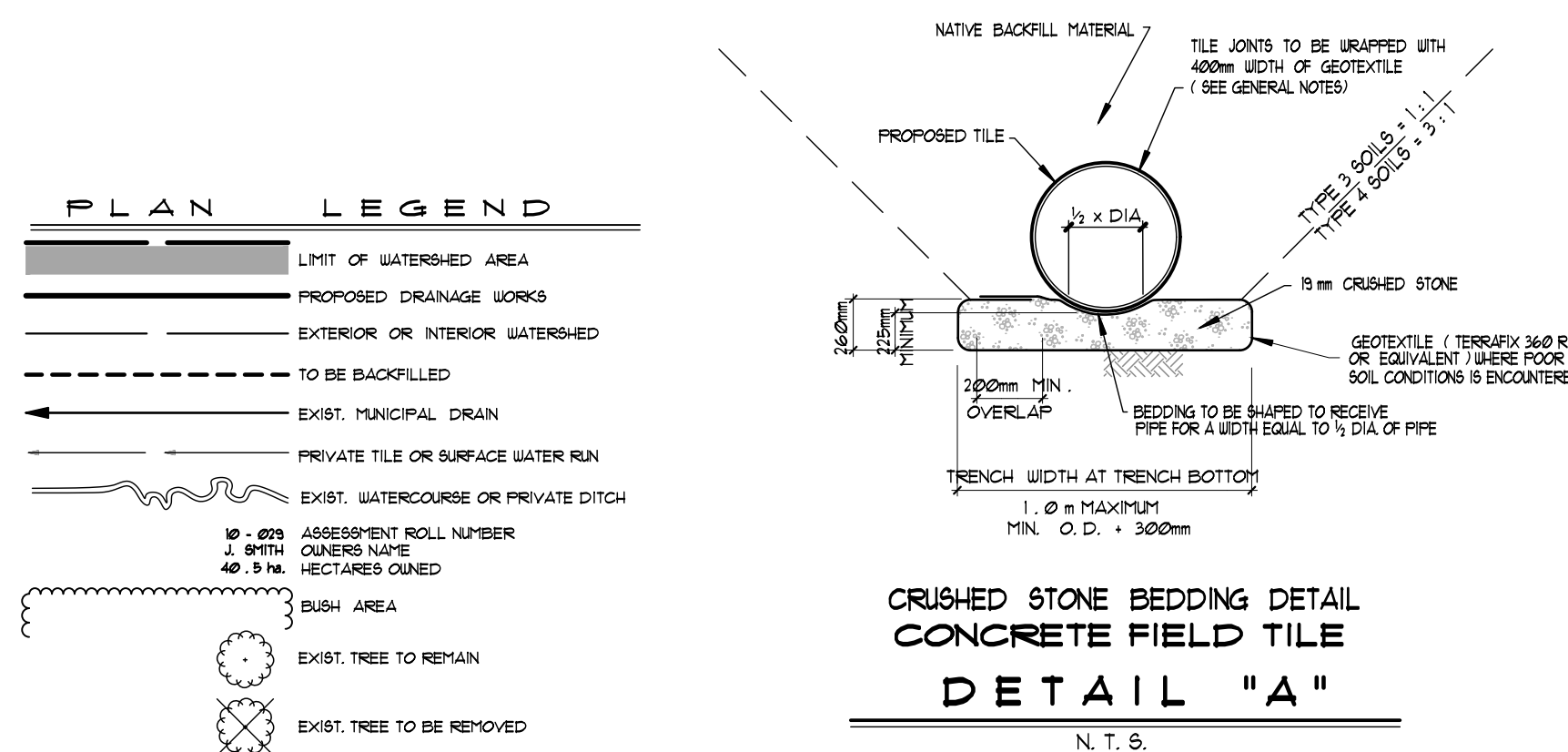
### CLOSED PORTIONS

- ALL CONCRETE AND PLASTIC TILE AND PIPE TO CONFORM TO "SECTION C.1" IN THE SPECIFICATIONS.  
a) SEWER PIPE TO BE CONCRETE, H.D.P.E. PLASTIC 320 KPA (BELL & SPIGOT WITH RUBBER GASKETS, CONFORMING TO C.S.A. 1026-08), P.V.C. ULTRA RIB OR P.V.C. SDR 35  
b) CONCRETE TILE SHALL BE HEAVY DUTY, UNLESS NOTED ON PROFILE.
- EXISTING TILE DRAINS TO BE EXPOSED IN AS MANY LOCATIONS AS ARE NECESSARY TO CONFIRM THEIR EXACT LOCATION AND ELEVATION PRIOR TO CONSTRUCTION. EXACT LOCATION OF NEW TILE DRAINS THEN TO BE CONFIRMED BY DRAINAGE SUPERINTENDENT OR ENGINEER.
- a) THE CONTRACTOR SHALL ENSURE THAT ALL TRIBUTARY DRAINS ARE CONNECTED DURING TIME OF CONSTRUCTION. ANY MISSED TILE CONNECTIONS THAT ARE FOUND DURING THE WARRANTY PERIOD OF THE CONTRACT SHALL BE COMPLETED BY THE CONTRACTOR AND SHALL BE PAID THE AMOUNT SET OUT ON PAGE 2 OF THE "FORM OF TENDER". NO ADDITIONAL PAYMENT FOR MOBILIZATION WILL BE ALLOWED. THE CONTRACTOR IS NOT RESPONSIBLE FOR COMPLETING MISSED TILE CONNECTIONS THAT ARE FOUND AFTER THE WARRANTY PERIOD FOR THE CONTRACT HAS EXPIRED.  
b) ALL TILE CONNECTIONS TO BE MADE WITH CORING MACHINE AND PLASTIC ADAPTOR OR PREFABRICATED FITTINGS.  
c) THE CONTRACTOR SHALL SUPPLY THE ENGINEER WITH A LIST SHOWING STATIONS OF ALL TILE CONNECTIONS UPON COMPLETION OF CONSTRUCTION.



### PIONEER LINE DETAIL

SCALE: 1:500



### TYPICAL CROSS SECTION OF OVERFLOW SWALE CONSTRUCTED OVER BACKFILLED CHANNEL

SCALE: N.T.S.

## MILLS DRAIN

### Municipality of West Elgin



|                                                           |     |           |      |
|-----------------------------------------------------------|-----|-----------|------|
| Drainage Superintendent:<br>TOM MOHAN<br>519 - 785 - 0560 | No. | REVISIONS | DATE |
|                                                           |     |           |      |

|                                     |                      |                   |                       |
|-------------------------------------|----------------------|-------------------|-----------------------|
| Drawn By: RL<br>Date: SEPT. 3, 2025 | Field Book<br>G.F.S. | JOB No.<br>225183 | Drawing No.<br>1 of 1 |
|-------------------------------------|----------------------|-------------------|-----------------------|

|                                 |                                                                                                             |
|---------------------------------|-------------------------------------------------------------------------------------------------------------|
| PLAN, PROFILE, DETAILS, & NOTES | SPRIET ASSOCIATES<br>LONDON<br>CONSULTING ENGINEERS<br>155 YORK STREET - LONDON<br>(519) 672-4100 - NSA 1A8 |
|---------------------------------|-------------------------------------------------------------------------------------------------------------|



# The Municipality of West Elgin

22413 Hoskins Line, Rodney, Ontario N0L 2C0

October 1, 2025

## **Re: Notice of Court of Revision, Pursuant to the *Drainage Act*.**

Subsequent to the Council of the Municipality of West Elgin considering Reconstruction of the **Fleuren Drain Extension**, in accordance with Section 4 of the *Drainage Act*, you as an owner of land affected, are requested to attend a Court of Revision with the Municipality's Drainage Superintendent, Tom Mohan, and John M. Spriet, P. Eng., to discuss the Schedule of Assessment of the **Fleuren Drain Extension**.

***The meeting will take place on Thursday October 23<sup>rd</sup>, at 3:35pm at the West Elgin Council Chambers, 160 Main Street, West Lorne.***

Attached is a copy of the Provisional By-law, 2025-54

If you do not attend the meeting, it will proceed in your absence. If you are affected by this proposed project, you will continue to receive notification as required by the Drainage Act.

Sincerely,

Terri Towstiu  
Clerk

Hand delivered and Purolator due to postal strike.

## **FLEUREN DRAIN EXTENSION**

**Municipality of West Elgin**



**SPRIET  
ASSOCIATES**  
ENGINEERS & ARCHITECTS  
155 York Street  
London, Ontario N6A 1A8  
Tel. (519) 672-4100  
Fax (519) 433-9351  
Email: [mail@spriet.on.ca](mailto:mail@spriet.on.ca)  
[www.spriet.on.ca](http://www.spriet.on.ca)

London, Ontario  
September 3, 2025

## **FLEUREN DRAIN EXTENSION**

### **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 Fleuren Municipal Drain Extension serving parts of Lots 24, Y, and X, Concessions 2 and 3 (geographic Aldoborough) 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 28.1 hectares. The area requiring drainage is described as Lot 24, Concession 3 for the Main Drain and Lot X, Concession 3 for the Branch Drain.

### **HISTORY**

The Fleuren Drain was originally constructed pursuant to a report submitted by J.M. Spriet, P.Eng., dated December 16, 2024, and consisted of the construction of the Main Drain from the McMillan Drain, south through the lands in Lot 24, Concession 2, to just within the Stalker Line road allowance. In total, 153 lineal meters of 375mm (15") diameter pipe was installed.

### **EXISTING DRAINAGE CONDITIONS**

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

- that the landowner, R. & A. Tait (Roll No. 70-045), requested an extension of the recently installed drain to provide their lands with an outlet
- that the landowner, Brian McGill Farms Ltd. (Roll No. 70-041), requested a branch drain to service a portion of lands west of the Main Drain which do not have an adequate surface water outlet



## EXISTING DRAINAGE CONDITIONS (cont'd)

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

- that the extension of the Main Drain can be accomplished by boring a new sub-surface pipe under Stalker Line
- that the lands requiring the extension of the Main Drain and Branch would both benefit from an outlet for surface water and sub-surface water

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 "DRAINAGE GUIDE FOR ONTARIO", Publication 29 by the Ontario Ministry of Agriculture, Food, and Agribusiness (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 this drain with respect to capacity was 38.1mm per 24 hours.

We would like to point out that there have been no indications of any adverse soil conditions. 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 the Main Drain be extended from the northerly ditch line of Stalker Line, south across the road allowance, to just within the lands of R. & A. Tait (Roll No. 70-045), for a total length of 23 lineal meters
- that a Branch Drain be constructed, commencing at the Main Drain and traveling west through the lands of R. & A. Tait (Roll No. 70-045) to its head just within the lands of Brian McGill Farms Ltd. (Roll No. 70-041), for a total length of 244 lineal meters
- that catchbasins be installed to alleviate surface water flows and ponding



## 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 Fleuren Drain Extension 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 267 lineal meters of 200mm (8") to 375mm (15") diameter HDPE sewer pipe, 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 \$59,000.00. 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. 225182, 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 amount granted is based on \$3,613.00/ha. for closed drain installed with wheel machine. This base rate is multiplied by the hectares derived from the working widths shown on the plans and the applicable lengths.

**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.



## ALLOWANCES (cont'd)

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. Also, roads have been assessed for outlet at higher rates than cleared farmlands.

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. The Special Assessments shall be levied as noted in the Section "Special Assessment".



## SPECIAL ASSESSMENT

In accordance with Section 26 of the Drainage Act, a Special Assessment has been made against the County of Elgin being the increased cost to the drainage work for boring a smooth wall steel pipe across their road allowance on the Main Drain due to the construction and operation of Stalker Line. The Special Assessment shall be made up of the actual cost of this work and both the final and estimated values of the Special Assessment are to be calculated as follows:

| Drain                    | Cost of Work | Less Equivalent<br>Drain Cost<br>(Fixed) | Plus<br>Administration<br>Cost | Plus Interest<br>& Net H.S.T. | Special<br>Assessment |
|--------------------------|--------------|------------------------------------------|--------------------------------|-------------------------------|-----------------------|
| Main Drain<br>375mm dia. | \$20,300.00  | \$2,000.00                               | \$4,900.00                     | \$580.00                      | \$23,780.00           |

If any additional work is required to the drainage works due to the existence of buried utilities such as gas pipelines, communications cables, etc., or if any of the utilities require relocation or repair then the extra costs incurred shall be borne by the utility involved in accordance with the provisions of Section 26 of the Drainage Act.

## 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.

## 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 Fleuren Drain Extension shall be maintained by the Municipality of West Elgin at the expense of all upstream lands and roads assessed in Schedule 'D' - Assessment for Maintenance and in the same relative proportions until such time as the assessment is changed under the Drainage Act.

Repairs or improvements to any road culvert or sub-surface road crossing required by the performance of this work and for future repair and/or replacement, shall be the responsibility of the applicable Road Authority, entirely at their cost.

Respectfully submitted,

SPRIET ASSOCIATES LONDON LIMITED

J.M. Spriet, P.Eng.



JMS:bv



**SPRIET ASSOCIATES**  
engineers & architects

## SCHEDULE 'A' - ALLOWANCES

## FLEUREN DRAIN EXTENSION

## 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<br>Right-of-Way | Section 30<br>Damages | TOTALS      |
|-------------------------------------------------|------------|----------------------------------|----------------------------|-----------------------|-------------|
| MAIN DRAIN                                      |            |                                  |                            |                       |             |
| 3                                               | Pt. 24 & Y | 70-045 (R. & A. Tait)            | \$ 40.00                   | \$ 30.00              | \$ 70.00    |
| Total Allowances                                |            |                                  | \$ 40.00                   | \$ 30.00              | \$ 70.00    |
| TOTAL ALLOWANCES ON THE MAIN DRAIN              |            |                                  |                            |                       | \$ 70.00    |
| BRANCH A                                        |            |                                  |                            |                       |             |
| 3                                               | Pt. X      | 70-041 (Brian McGill Farms Ltd.) | \$ 40.00                   | \$ 30.00              | \$ 70.00    |
| 3                                               | Pt. 24 & Y | 70-045 (R. & A. Tait)            | 1,580.00                   | 1,280.00              | 2,860.00    |
| Total Allowances                                |            |                                  | \$ 1,620.00                | \$ 1,310.00           | \$ 2,930.00 |
| TOTAL ALLOWANCES ON BRANCH A                    |            |                                  |                            |                       | \$ 2,930.00 |
| TOTAL ALLOWANCES ON THE FLEUREN DRAIN EXTENSION |            |                                  |                            |                       | \$ 3,000.00 |

**FLEUREN DRAIN EXTENSION****Municipality of West Elgin**

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

**MAIN DRAIN**

|                                                                                                                                   |              |
|-----------------------------------------------------------------------------------------------------------------------------------|--------------|
| Installation of the following H.D.P.E. pipe including supply and installation of sand bedding                                     |              |
| 7 meters of 375mm dia. H.D.P.E. pipe                                                                                              | \$ 400.00    |
| Supply of the above listed pipe                                                                                                   | \$ 500.00    |
| 17 meters of 406.4mm dia., 7.9mm thickness smooth wall steel pipe                                                                 |              |
| Supply                                                                                                                            | \$ 3,400.00  |
| Installation under County Road 9 by boring                                                                                        | \$ 16,900.00 |
| Strip, stockpile and releve topsoil from tile trench and adjacent working area<br>(4m wide) specified on drawings (approx. 7m)    | \$ 500.00    |
| Supply and install one 600mm x 600mm ditch inlet catchbasins<br>including grates, berms, ditching, and removal of existing basin, | \$ 2,750.00  |
| Exposing and locating existing tile drains and utilities                                                                          | \$ 500.00    |
| Tile connections and contingencies                                                                                                | \$ 1,200.00  |
| Allowances under Sections 29 & 30 of the Drainage Act                                                                             | \$ 70.00     |

**BRANCH A**

|                                                                                                                                   |             |
|-----------------------------------------------------------------------------------------------------------------------------------|-------------|
| Installation of the following H.D.P.E. pipe including supply and installation of sand bedding                                     |             |
| 244 meters of 200mm dia. H.D.P.E. pipe                                                                                            | \$ 6,100.00 |
| Supply of the above listed pipe                                                                                                   | \$ 5,600.00 |
| Strip, stockpile and releve topsoil from tile trench and adjacent working area<br>(4m wide) specified on drawings (approx. 244m)  | \$ 1,800.00 |
| Supply and install one 600mm x 600mm ditch inlet catchbasins<br>including grates, berms, ditching, and removal of existing basin, | \$ 2,750.00 |
| Allowances under Sections 29 & 30 of the Drainage Act                                                                             | \$ 2,930.00 |

**FLEUREN DRAIN EXTENSION**  
**Municipality of West Elgin**

**ADMINISTRATION**

|                                       |                                   |
|---------------------------------------|-----------------------------------|
| Interest and Net Harmonized Sales Tax | \$ 2,150.00                       |
| Survey, Plan and Final Report         | \$ 9,100.00                       |
| Expenses                              | \$ 720.00                         |
| Supervision and Final Inspection      | \$ <u>1,630.00</u>                |
| <b>TOTAL ESTIMATED COST</b>           | <b>\$ <u><u>59,000.00</u></u></b> |

## SCHEDULE 'C' - ASSESSMENT FOR CONSTRUCTION

## FLEUREN DRAIN EXTENSION

## Municipality of West Elgin

Job No. 225182

September 3, 2025

\* = Non-agricultural

| CON.                                                                                                                                                 | LOT        | HECTARES<br>AFFECTED | ROLL No. (OWNER)                 | BENEFIT     | OUTLET       | TOTAL               |
|------------------------------------------------------------------------------------------------------------------------------------------------------|------------|----------------------|----------------------------------|-------------|--------------|---------------------|
| <b>MAIN DRAIN</b>                                                                                                                                    |            |                      |                                  |             |              |                     |
| 3                                                                                                                                                    | Pt. X      | 2.05                 | 70-041 (Brian McGill Farms Ltd.) | \$          | \$ 186.00    | \$ 186.00           |
| 3                                                                                                                                                    | Pt. 24     | 1.26                 | 70-044 (R. Jamieson)             |             | 228.00       | 228.00              |
| 3                                                                                                                                                    | Pt. 24 & Y | 21.60                | 70-045 (R. & A. Tait)            | 3,860.00    | 3,731.00     | 7,591.00            |
| TOTAL ASSESSMENT ON LANDS                                                                                                                            |            |                      |                                  | \$ 3,860.00 | \$ 4,145.00  | \$ 8,005.00         |
| County Road 9                                                                                                                                        |            |                      |                                  | \$ 4,910.00 | \$ 305.00    | \$ 5,215.00         |
| TOTAL ASSESSMENT ON ROADS                                                                                                                            |            |                      |                                  | \$ 4,910.00 | \$ 305.00    | \$ 5,215.00         |
| <b>SPECIAL ASSESSMENT</b> against the County Elgin for increased cost of<br>installing 406.4mm dia. smooth steel wall steel pipe under County Road 9 |            |                      |                                  |             |              |                     |
|                                                                                                                                                      |            |                      |                                  |             |              | \$ 23,780.00        |
| <b>TOTAL ASSESSMENT ON THE MAIN DRAIN</b>                                                                                                            |            |                      |                                  |             |              | <b>\$ 37,000.00</b> |
| <b>BRANCH A</b>                                                                                                                                      |            |                      |                                  |             |              |                     |
| 3                                                                                                                                                    | Pt. X      | 2.05                 | 70-041 (Brian McGill Farms Ltd.) | \$ 2,240.00 | \$ 11,537.00 | \$ 13,777.00        |
| 3                                                                                                                                                    | Pt. 24 & Y | 0.10                 | 70-045 (R. & A. Tait)            | 7,660.00    | 563.00       | 8,223.00            |
| TOTAL ASSESSMENT ON LANDS                                                                                                                            |            |                      |                                  | \$ 9,900.00 | \$ 12,100.00 | \$ 22,000.00        |
| <b>TOTAL ASSESSMENT ON THE BRANCH A</b>                                                                                                              |            |                      |                                  |             |              | <b>\$ 22,000.00</b> |
| <b>TOTAL ASSESSMENT ON THE FLEUREN DRAIN EXTENSION</b>                                                                                               |            |                      |                                  |             |              | <b>\$ 59,000.00</b> |

## SCHEDULE 'D' - ASSESSMENT FOR MAINTENANCE

**FLEUREN DRAIN EXTENSION****Municipality of West Elgin**

Job No. 225182

September 3, 2025

| CON.                                                          | LOT        | HECTARES<br>AFFECTED | ROLL No. (OWNER)                 | PERCENTAGE OF<br>MAINTENANCE COST |
|---------------------------------------------------------------|------------|----------------------|----------------------------------|-----------------------------------|
| <b>MAIN DRAIN</b>                                             |            |                      |                                  |                                   |
| 3                                                             | Pt. X      | 2.05                 | 70-041 (Brian McGill Farms Ltd.) | 2.1 %                             |
| 3                                                             | Pt. 24     | 1.26                 | 70-044 (R. Jamieson)             | 2.6                               |
| 3                                                             | Pt. 24 & Y | 21.60                | 70-045 (R. & A. Tait)            | 64.1                              |
|                                                               |            |                      |                                  | =====                             |
| TOTAL ASSESSMENT ON LANDS                                     |            |                      |                                  | 68.8 %                            |
|                                                               |            |                      |                                  | =====                             |
| County Road 9                                                 |            | 0.45                 | County of Elgin                  | 31.2 %                            |
|                                                               |            |                      |                                  | =====                             |
| TOTAL ASSESSMENT ON ROADS                                     |            |                      |                                  | 31.2 %                            |
|                                                               |            |                      |                                  | =====                             |
| <b>TOTAL ASSESSMENT FOR MAINTENANCE OF THE<br/>MAIN DRAIN</b> |            |                      |                                  | <b><u>100.0 %</u></b>             |
| <b>BRANCH A</b>                                               |            |                      |                                  |                                   |
| 3                                                             | Pt. X      | 2.05                 | 70-041 (Brian McGill Farms Ltd.) | 74.2 %                            |
| 3                                                             | Pt. 24 & Y | 0.10                 | 70-045 (R. & A. Tait)            | 25.8                              |
|                                                               |            |                      |                                  | =====                             |
| TOTAL ASSESSMENT ON LANDS                                     |            |                      |                                  | 100.0 %                           |
|                                                               |            |                      |                                  | =====                             |
| <b>TOTAL ASSESSMENT FOR MAINTENANCE OF<br/>BRANCH A</b>       |            |                      |                                  | <b><u>100.0 %</u></b>             |

# SCHEDULE OF NET ASSESSMENT

## FLEUREN DRAIN EXTENSION

### Municipality of West Elgin

(FOR INFORMATION PURPOSES ONLY)

Job No. 225182

September 3, 2025

\* = Non-agricultural

| ROLL NUMBER<br>(OWNER)           | TOTAL<br>ASSESSMENT | GRANT               | ALLOWANCES         | APPROX.<br>NET      |
|----------------------------------|---------------------|---------------------|--------------------|---------------------|
| 70-041 (Brian McGill Farms Ltd.) | \$ 13,963.00        | \$ 4,654.00         | \$ 70.00           | \$ 9,239.00         |
| 70-044 (R. Jamieson)             | 228.00              | 76.00               |                    | 152.00              |
| 70-045 (R. & A. Tait)            | 15,814.00           | 5,271.00            | 2,930.00           | 7,613.00            |
| * County Road 9                  | \$ 5,215.00         | \$                  | \$                 | \$ 5,215.00         |
| * **Special Assessment           | 23,780.00           |                     |                    | 23,780.00           |
| <b>TOTALS</b>                    | <b>\$ 59,000.00</b> | <b>\$ 10,001.00</b> | <b>\$ 3,000.00</b> | <b>\$ 45,999.00</b> |

