Railway Street Municipal Drain Improvement

On-Site Meeting

May 26, 2021

Overview

1. Attendance
2. Introduction
3. Meeting Purpose
4. Existing Conditions & Issues
5. Landowner Comments on Ex. Conditions
6. Proposed Solutions
7. Next Steps & Other Information

1.0 Attendance

- Introductions:
  - Landowners, Township Staff, SVCA Staff, Appointed Engineer.

- Attendance and Contact Information:
  - The Township will take a list of all those in attendance today.
  - Please contact Ed DeLay with your contact information (contact information is at the end of presentation).

2.0 Introduction

What is a Municipal Drain?

- **Drainage Act, R.S.O. 1990**
  - **Previous experience with Municipal Drains?**
  - Typically channel or piped systems used for sub-surface drainage and overland runoff.
  - Provincial legislation which provides a **system/framework/process** for landowners to gain a **legal or sufficient outlet** for surface and subsurface water from their property through private lands.
  - Process is administered through the Municipality and the Engineer, with Agency review.

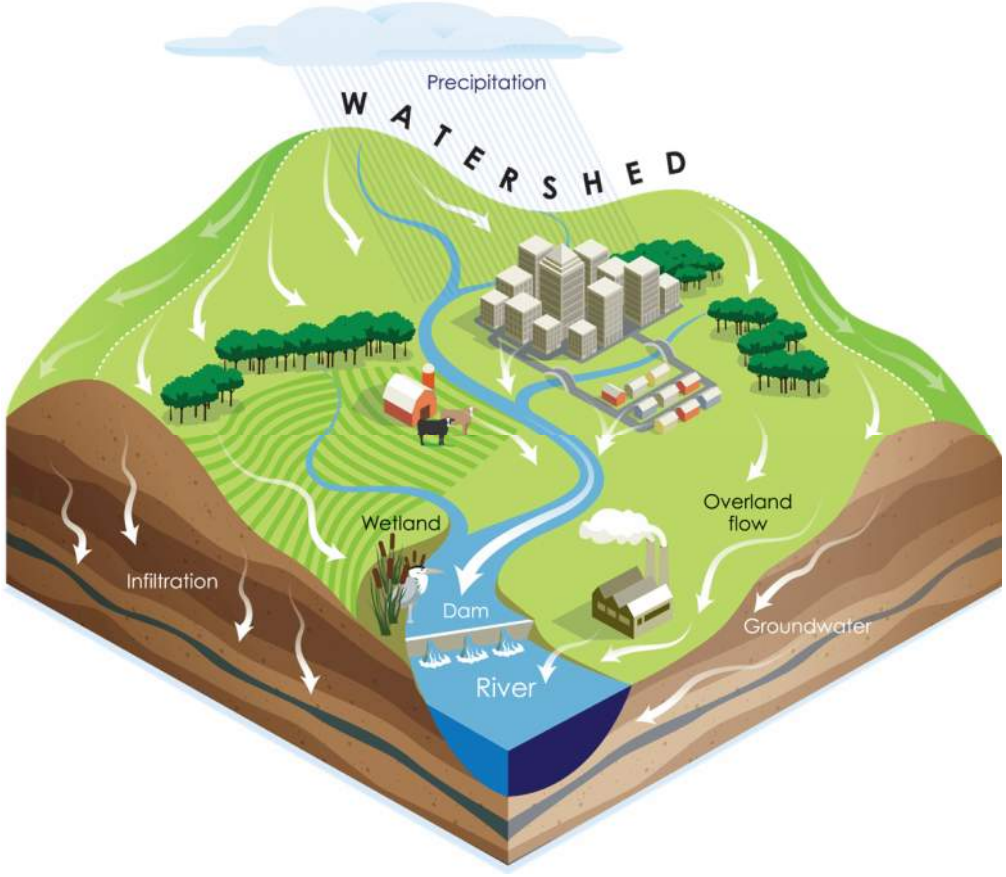
What is a Municipal Drain?

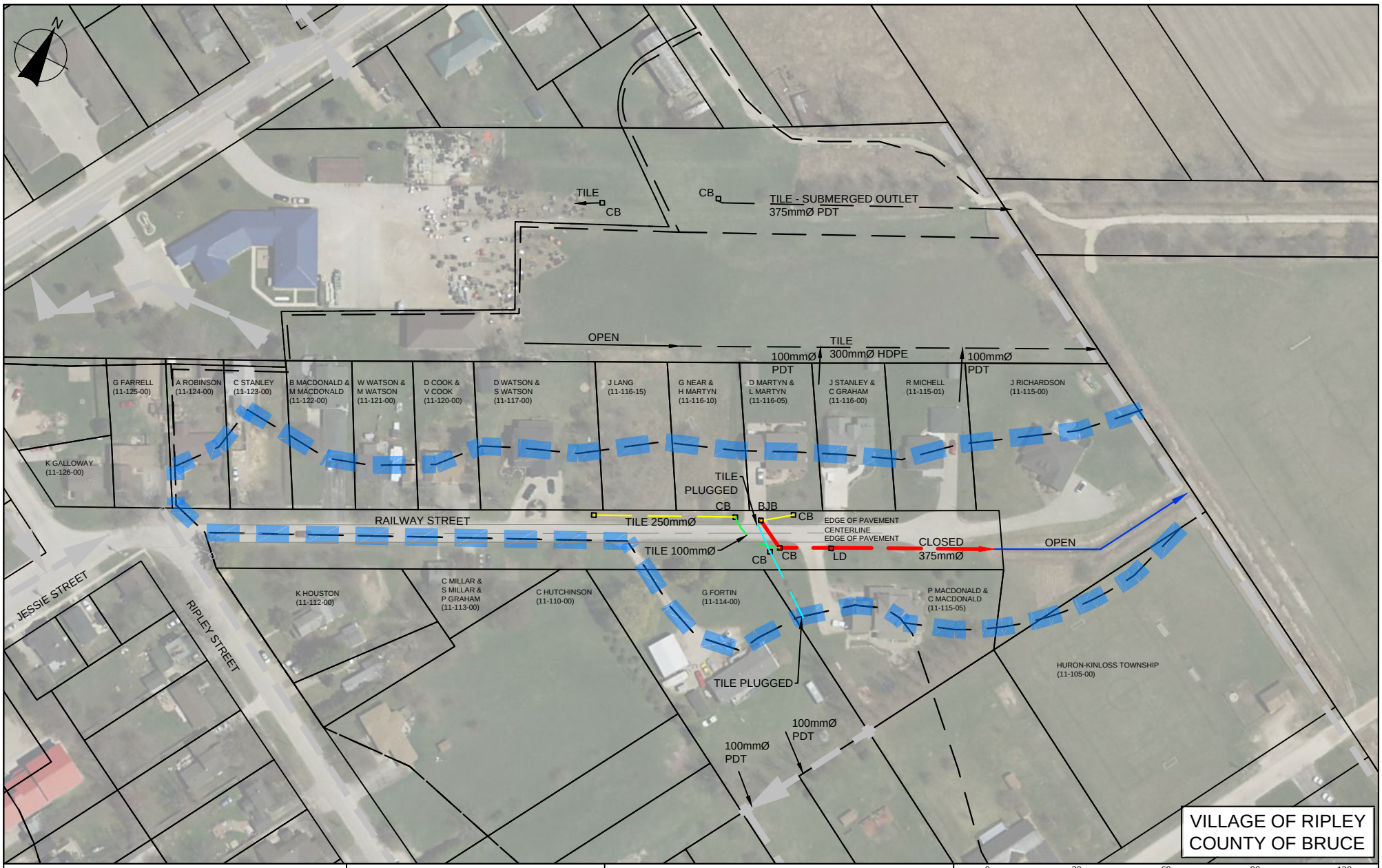
- **Community Project**
  - Contributing properties have input towards the scale, design, and other aspects of the drainage system.
- **User Pay System**
  - Each member of the contributing watershed is responsible for a portion of the cost of the drain.
- **Legal Existence**
  - Provides a Legal Outlet for a property.
  - Legal Standing under associated Municipal By-Law.
- **Municipal Infrastructure**
  - Maintained by the Municipality on behalf of the affected landowners.

Watershed Boundary

What is a Watershed Boundary?

- **A watershed boundary is a divide that defines an area draining to a particular watercourse.**
- Rain falling on our side of a watershed boundary will flow to our drain and on the other side will flow to another watercourse.
- This line should represent the high ground on your property.





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449 Josephine St., P.O. Box 10, Wingham, Ontario, N0G 2W0
telephone (519) 357-1521 **fax** (519) 357-3624

Drawing Title

RAILWAY STREET MUNICIPAL DRAIN

EXISTING

Client

TOWNSHIP OF HURON-KINLOSS

21 QUEEN STREET
RIPLEY, ONTARIO
N0G 2R0

0 30 60 90 120
Meters

Drawn	Checked	Date	Drawing No.
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3.0 Meeting Purpose

Purpose of this Meeting

- Typically, the first meeting with landowners to investigate the issues at hand.

- An information exchange with stakeholders in the contributing watershed.
  - Landowners
  - Municipality
  - Affected Utilities
  - Engineer
  - Reviewing Agencies (Ex: SVCA, DFO)

Repair & Improvement (S.78)

If this On-Site Meeting has been called as a result of the presentation of a **request for repairs and improvements to an existing Municipal Drain**, for better use, maintenance, or repair. Under Section 78 (1.1), these projects may include:

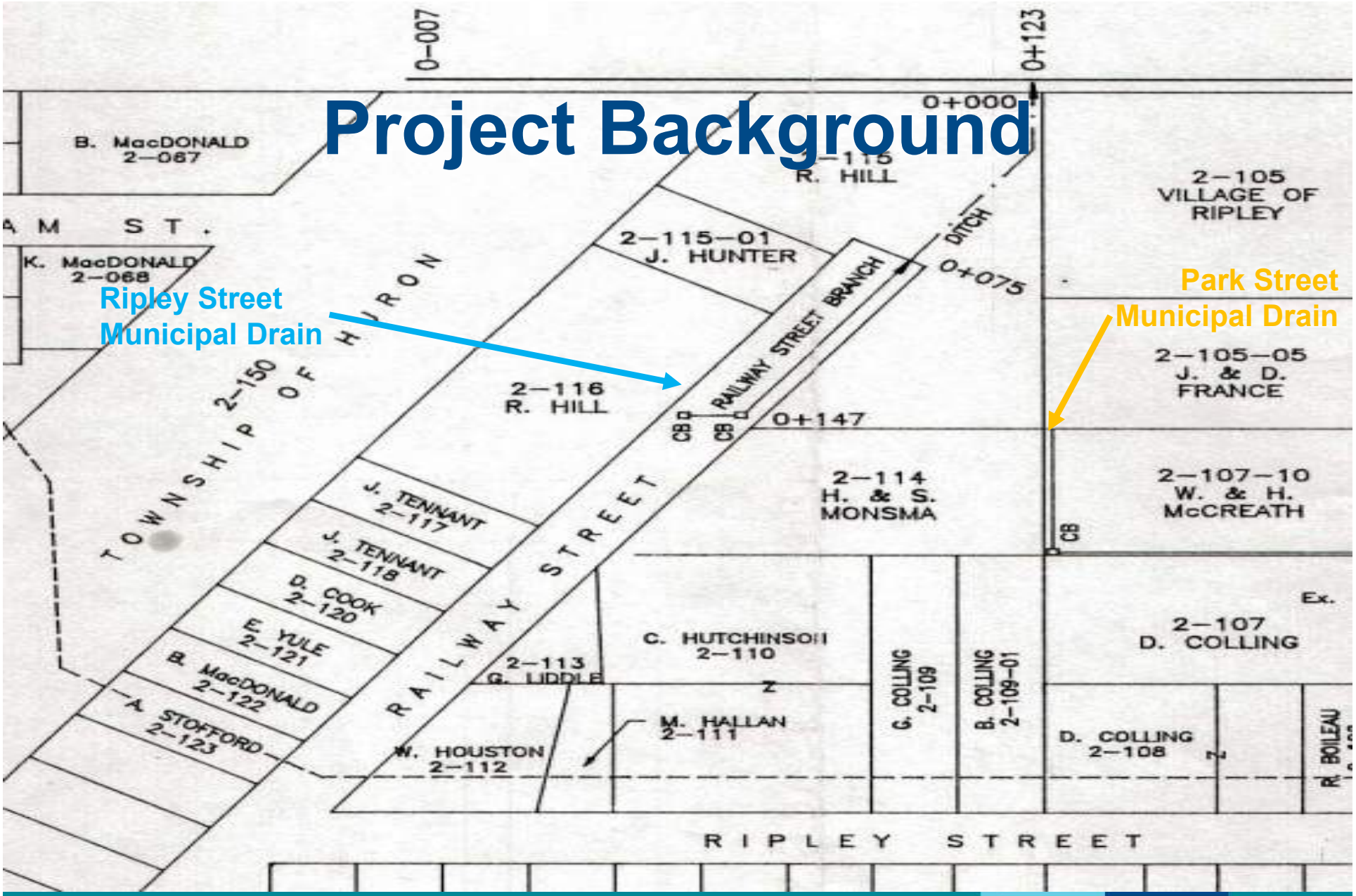
- Changing the course of a drainage works.
- Making a new outlet for the whole or part of the drainage works.
- Constructing a tile drain under the bed of the whole of any part of the drainage works.
- Constructing, reconstructing or extending embankments, walls, dykes, dams, reservoirs, bridges, pumping stations, or other protective works in connection with the drainage works.
- Otherwise improving, extending to an outlet or altering the drainage works.
- Covering all or part of the drainage works.
- Consolidating two or more drainage works.
- ***Improvement*** is defined under the Act as:
- *Any modification of or addition to a drainage works intended to increase the effectiveness of the system.*

4.0 Existing Conditions

Watershed History

- 1906
  - Harris Award Drain constructed, servicing the Ripley Street and Park Street watersheds.
- 1947
  - Ripley storm sewer constructed parallel to Park Street MD.
- 1957
  - Fair MD construction west of Huron Street, the outlet for the Park Street MD and Ripley Street sewer systems.
- 1994
  - Park Street MD constructed under a report by W.J. Bartlett, existing drainage systems incorporated.
  - Construction of Ripley relief MD and Railway Street drain.

Project Background



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How Was this Project Started?

- Our appointment is regarding this enclosure of the channel portion of the drain with a piped system.
- It is essential that any drainage concerns in the watershed are brought forward at the beginning of the project to address them economically.



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11 Railway St. - Looking u/s



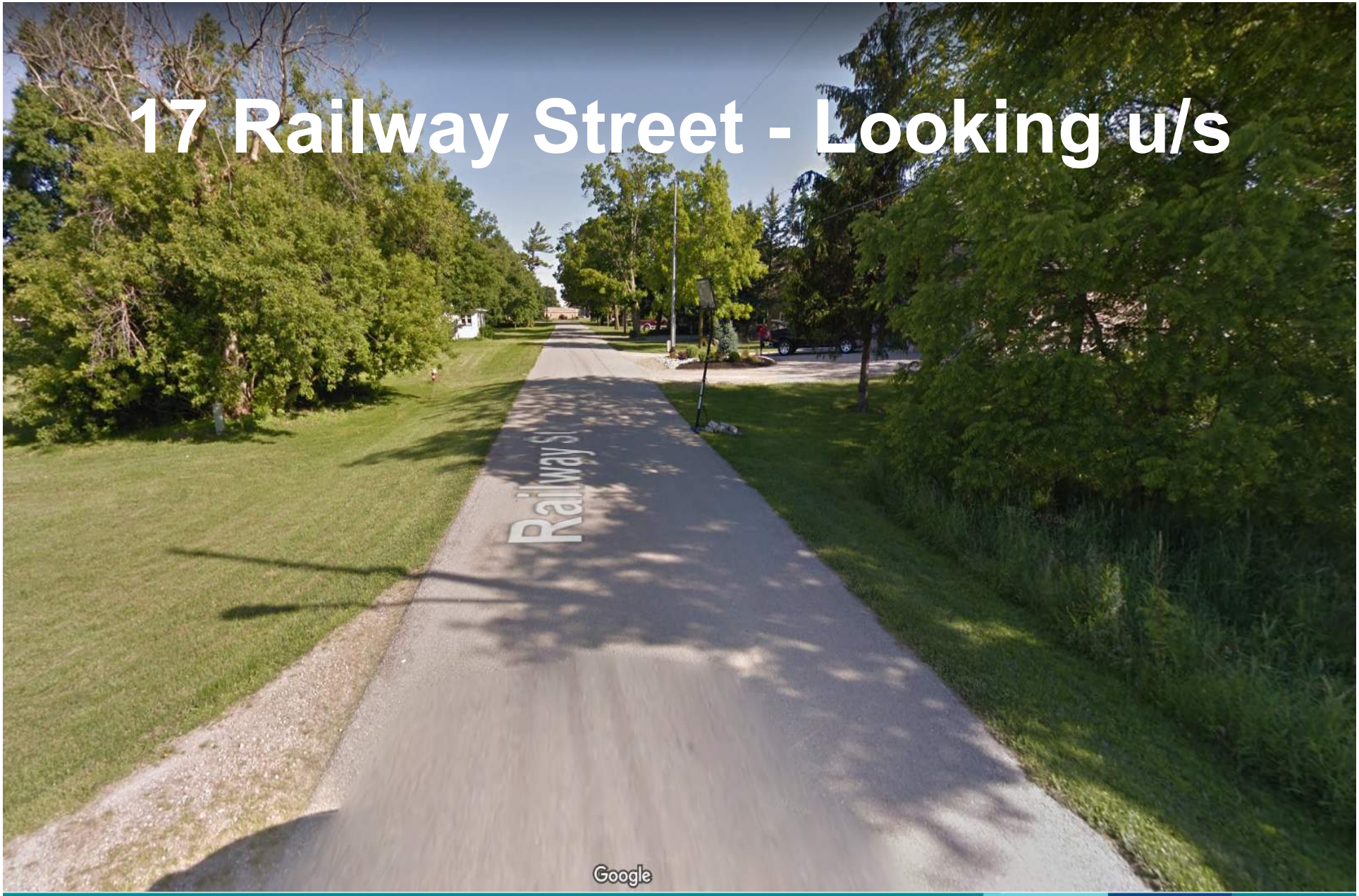
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14 Railway St. - Looking d/s



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17 Railway Street - Looking u/s



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17 Railway St. - Looking d/s



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Looking south along Fortin/MacDonald PL



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21 Railway St. - Looking d/s



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23 Railway St. - Looking u/s



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39 Railway St. - Looking u/s



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39 Railway St. - Looking d/s at outlet to channel



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Video of Existing Conditions

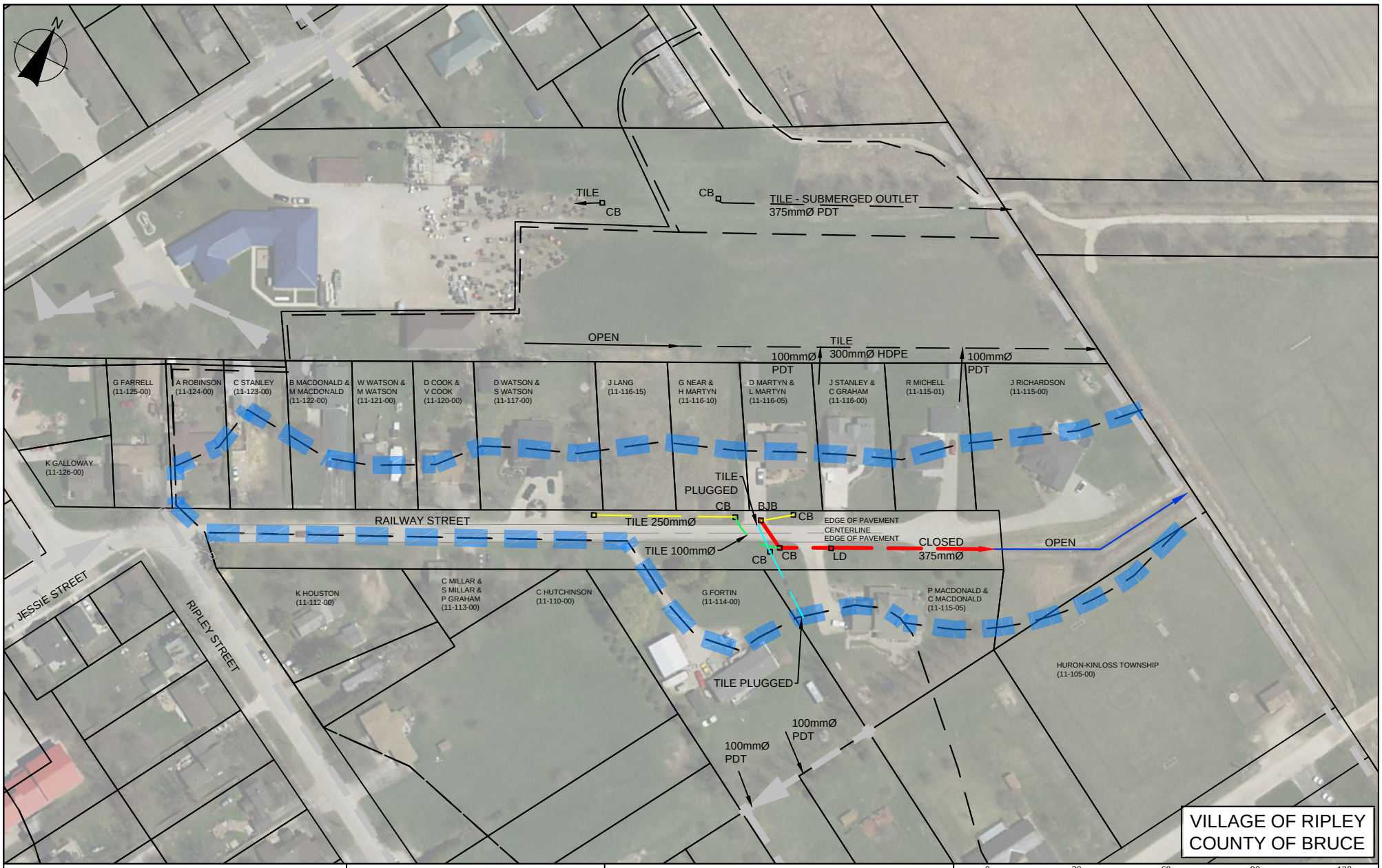
- Camera investigation of existing drainage systems (May 2020):
  - Railway Street Municipal Drain (1994)
  - Private drains north of Railway Street
  - Private drain from Railway Street to the South







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5.0 Landowner Comments on Existing Conditions

6.0 Proposed Solution

Design Criteria



- The sub-surface drainage system design sizing is based on a 5-year return period rainfall event (1 in 5-year flood).



- The design will accommodate floods up to the simulated 100-yr event using overland flow paths.

Allowances

Section 29 – Allowance for Right-of-Way

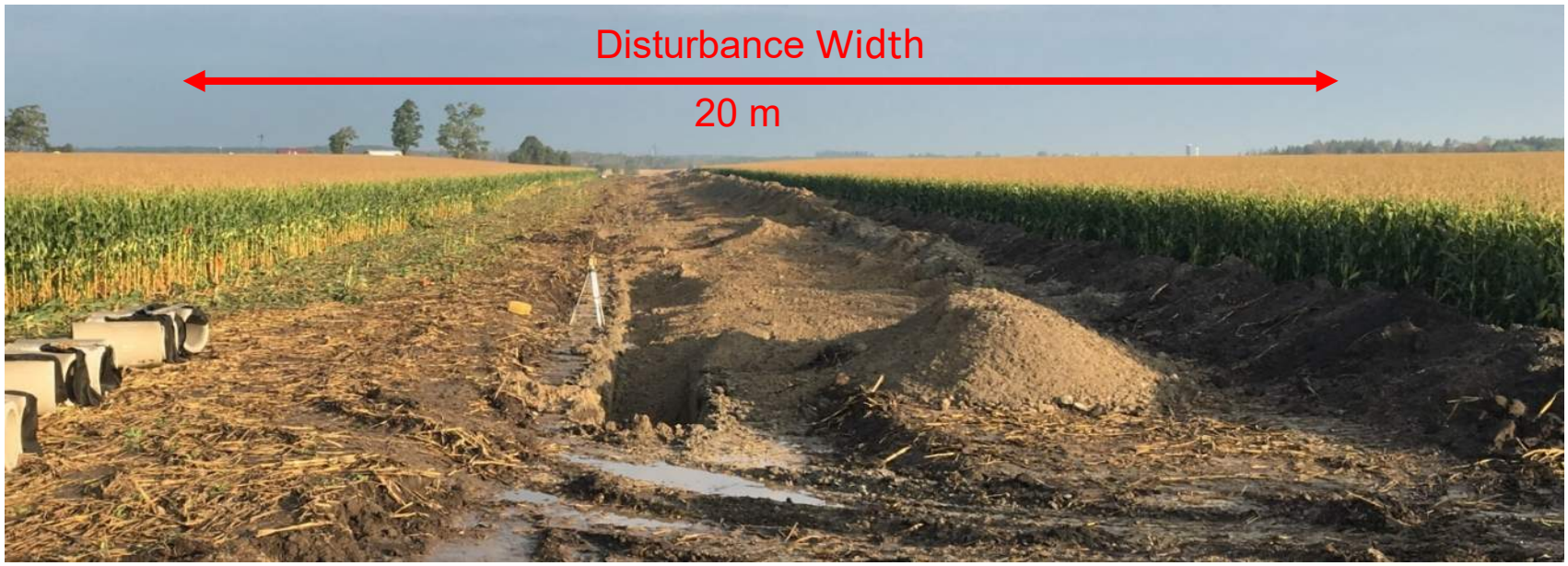
- **Allowance "buys" access/use of the land for the drain,** and construction and maintenance activities.
- Land periodically used for access to construct the drain and in any future maintenance/repair work.
- Riparian buffers, access routes also included..
- **Typically, a 10 m width in agricultural areas for pipe or channel access.**



Allowances

Section 30 - Allowance for Damages

- **Damages caused to a property** by the construction of the drain or site access (**typically a 20 m width in agricultural areas**).
- Not given if area is **restored** as part of the drain.
- Examples include damage to:
  - Lands and crops.
  - Trees, lawns, fences, and other features.



Special Assessments
Roads and Utilities

Section 26 of the Act states:

*"…a public utility or road authority…**shall pay all the increase of cost** of such drainage works **caused by the existence of the works of the public utility or road authority**."*

Example of a Road Crossing

Road Authority Pays as a Special Assessment:

20 m Road Crossing (Bore Pipe + Catchbasins)	$20,000
LESS 20 m Equivalent Drain through Field (Concrete Tile)	($1,000)
	$19,000

Upstream Landowners Pay: **$1,000**

Reviewing Agencies

A) Saugeen Valley Conservation Authority (SVCA)

- Potential erosion and flooding risks associated with the project.
- Work in ‘regulated areas’

B) Fisheries & Oceans Canada (DFO)

- Work in an Open Drain and potential fish habitat requires approval.
- Federal Species at Risk (SAR).

C) Ministry of Environment, Conservation, and Parks (MECP)

- Environmental Compliance Approval (ECA) application for the entire project.
- Provincial Endangered Species (Formerly through MNRF).

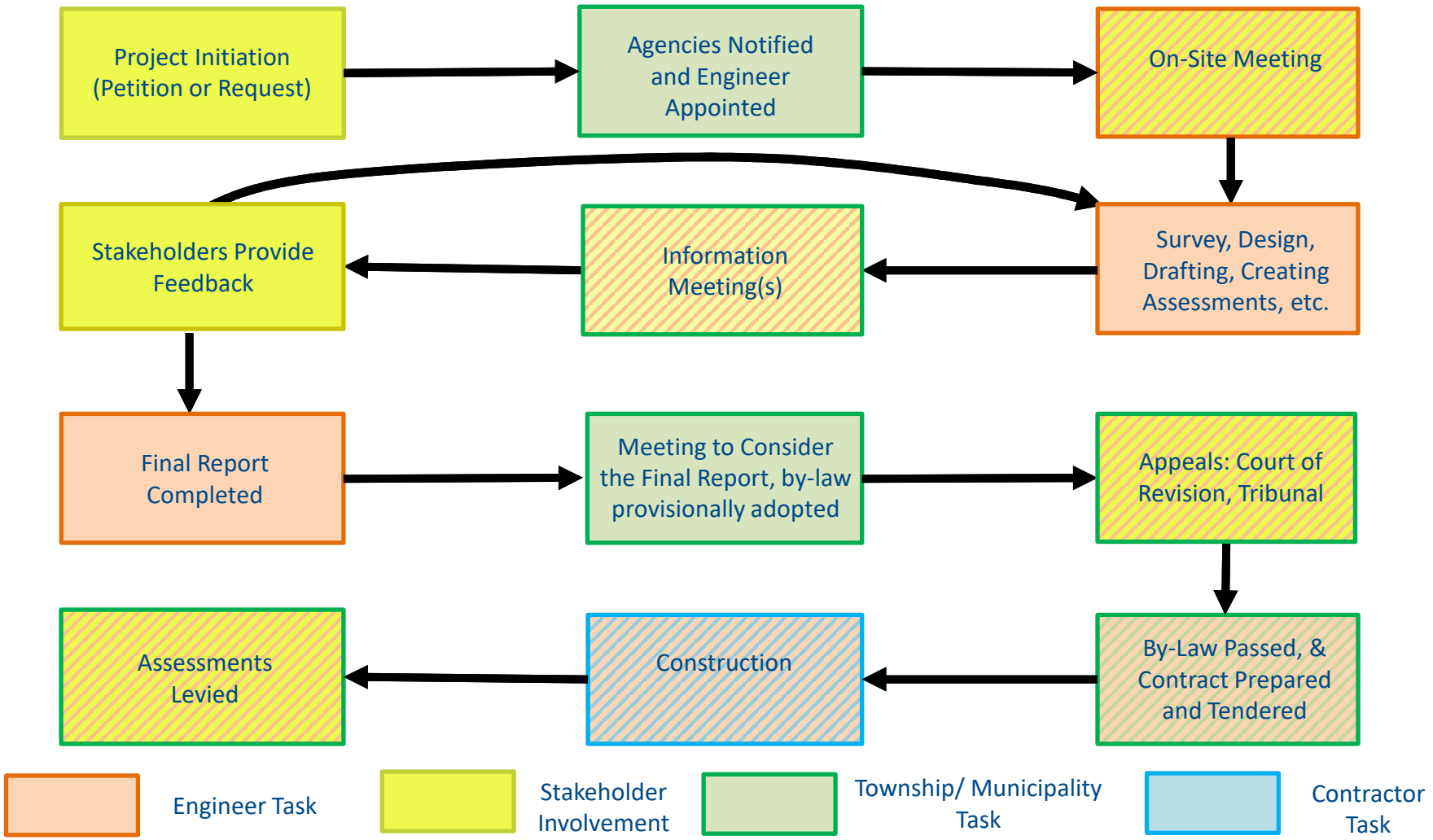
Provincial Grants

- Assessments on land used for agriculture ***(Farm Tax Class)*** may be eligible for grants through OMAFRA.
- Grant rate in southern Ontario is 1/3 of the assessment on the property for typical Municipal Drainage projects.
- *Drain enclosures and properties with an approved development plan are NOT eligible for ADIP grant.*

7.0 Next Steps

Next Steps

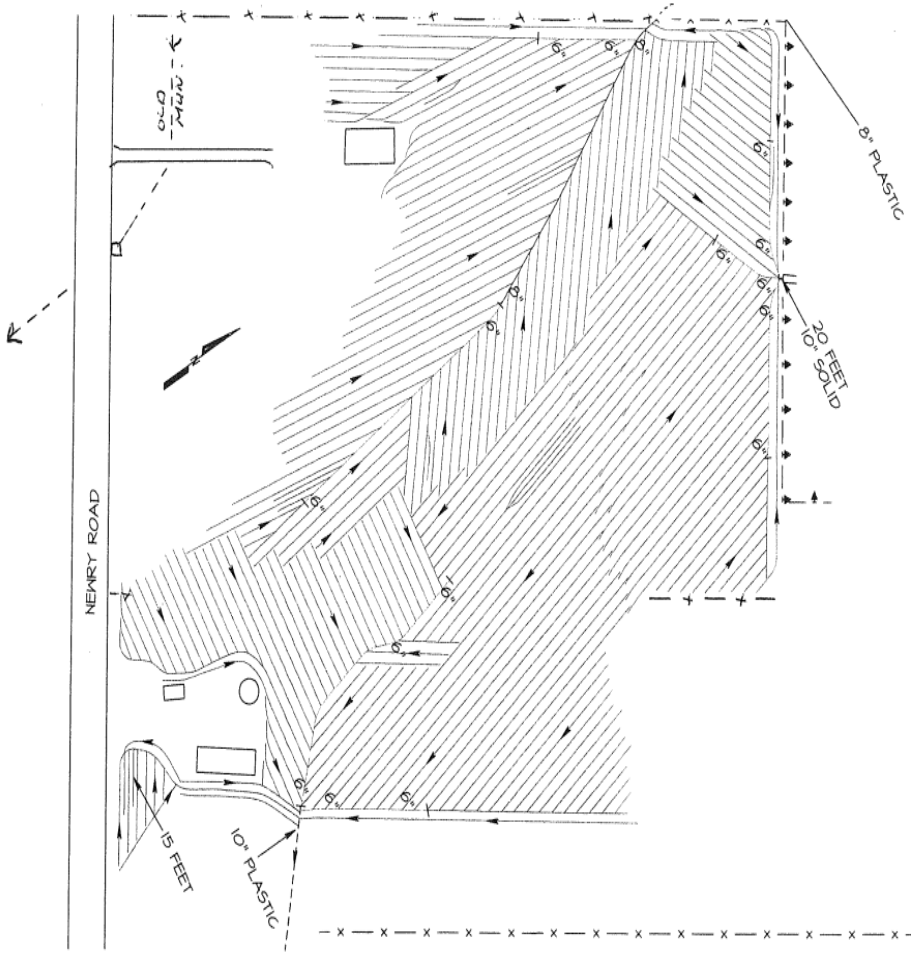
From this point on what are the *"next steps"* in the process under the Act?



How Can You Help?

If available, we ask that property owners provide us with:

- **Wells/service locations**
- **Sump pump/ downspout connection locations.**
- **Local Knowledge**
  - Any known Soil Conditions?
  - Poor soil conditions can affect design
  - Locations of septic systems? Where does the Village sanitary sewer end?
  - Other Information?



Sample Tile Plan

Questions?

If you have any questions or concerns you can always email or call us:

Grant Collins, Drainage Superintendent
Township of Huron-Kinloss
gcollins@huronkinloss.com
(519)-395-3735

Ed DeLay, M.Eng., P.Eng.
Appointed Engineer – R.J. Burnside & Associates Limited
edelay@rjburnside.com
(519)-340-2014

Appealing Assessments

Section 11 the Act states:

"The Engineer **shall**, to the best of the Engineer's skill, knowledge, judgement and ability, **honestly and faithfully, and without fear of, favour or prejudice against any person**, perform the duty assigned to the Engineer in connection with any drainage works and make a true report thereon. R.S.O. 1990, c. D.17, s.11."

- It is the Engineer's responsibility to assess project costs in a manner they feel is fair and unbiased, however there are various ways to appeal your assessment for a project.

1. **Court of Revision**
   - When the Engineer's Report is completed any landowner can appeal their assessment to the Court, typically made up of members of local Council.
     - We encourage landowners to do so if they feel that they are being assessed unfairly.
     - We recommend that landowners have a sound argument justifying why their assessment should be changed, and which landowner should pay for the reduction in their assessment.

2. **Agriculture, Food and Rural Affairs Appeal Tribunal**
   - Appeals to the Tribunal essentially goes to court.
   - We like to avoid this type of appeal if at all possible, as legal fees can have a large impact on project costs.

Benefit Assessment

Section 22 of the Drainage Act states:

"Lands, roads, buildings, utilities or other structures that are increased in value or are more easily maintained as a result of the construction, improvement, maintenance or repair of a drainage works **may be assessed for benefit**. R.S.O. 1990, c. D.17, s.22"

- Properties are typically assessed for benefit if the drain construction:
  - Provides a direct **Connection** (for tile or surface flows);
  - **Protects** a property from potentially harmful flows;
  - **Increases** property value.



Direct connection of a Private Tile

Outlet Liability Assessment

- **All** properties within a watershed are assessed for outlet liability.
  - Depends on land type and where your property drains to

