The Municipal Corporation of the Town of Fort Erie

Council-in-Committee Meeting Agenda

Monday, July 13, 2020 - 6:00 PM

Council Chambers via Video Teleconference

Due to the COVID-19 Pandemic and the Closure of Town Hall
All electronic meetings can be viewed at:
Town's Website:
https://www.forterie.ca/pages/CouncilAgendasandMinutes
Town's YouTube Channel: www.youtube.com/townofforterie
or click on the YouTube icon on the home page of the Town's website (www.forterie.ca) or Cogeco TV

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1. Call to Order

2. Roll Call

3. Announcements/Addenda

4. Declarations of Pecuniary Interest

5. Notice of Upcoming Public Meetings

(a) Property Rezoning ***(Postponed)***

Re: 0 Townline Road - 550075 Ontario Inc. (Joseph Zawadski) - Owner - 2639723 Ontario Inc. (Amit Khera) - Applicant - Urban & Environmental Management Inc. (Greg Taras) - Agent.

The Town of Fort Erie will issue a future notice advising of the rescheduled Public Meeting date. The notice will also contain updated information on when the Information Report for the application will be available to the public.

6. Public Meetings

(These Public Meetings are not Statutory Public Meetings under O. Reg. 544/06 of the *Planning Act*)

(a) Draft Plan of Common Elements Condominium

Re: 0-15199 Ridgeway Road - South Coast Village Phase 3

(Marz Homes (Crystal Beach) Inc. The applicant is proposing a Common Element Condominium consisting of private roads, parking areas and recreation open space for a 73 unit residential development on the subject lands. The property is within the Urban Boundary and designated Urban Residential and currently zoned Residential Multiple 1 (RM1-694) Zone.
(Presentation by: Anamika Dilwaria, Senior Development Planner)

Residents can **participate** electronically in this Public Meeting by clicking on the link below and following the instructions. You can participate in the meeting online using Zoom (audio and video) or by telephone. Participants are encouraged to enter the meeting by 5:45 p.m.

Link:https://www.forterie.ca/pages/CurrentPublicNotices

(b) Draft Plan of Standard Condominium(Phased)

Re: 0 Albany Street - Owner - 1639875 Ontario Ltd. (c/o Frank Qiu). The applicant is proposing to create 6 townhouse blocks for a total of 26 dwelling units. The property is within the Urban Boundary and designated Medium Density and located within the Gateway Secondary Plan Area. The lands are currently zoned Residential Multiple 1 (RM1-594) Zone.
(Presentation by: Anamika Dilwaria, Senior Development Planner)

Residents can **participate** electronically in this Public Meeting by clicking on the link below and following the instructions. You can participate in the meeting online using Zoom (audio and video) or by telephone. Participants are encouraged to enter the meeting by 5:45 p.m.

Link:https://www.forterie.ca/pages/CurrentPublicNotices

7. Consent Agenda Items

7.1 Request to Remove Consent Agenda Items

7.2 Consent Agenda Items for Approval

8 - 12 **IS-26-2020** Award of Tender for 2020 Stone Shouldering - Contract No. ISO-20T-RPAVED20

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Recommendation:

That: Council accepts the tender from D&D Trucking and Construction Service Inc. for the Stone Shouldering Program – Contract No. ISO-20T-RPAVED20 in the amount of $70,625.00 (including 13% HST).

IS-26-2020 - Award of Stone Shouldering ISO-20T-RPAVED20

13 - 43 **IS-27-2020** Town of Fort Erie Asset Management Plan Implementation Update

Recommendation:

That: Council receives Report No. IS-27-2020 for information purposes, and further

That: Council directs staff to receive Report No. IS-27-2020 for future budget consideration.

IS-27-2020 - TOFE AMP-Admin Report to Council

44 - 47 **IS-28-2020** Notification of Intent to Award Single Source Purchase for Sanitary Sewer Monitoring

Recommendation:

That: Council receives for information purposes the single source award of engineering services for sanitary sewer monitoring to Wood Environment & Infrastructure Solutions in the amount of $12,294.40 (including 13% HST), and further

That: Council accepts $36,000 in operating funding from the Combined Sewer Overflow (CSO) Control Cost Sharing Program from the Niagara Region, and further

That: Council amends the 2020 Operating Budget to substitute $36,000 of Sewer Rate Stabilization Reserve funding with the CSO Control Cost Sharing Program grant funds to OJ-41075-FLOMON.

IS-28-2020 - Notification of Single Source Award for Flow Monitoring - Draft

48 - 55 **IS-29-2020** Award of Engineering Services for the Point Abino Road Storm Pumping Station - Condition Assessment and Pre-Design - Contract No. ISE-20P-ASTP20

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Recommendation:

That: Council accepts and approves the proposal from CIMA Canada Inc. to provide Engineering Services for the Point Abino Road Storm Pumping Station - Condition Assessment and Pre-Design, Contract No. ISE-20PASTP20 at the upset limit of $66,342.30 (including 13% HST).
IS-29-2020 - Point Abino Pumping Station

56 - 62 **IS-30-2020** Award of Engineering Services for Thunder Bay Trenchless Sewer Rehabilitation - Contract No. ISE-20P-TBTR19

Recommendation:

That: Council accepts and approves the proposal from Robinson Consultants Inc. for Engineering Services, Thunder Bay Trenchless Sewer Rehabilitation, Contract No. ISE-20P-TBTR19, at the upset limit of $71,127.85 (including 13% HST), and further

That: Council accepts $48,000.00 in capital funding from the 2019 Combined Sewer Overflow (CSO) Program grant(s) from the Niagara Region, and further

That: Council substitutes Sanitary Sewer Refurbishing Reserve funding with the CSO grant funds to capital project TBTR19 in the amount of $48,000.00.
IS-30-2020 -Trenchless Sewer Rehabilitation RFP Award

63 - 72 **CS-12-2020** Request to Permit Existing Encroachments on Ridgeway Village Square - 283 Ridge Road North (Owner: Team Zing Realty Inc. - Shawn Schertzing)

Recommendation:

That: Council approves the request to permit the existing encroachments on Ridgeway Village Square appurtenant to the building located at 283 Ridge Road North and requires the Owner of 283 Ridge Road North to enter into an Encroachment Agreement, which will be registered on title to the subject properties, have a Reference Plan prepared and registered at the sole expense of the Owner identifying the existing encroachments and pay an annual fee of $178.01 plus HST plus

the CPI increase annually, and further

That: Council authorizes staff to prepare a by-law to authorize the execution of the Encroachment Agreement and associated documents.
CS-12-2020 - Encroachment 283 Ridge Road North

Consent Agenda Recommendation

Recommendation:

That: Council approves the Consent Agenda Items as recommended.

7.3 Items Removed to be Dealt with Separately

8. Planning and Development Services

8.1 Presentations and Delegations

8.2 Reports

73 - 95 **PDS-30-2020** Proposed Draft Plan of Common Elements Condominium - South Coast Village Phase 3 – 0-15199 Ridgeway Road - Marz Homes (Crystal Beach Inc.) c/o Dan Gabriele (Owner) - Steven Fraser, A.J. Clarke (Agent)

Recommendation:

That: Council receives for information purposes Report No. PDS-30-2020, regarding the South Coast Phase 3, Plan of Common Elements Condominium dated March 18, 2020 comprising of a condominium road, access and maintenance, landscaping, outdoor recreational area, club house and 48 visitor parking spaces for a 73 unit residential development located on a parcel on land legally described as Block 2, Registered Plan 59M-430.
PDS-30-2020 South Coast Condominiums Information Report

96 - 124 **PDS-31-2020** Proposed Draft Plan of Standard (Phased) Condominium - BrydgeView Townhouses Phase 2 - 0 Albany Street - 1639875 Ontario Ltd, c/o Frank Qui (Owner) - Jay McGuffin, Monteith Brown Planning (Agent)

Recommendation:

That: Council receives for information purposes Report No. PDS-31-2020, regarding the Brydgeview Townhouses Phase 2, Plan of Standard (Phased) Condominium dated January 31, 2020 showing 6 townhouse blocks, containing 26 townhouse dwelling units as shown in Appendix "2".
PDS-31-2020 Brydgeview Condominiums Information Report-REVISED

125 - 130 **PDS-32-2020** Award of Consulting Services for Town of Fort Erie Employment Land Expansion Study - Contract No. PDS-20P-ELES

Recommendation:

That: Council accepts and approves the proposal from WSP Canada Group Limited for Consulting Services for the preparation of the Town of Fort Erie Employment Land Expansion Study (Contract No. PDS-20P-ELES), to the upset limit of $71,735.23 (including 13% HST).
PDS-32-2020 - Award of Contract ELES

8.3 New Business/Enquiries

131 - 132 PDS-BS July 13, 2020

8.4 Business Status Report

9. Infrastructure Services

9.1 Presentations and Delegations

9.2 Reports

133 - 200 **IS-10-2020** Stevensville Road Drain - Filing of Engineer's Report, Pursuant to Section 4 of the *Drainage Act*, R.S.O. 1990 , c.D.17 ***(Postponed from March 9, 2020 Council-in-Committee Meeting - Previously Moved by Councillor Dubanow - Recommendation No. 12 and Postponed from May 4, 2020 Special Council Meeting)***

Recommendation:

That: Council accepts the new Engineer's Report for the

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Stevensville Road Drain for information purposes, and further

That: Council directs staff to continue with the legislative process in accordance with the *Drainage Act* and establish the date for the Court of Revision.
IS-10-2020 - Stevensville Rd Petition - Engineers Rpt - with Appendix
MEMO-IS-10-2020- Stevensville Road Drain

9.3 New Business/Enquiries

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IS-BSR - 13JUL20

9.4 Business Status Report

10. Corporate and Community Services

10.1 Presentations and Delegations

10.2 Reports

10.3 New Business/Enquiries

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CS-COS-FES-BSR-July13

10.4 Business Status Report

11. Scheduling of Meetings

12. Adjournment

Infrastructure Services

Prepared for	Council-in-Committee	**Report No.**	IS-26-2020
Agenda Date	July 13, 2020	**File No.**	230803

Subject

AWARD OF TENDER FOR 2020 STONE SHOULDERING – CONTRACT # ISO-20T-RPAVED20

Recommendations

THAT Council accepts the tender from D&D Trucking and Construction Service Inc. for the Stone Shouldering Program – Contract No. ISO-20T-RPAVED20 in the amount of $70,625.00 (including 13% HST).

Relation to Council's 2018-2022 Corporate Strategic Plan

Priority: **2: Effective, Sustainable Infrastructure for the Future**

Strategic Objective: Maintaining and investing in sustainable infrastructure that services the entire community and builds a strong, vibrant and attractive community

List of Stakeholders

1. Mayor and Council of the Town of Fort Erie
2. Residents of the Town of Fort Erie
3. Motoring Public within the Town of Fort Erie
4. D&D Trucking and Construction Service Inc.

Prepared by:	Reviewed by:	Approved by:
Original Signed:	*Original Signed:*	*Original Signed:*
Nic Chevalier, A.Sc.T., CRS Supervisor, Roads and Stormwater Services	Kelly Walsh, P. Eng. Director, Infrastructure Services	Tom Kuchyt, CET Chief Administrative Officer
Original Signed: George Stojanovic, P.Eng. Manager, Roads & Fleet Division		

Purpose of Report

The purpose of this report is to request Council's approval to award the 2020 Stone Shouldering contract to D&D Trucking and Construction Service Inc. of Wainfleet, Ontario at a total upset limit of $70,625.00 inclusive of H.S.T.

Analysis

The Stone Shouldering tender is issued annually to complete granular shouldering of hot mixed asphalt and surface treated roads throughout the town to maintain the structural integrity of the pavement edge, provide proper drainage from the road surface to the roadside ditches and to address shoulder drop-offs.

Table 1: Stone Shouldering Location List

ISO-20T-RPAVED20 – Stone Shouldering Location List			
Road Name	**From**	**To**	**Side**
Concession Road	Gilmore Road	Bertie Street	Both Sides
Pettit Road	Bridge Street	Gilmore Road	Both Sides
Thompson Road	Phipps Street	Marked Limit	Both Sides
Stonemill Road	Dominion Road	Thunder Bay Road	Both Sides
Centralia Avenue	Bethune Avenue	Dominion Road	Both Sides
Centralia Avenue	Dominion Road	Nigh Road	Both Sides
Nigh Road	Centralia Avenue	Stonemill Road	Both Sides
Nigh Road	Stonemill Road	Rosehill Road	Both Sides

This tender call was posted on the Town's Biddingo landing page and the Town website, pursuant to the Town of Fort Erie Purchasing By-Law. The bid opportunity

closed on June 18th, 2020 at 2:00 p.m. One (1) submission was received and publicly opened via teleconference.

Staff reviewed the tender and no arithmetical errors were found.

Table 2: Tender Summary

ISO-20T-RPAVED20 – Submitted Tender		
Contractor	**Tender Price (incl. 13% HST)**	**Tender Price (Net of Non-Rebated HST)**
D&D Trucking and Construction Service Inc.	$104,807.50	$94,382.40

Financial/Staffing Implications

In the 2020 Operating Budget, Council approved the allocation of $62,500 for the 2020 Stone Shouldering contract.

Table 3: Total Estimated Contract Cost (RPAVED)

Contract Component	Cost
2020 Stone Shouldering Contract Price (ISO-20T-RPAVED)	$94,382.40

All amounts include non-rebated HST

Table 4: Available Funding Source

Funding Source	Funds
2020 Stone Shouldering Operating Budget (OJ-32500-RPAVED)	$62,500

All amounts include non-rebated HST

Table 5: Project Variance

Total Project Cost		Total Budget Funds	Variance
Tender	$94,382.40	$62,500	($31,882.40)
Revised Contract Cost	$62,500	$62,500	$0

All amounts include non-rebated HST

The tender submission amount of $94,382.40 will result in an unfavourable variance of ($31,882.40). Staff entered into negotiations with the D&D Trucking and Construction Service Inc. however the contractor was not able to provide reduced pricing. During the negotiations, the contractor identified that unit prices submitted were higher than anticipated due to the contractor having to mobilize at numerous locations to complete the work.

As such, the original tendered quantity for Granular ‘M” stone will be reduced to remain within the 2020 budget allocation. The contractor was been advised of such and is amendable to the reduced quantity. The total award for this contract has been set to $62,500, the total budget upset limit for this project. Approximately 2,000 tonnes of

Granular ‘M” will be utilised to complete the program this year and Table 1 above indicates the locations for the 2020 shouldering program given the reduced tonnage.

Upon completion of the 2020 program, staff will review the budget line item for stone shouldering as part of the 2021 budget process in order to determine if stone shouldering budget amounts should be increased annually as part of a best practise regime for road maintenance.

Policies Affecting Proposal

Stone shouldering is an important operation to ensure the safety of the motoring public and to maintain the integrity of the road structure.

The tendering process adhered to the provisions of the Town of Fort Erie’s purchasing and tendering policy By-Law No. 2-10. Both the tender and this report were prepared in collaboration with the Manager, Procurement, Finance & Risk.

Staff will ensure that the Contractor adheres to the Town of Fort Erie Health and Safety Regulations and Procedures, The Occupational Health and Safety Act, and the Uniform Manual for Traffic Control & Devices – Temporary Conditions – Book 7.

Comments from Relevant Departments/Community and Corporate Partners

Comments from relevant departments have been incorporated into this report.

Communicating Results

The commencement of stone shouldering will be announced on the Town of Fort Erie website near the start date.

Alternatives

Council has the option of not authorizing the award of this contract and cancelling the work. This option is not recommended by staff as the contract funds have been approved and the work is required to maintain the safety and integrity of the road structure.

Council has a second option of awarding the contract at the submitted bid amount. This would result in the budget for the project being exceeded by $31,882.40.

Council also has the option to award the contract at the approved level of funding and direct staff to proceed with the work within the allocated budget based on the reduced scope.

To keep project costs within budget staff recommend reducing the scope of the project to keep costs within budget, however should Council wish, Council may instead choose to accept the bid as received and complete the project as tendered and exceed the project budget by $31,882.40.

Conclusion

It is recommended that Council award the contract for Stone Shouldering for 2020 to D&D Trucking and Construction Service Inc. in the amount of $70,625.00 (including 13% H.S.T.) based on the 2020 budget and their proven experience with the Town of Fort Erie.

Attachments

N/A

Infrastructure Services

Prepared for	Council-in-Committee	**Report No.**	IS-27-2020
Agenda Date	July 13, 2020	**File No.**	210101

Subject

TOWN OF FORT ERIE ASSET MANAGEMENT PLAN IMPLEMENTATION UPDATE

Recommendations

THAT Council receives Report No. IS-27-2020for information purposes; and

THAT Council directs staff to receive Report No. IS-27-2020 for future budget consideration.

Relation to Council's 2018-2022 Corporate Strategic Plan

Priority: 2. Sustainable Infrastructure for the Future

Goal: Maintaining and investing in sustainable infrastructure that serves the entire community and builds a strong, vibrant and attractive community.

Initiative: 2.1 Advocate for funding & infrastructure investments from other levels of government public and private sector.

2.2 Update Town's 10-year capital forecast (recurring capital, Asset Management Plan, Master Plans, Development Charge investments, etc.)

2.3 Capital investment plan to include strategic infrastructure investments that support employment lands, industrial growth and improved competitiveness

List of Stakeholders

1) Mayor and Council of the Town of Fort Erie
2) The Ratepayers of the Town of Fort Erie

Prepared by:	Submitted by:	Approved by:
Original Signed:	*Original Signed:*	*Original Signed:*
Michelle Moore, CET, Project Manager Asset Management, Infrastructure Services	Kelly Walsh, P.Eng., Director, Infrastructure Services	Tom Kuchyt, CET Chief Administrative Officer

Purpose of Report

The purpose of this report is to provide Council with an update of the Asset Management Plan implementation progress as part of the Town's 2018-2022 Corporate Strategic Plan and to meet Ontario Regulation 588/17.

Analysis

Enacted in late 2017, O. Reg. 588/17: Asset Management Planning for Municipal Infrastructure (Link to 588/17) made under the Infrastructure for Jobs and Prosperity Act, 2015, stipulated that each municipality over a population of 25,000 is to develop an Asset Management Policy and Plan for their core infrastructure.

From this we were directed to prepare a Strategic Asset Management Policy by July 1, 2019. We are also required to produce a Phased Strategic Asset Management Plan as follows:

- Phase I: Involves core assets such as Water, Wastewater, Stormwater, Roads Bridges and Culverts by July 1, 2021 (Goal met July 2019);
- Phase II: Involves ALL Municipal Assets by July 1, 2023;
- Phase III: Involves proposed levels of service and lifecycle management and financial strategy by July 1, 2024.

The Plan must be reviewed and updated at least every 5 years.

Approval of the Asset Management Plan and its implementation allows the Town to demonstrate conformance to regulation under the Infrastructure for Jobs and Prosperity Act, 2015.

Asset Management Plan, Implementation and Progress

2018

GM BluePlan (GMBP) was retained (report IS-27-2018) to complete the requirements to develop a new asset management plan and policy on the Town's behalf for the core asset group as outlined in O. Reg. 588/17 (roads, bridges, water, wastewater and storm water) plus facilities.

- These group of assets (with the exception of stormwater) had master plans (or similar) completed that included life cycle costing information.

2019

In April, through report IS-14-2019, Council adopted a new Asset Management (AM) Policy and Strategy as the founding pieces of a new way forward in looking after our assets. This will allow us to:

- Develop Community and Technical Levels of Service for each asset group;
- Compile condition data;
- Determine the state of the infrastructure;
- Develop a financial strategy to meet the short and long-term desired levels of service;

- Determine staffing and software needs to properly undertake a new way of managing our assets.

Subsequently, in July 2019 the Asset Management Plan (AMP) was finalized and through report IS-21-2019, Council received the report and its recommendations.

2020

The Federation of Canadian Municipalities (FCM) Municipal Asset Management Program – This grant application program is an eight-year, $110-million program funded by Infrastructure Canada to support Canadian municipalities and communities in making informed infrastructure investment decisions based on stronger asset management practices. The Town has applied for a $50,000 grant fund to support our Storm Sewer CCTV Inspection and Flushing program. As a requirement to apply, the FCM's Asset Management Readiness Scale must be completed.

- **Asset Management Readiness Scale (Appendix 1)** – The FCM's Asset Management Readiness Scale tool helps local governments measure progress on asset management in five competency areas. Together, the five building blocks form the practice of asset management. The Town has completed this assessment in 2018 as well as in 2020. The results align with where the Town is in our asset management plan implementation process. It also demonstrates the improvements to our asset management practices. The current and future initiatives outlined in this report will contribute to improvements in our competencies with the goal being at a Level 5 in all. The results are;

    - 2018 Readiness Assessments were:
        a. Policy and governance – **Pre-Level 1**
        b. People and leadership – **Pre-Level 1**
        c. Data and information – **Level 1**
        d. Planning and decision-making – **Level 2**
        e. Contribution to asset management practice – **Level 2**
    - 2020 Readiness Assessments are:
        a. Policy and governance – **Level 3**
        b. People and leadership – **Level 4**
        c. Data and information – **Level 2**
        d. Planning and decision-making – **Level 4**
        e. Contribution to asset management practice – **Level 2**

The Asset Management Steering Committee – Asset Management is not a singular responsibility and requires acceptance and involvement of the whole organization to be accomplished. The Asset Management Steering Committee (AMSC) has been established by the CAO to ensure that the Town's asset management practices support its strategic plan objectives and are consistent with international asset management best practices and are following legislative requirements. Every Department is represented and a draft term of reference (Appendix 2) has been developed. The terms of reference (Appendix 2) reflect the steering committee's role in asset management within the Town. This has been done in order to support future asset management initiatives including but not limited to, corporate philosophy and strategy, business processes and improvements, software tools, and sustainable asset management

practices. The steering committee has met twice and minutes of the meetings have been recorded.

Data Management and Business Process Improvement initiatives are underway for the implementation of the AMP and are as follows;

- **Decision Support System** – As part of the AMP, the Town has procured from GM BluePlan (GMBP), a non-proprietary Decision Support System (DSS) and financial tool for base functionality with respect to the creation and bundling of projects and programs for budgeting purposes. An analysis of several scenarios was completed to forecast the Town's infrastructure needs. The results helped determine some of the required expenditures needed to remedy any deficits found, these results were included in the AMP. This tool allows for scenario and risk analysis on a macro-asset class scale as a result of proposed and actual changes to funding levels. This tool will help to provide guidance on infrastructure investments. Currently migration of the tool is underway with the expectation that it will be in the Town's possession by July 11th, 2020. In addition to the migration of the DSS to our database platform, GMBP will augment the current documentation and provide training for staff (both end user and system administrator) and also provide on-going support for the system.

- **Development and Population of Centralized Asset Data Register** – This initiative involves the aggregation, centralization and consolidation of the core asset inventory attributes and spatial information into one accessible source for all stakeholders and for expert systems to access. Prior to its development, we require data clean-up and gap analysis to ensure we are capturing relevant asset details. Infrastructure Services is currently collaborating with Digital Services to build the register once the DSS is migrated to the Town's Oracle database. The timeline for completion is end of Q3 2020.

- **Tangible Capital Asset (TCA) Reporting System and Templates** – Synchronization and input of asset inventory records, acquisitions, disposal, write downs etc. between this system, engineering systems and tender results. The development of templates for external and internal service providers to populate the TCA register and provide the essential components for financial reporting within a TCA and AM environment. This has been incorporated with the Town's software review request for proposal. Timeline and costs to be determined.
- **Geographical Information system (GIS)** – This system is used to capture, Store, manipulate, analyze, manage, and present spatial or geographical data. The locations of the Town's physical linear assets are inventoried within this system. Recently, we have transitioned from a Manifold to an ESRI ArcGIS based corporate GIS framework. ESRI ArcGIS is licensed in partnership with Niagara Region and other local area municipalities and has many capabilities for handling our data. Currently we are working on data cleansing, and inventory verification to ensure that we are capturing all the required data and formats for our linear assets including roads and underground infrastructure. This would ensure our data is in line with municipal and industry standards.

- **Closed Circuit Television Video Program** – As reported in our AMP, our wastewater and storm water systems condition information are lacking in data. The Town has begun intensive wastewater system (storm and sanitary pipe) investigations using CCTV inspections to analyse and digitally record condition information. The data gathered will also inform the Town's geographic information system (GIS) and asset register.

  The creation of a database is underway and additional storage has been procured for housing the data. Work is also underway to migrate prior relevant CCTV data to the database. This data will provide us with "data confidence" to more accurately plan maintenance and capital activities for the storm and sanitary sewers based on actual condition information versus aged based analysis. It is strongly advised to continue to fund both sanitary and storm CCTV programs annually until we have captured our entire system and then cyclically on a best practice basis. Timing is for implementation in Q3 of 2020.

Table1 - Infrastructure Report Card

Infrastructure Report Card

Service Category	Performance Data	Confidence in Performance Data
Roads & ROW	Condition	High ✓
Water	Break-based	Medium –
Wastewater	Age-based	Low ✗
Stormwater	Age-based	Low ✗
Bridges & Structures	Condition	High ✓
Facilities Management	Condition	High ✓

FORT ERIE BluePlan

- **Business Process Mapping and Software needs** – The information provided by this initiative will aid us in defining and consolidating requirements in order to develop software functional specifications. This is accomplished by 'mapping" the processes within each department. The intent is to understand each department's "current state" for software and technology in order to map a "future state" that promotes departmental alignment. This process mapping identifies what is being done and the system used to record each task. From this, a Functional Needs specification document is created that defines the full business needs.
  Knowing the departmental business needs and any associated software requirements of all the stakeholders is essential prior to the introduction of any software to ensure that it provides value to the Town. Currently, most of the division (Water-Wastewater, Roads and Fleet and Engineering) within Infrastructure Services is mapped, with work underway to complete the remaining departments. A cross functional team with representatives of each

department has been assembled to assist with collecting the data and processes. This task requires a great deal of staff effort in terms of their time and attention. Every effort is being made to complete this key initiative by Q4 of 2020.

- **Corporate Maintenance Management Work Order System (MMWS)** – The development of the functional needs specification document (referred to above) for Infrastructure Services is also underway (Water-wastewater, Roads and Fleet). The information in this document will provide the scope requirements for the procurement of a MMWS. This type of system ties in work to specific assets in order to capture and analyze the operation and maintenance expenditures on these assets across the corporation. Further, it supports the population of many advanced metrics in the Level of Service Frameworks. The approach prior to procurement is phased as we are ensuring that we capture all Infrastructure Services' needs prior to going to market. There are many systems available in the marketplace. Timing is estimated for procurement and implementation by Q2 of 2022.

- **Asset Management Education and Awareness** – It is important that asset management is a part of the culture of the corporation. A connection must be established with the various activities within each department back to the policy and strategy. Awareness and knowledge of our plan is a key component to buy-in from all our stakeholders including council, staff and the public. Knowledge assures that the decision-making processes will be aligned. As seen in the FCM Readiness Scale one of the competencies is the contribution to asset management practice. This requires that municipalities train, communicate and share their knowledge of asset management practices. Development is underway to roll out awareness corporation-wide in order to reach as many staff as possible and to share the Town's asset management plan and its implementation.

Future Initiatives 2021-2024

In order to meet the regulatory deadlines, the following initiatives will need to be implemented.

- Corporate Maintenance Management Work Order System (MMWS) Consultation and Procurement;
- Ongoing Sanitary and Storm Assessments, CCTV program rollout. Once data collection has been completed for the stormwater system, a stormwater hydraulic model will be created to determine the resiliency of the stormwater network and any associated costs. This will support the Town in our efforts to be incompliance with O. Reg. 588/17;
- Asset Management Software Masterplan including requirements for an Asset Management Dashboard. This will improve our line of sight with all relevant departments. Integration of the various Asset Management Tools such as CCTV database (Underground Infrastructure), FIIX (Facilities Tools), DOT (Decision Optimization Tool for our Roads Network) as well as the ability to incorporate the Town's Risk Register and various Asset Management Decision Making Tools.

- Continuous update of the Asset Management Strategy and Policy as well as incorporation of all other assets in the established timelines as required by O. Reg. 588/17.
- Conduct Risk Assessment that includes all assets and append the Asset Management plan accordingly.
- Addition of all assets (including Fire and Emergency Services, Corporate Services, Community Services, Planning and Development Services and Facilities) to the asset register.

Financial/Staffing and Accessibility (AODA) Implications

The needs and ongoing endeavours do not come without a cost. Below are estimate:

Table 2 – Estimated Costs to 2024

Initiative	Cost	Year
Consideration based on the recommendations from the Software review including Corporate Maintenance Management Work Order System (MMWS), Tangible Capital Asset Reporting System and Templates, Asset Management Dashboard and related alignment tools.	$600K - $1M	2021-2024
Studies for the inclusion of assets not currently in the AMP. (Fire, Digital Services and Parks)	$150K	2023
AMP update and reporting 2021, 2023 and 2024.	$25K -$30K / year	2021-2024

In addition, the following will be required for ongoing implementation.

- Required changes to the collection of data, it's schema and how we track assets;
- Considerations to minimize or reduce barriers are an underlying component of the Asset Management Plan. Accessibility impacts, in relation to the AODA, will be considered while making decisions and recommendations within the asset management plan.

Policies Affecting Update

By-law No. 124-2019 adopted Council's 2018-2022 Corporate Strategic Plan. This includes maintaining and investing in sustainable infrastructure that serves the entire community and builds a strong, vibrant and attractive community.

By-law No. 78-2019 adopted the Asset Management Policy that includes the Ontario Regulation 588/17 made under the Infrastructure for Jobs and Prosperity Act, 2017 – Asset Management Planning for Municipal Infrastructure.

Comments from Relevant Departments/Community and Corporate Partners

Staff from Infrastructure Services and Corporate Services have been instrumental in the development of the documents. Comments from the Asset Management Steering Committee and other relevant departments have been included in this report.

Communicating Results

The Asset Management Plan implementation update when approved will be included in the corporate training and awareness roll out across the corporation to all staff.

Alternatives

Council has the option to suggest modifications to parts of the plan implementation as they see fit. Significant amounts of thought have gone into the development of the documents and changes to them may put the Town out of compliance with the Regulation.

Conclusion

Developed as part of the Town's requirements to meet Ontario Regulation 588/17, the Plan and its implementation will outline progression towards corporate alignment and will manage the Town's infrastructure requirements. These actions will form the foundation of our planning requirements going forward.

Attachments

Appendix '1' – Town of Fort Erie Asset Management Readiness Scale
Appendix '2' – Asset Management Steering Committee Terms of Reference

Asset Management Readiness Scale Assessment Tool

FEDERATION OF CANADIAN MUNICIPALITIES FÉDÉRATION CANADIENNE DES MUNICIPALITÉS

Introduction and Instructions

FCM's Asset Management Readiness Scale (AMRS) helps municipalities measure progress on asset management in five competency areas. It can also be used to identify priority areas for a community when it comes to its asset management practices. Each of the five competencies is a building block, composed of three outcome areas. Together, the five building blocks form the practice of asset management. The AMRS is also a key tool that is used to track progress by FCM and is central to demonstrating results and successes of the Municipal Asset Management Program (MAMP).

Please note that the AMRS is meant to measure the readiness of your community by competency across all asset classes (e.g. water, wastewater, buildings, roads, bridges, storm water, etc.). It is possible that your asset management practices are very advanced in one asset class and less so in another. The overall rating should reflect the less advanced asset classes.

These instructions focus on how to use this Excel Asset Management Readiness Assessment Tool (Tool). **We strongly encourage you to read the AMRS (see link below) prior to completing this assessment and keep the document on hand as you work through this Tool, which can be found at the following link.**

Asset Management Readiness Scale

You may also find it helpful to watch the following webinar which provides additional guidance on how to use the AMRS.

Assessing your community using FCM's Asset Management Readiness Scale

The Tool is organized as follows:

1. Introduction and Instructions
2. Organization Information (OrgInfo)
3. Readiness Assessments (1 tab for each of the 5 competencies)
   a. Policy and governance (Policy-gov)
   b. People and leadership (People-lead)
   c. Data and information (Data-info)
   d. Planning and decision-making (Plan-decision)
   e. Contribution to asset management practice (Contrib-AM)

Note that the competency tabs can be completed in any order.

Organization Information

Before starting your assessment, ensure that the Organization Information tab is complete.

Competencies

Note that the following instructions apply to each of the five competency tabs. Each competency is separate from the others and can be completed in any order.

Outcome areas – current level of achievement

Each of the competencies has three outcome areas and each outcome area has five levels. First, select the outcomes your organization has already achieved starting at level 1, by clicking on the checkboxes to the left of each statement. You must meet all the requirements of each outcome area level in order for the Tool to reflect that level of competency. It is possible that you have not met some or any of the outcome area levels - in these cases, do not click on any of the checkboxes.

Once you have completed the checkboxes for an outcome area, use the text box to provide information on current actions your organization is taking or has taken in this specific outcome area to achieve your stated level. Please note that including information in this section is required as it will provide FCM more detail on your organization's current state of asset management maturity, and better understand your project and how it is intended to help you progress along the scale.

Note: To make multiple bullet points or separate paragraphs in an Excel comment box, press Alt+Enter while typing in the comment box to start a new line.

Once you have completed the current state for an outcome area of a competency, the Tool will automatically calculate the readiness level for that outcome. Once the current states for all three outcome areas of a competency are completed, the Tool will automatically calculate an overall readiness level for the competency.

Outcome areas – future level of achievement

After you have completed the current state for all three outcome areas, you can then proceed to the expected future state assessment. For each outcome area, please select the level you expect your organization will achieve at project completion by using the dropdown box. Please only consider the change that would be a direct result of your project at the time the project is completed.

Below the dropdown box is a text box for you to provide information on how your project activities will result in your expected future level. Please note that this section is required - the information you provide is critical for FCM to fully understand your proposed project. Please make a direct link between the project activities to be undertaken and the expected future state. For those outcomes that are not affected by your project activities, please enter: "no anticipated impact".

Once you have completed the expected future state for all three outcome areas, the scale will automatically calculate the future state overall rating for the competency.

This process must be repeated for each competency.

Once you have completed the form, please save and include in your application.

This Excel AMRS Tool was developed with support from the Canadian Network of Asset Managers (CNAM).

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Asset Management Readiness Scale Assessment Tool

FEDERATION OF CANADIAN MUNICIPALITIES | FÉDÉRATION CANADIENNE DES MUNICIPALITÉS

Organization Information

Name of Lead Applicant	The Corporation of the Town of Fort Erie
Province/Territory (select form dropdown)	Ontario
Project Title	Town of Fort Erie 2020 Storm CCTV Inspection and Flushing Program
Project Number (for FCM use only)	for FCM use only

Asset Management Readiness Scale Assessment Tool

Policy and governance

FCM FEDERATION OF CANADIAN MUNICIPALITIES FÉDÉRATION CANADIENNE DES MUNICIPALITÉS

Policy and governance: By developing this competency, your organization is putting in place policies and objectives related to asset management (AM), bringing those policies to life through a strategy and roadmap, and then measuring progress and monitoring implementation over time.

Note: To achieve each level, you must meet every requirement of each level before it.

Current State

	Outcomes: Select the outcomes that your organization has achieved.									
Outcome areas		**Level 1**		**Level 2**		**Level 3**		**Level 4**		**Level 5**
A: Policy and Objectives	☑	Senior management is committed to formalizing an **AM program**.	☑ ☑	We have drafted an **AM policy**. Senior management and council have endorsed the **AM policy**.	☑	We are starting to use our **AM policy** to guide our actions.	☑	We manage assets and services in accordance with our **AM policy** and organizational objectives.	☑	We continue to validate and refine our corporate, service and AM objectives based on the evolving needs of our community.
Please provide notes that describe how you have achieved your current level	The Town of Fort Erie's Asset Management Policy and Strategy Report was adopted with By-law No. 78-2019 on May 21, 2019. IS-21-2019 - Asset Management Plan - Final was adopted on July 8th, 2019. Implementation of the AMP is currently underway.									

Expected Future State

Current (from left)	**Expected**	
5	**Select the level you expect to achieve at the end of this project**	**No anticipated change**

Please provide information about how your project activities will help you achieve your expected future state

Implementation of the Policy and Plan are underway. Project activities will help fill the data gaps as reported to Council. Asset Condition Data will be used to manage our assets according to the plans laid out in our policy.

Asset Management Readiness Scale Assessment Tool

Policy and governance

FCM FEDERATION OF CANADIAN MUNICIPALITIES FÉDÉRATION CANADIENNE DES MUNICIPALITÉS

Current State

	Outcomes: Select the outcomes that your organization has achieved.									
Outcome areas		**Level 1**		**Level 2**		**Level 3**		**Level 4**		**Level 5**
B: Strategy and Roadmap	☑	We have identified the benefits that we want AM to deliver, and the benefits support organizational objectives.	☑	We have a strategy for our **AM program**.	☑	We have a **roadmap** that details the actions for implementing our **AM strategy** over the next 3 to 5 years.	☐	We are achieving our **AM policy** objectives. The necessary workflows, documents, and reporting tools are in place.	☐	We follow our **roadmap** and continually improve our AM practices.
			☑	We have a draft **roadmap** that outlines our approach for the next 1 to 3 years.			☑	We update our **roadmap** to address evolving needs.	☐	We document improvements to our AM practices.
Please provide notes that describe how you have achieved your current level	Our AMP outlines a 5 year roadmap and strategy to address the following; Defining our Data structure, Customer Complaint Protocol, CCTV Program Development & Data Capture (Wastewater Collection & Stormwater Collection), Condition Assessment Program & Data Capture (Water Distribution), Inventory and Assessment of Sub-Asset Categories, Ongoing Data Capture & Information Updates.									

Expected Future State

Current (from left)		**Expected**
3	**Select the level you expect to achieve at the end of this project**	**4**

Please provide information about how your project activities will help you achieve your expected future state

Project activities will assist with providing the needed data as outlined in our Roadmap to take us to the next level in incorporating the actual data to make more accurate informed decisions.

Asset Management Readiness Scale Assessment Tool

Policy and governance

FCM FEDERATION OF CANADIAN MUNICIPALITIES FÉDÉRATION CANADIENNE DES MUNICIPALITÉS

Current State

	Outcomes: Select the outcomes that your organization has achieved.									
Outcome areas		**Level 1**		**Level 2**		**Level 3**		**Level 4**		**Level 5**
C: Measurement and Monitoring	☑	We have identified short-term actions that will demonstrate early progress on AM.	☑	We are collecting baseline data on our current AM practices.	☑	We have established performance measures to monitor our asset management progress, outcomes, and the benefits to our community.	☑	We use performance measures to monitor AM progress, outcomes, and benefits.	☐	We monitor performance and use the feedback to prioritize and make ongoing refinements and improvements to AM practices.
Please provide notes that describe how you have achieved your current level	We have established LOS tables that provide two types of Performance Measures: Customer and Technical. A process is in place to improve, adapt and tweak asset management processes, which includes responsibilities to stay current in asset management, adopt new practices, monitor the effectiveness of the AMP, and make changes.									

Readiness level (automatic)	**Working on Level 1**	**Completed Level 1**	**Completed Level 2**	**Completed Level 3**	**Completed Level 4**	**Completed Level 5**
		☑	☑	☑		

Expected Future State

Current (from left)		**Expected**
4	**Select the level you expect to achieve at the end of this project.**	**5**

Please provide information about how your project activities will help you achieve your expected future state

This project will provide the required data to assist with Identification and implementation of performance measures to monitor our AM program progress.

Expected State
Level 4

Asset Management Readiness Scale Assessment Tool

People and leadership

FCM FEDERATION OF CANADIAN MUNICIPALITIES FÉDÉRATION CANADIENNE DES MUNICIPALITÉS

People and leadership: By developing this competency, your organization is setting up cross-functional teams with clear accountability and ensuring adequate resourcing and commitment from senior management and elected officials to advance asset management.

Note: To achieve each level, you must meet every requirement of each level before it.

Current State

	Outcomes: Select the outcomes that your organization has achieved.									
Outcome areas		**Level 1**		**Level 2**		**Level 3**		**Level 4**		**Level 5**
A: Cross-functional Teams	☑	We have identified the representation we need on our cross-functional **AM team.**	☑	We have a cross-functional **AM team*** that guides the planning and implementation of our **AM program.**	☑	Our **AM team*** works within our organization to lead, communicate, and support AM improvements and organizational changes.	☑	Our **AM team*** is permanent and tasked with guiding and supporting AM across the organization on an ongoing basis.	☑	Our **AM team*** guides and supports the ongoing improvement of AM within the organization
Please provide notes that describe how you have achieved your current level	We have hired a Project Manager Asset Management as well as established an Asset Management Steering Committee. The Steering Committee comprises of the Department Directors, Managers and the CAO. The steering committee will provide direction and expedited decision making for all AM initiatives. Additionally, an Asset Management cross functional team has been identified to support ongoing initiatives related to AM such as business process mapping and data collection.									

***Note: Larger organizations may have both an AM team responsible for implementation and an AM steering committee to provide direction and oversee the work. Smaller organizations may group these functions together. This outcome may be better suited to an AM team or an AM steering committee, depending on the organization. In some small communities the AM team may be as few as two people.**

Expected Future State

Current (from left)		**Expected**
5	**Select the level you expect to achieve at the end of this project**	**No anticipated change**

Please provide information about how your project activities will help you achieve your expected future state

The Town has Identified various ways to communicate progress on AM to the organization. The AM steering committee and team are taking a leadership role in this endeavour.

Asset Management Readiness Scale Assessment Tool

People and leadership

FCM FEDERATION OF CANADIAN MUNICIPALITIES | FÉDÉRATION CANADIENNE DES MUNICIPALITÉS

Current State

Outcome areas	Outcomes: Select the outcomes that your organization has achieved.									
		Level 1		Level 2		Level 3		Level 4		Level 5
B: Accountability	☑	We have a champion who has been tasked with planning for our **AM program.**	☑	Our **AM team*** has a documented mandate to develop our **AM program**, which is outlined in a terms of reference and a one- to three-year **roadmap.**	☑	Our **AM team*** is accountable for implementing our **AM program.**	☑	We have operationalized AM roles and responsibilities across our organization.	☐	We document changes to AM roles and responsibilities as needed to support our evolving requirements.
			☑	Our **AM team** is accountable to senior management and council.	☑	AM roles and responsibilities are included in staff job descriptions.				
Please provide notes that describe how you have achieved your current level	As indicated above, The AMP Team (which includes our Steering Committee and PM AM) have established a Terms of reference that outlines accountability to the AMP. The Steering Committee comprises of the CAO, Department Directors and Managers. They are responsible for making asset recommendations related to their assigned portfolio. The Committee also includes The Director of Corporate Services who is responsible for working with the Asset Management Lead and AMP outcomes, to ensure the financial budgets and long term financial plan are aligned with the asset forecasts and Levels of Service.									

Expected Future State

Current (from left)	Expected	
4	**Select the level you expect to achieve at the end of this project**	**No anticipated change**

Please provide information about how your project activities will help you achieve your expected future state

Documentation of AM roles and responsibilities will evolve over time and will be updated as needed.

Asset Management Readiness Scale Assessment Tool

People and leadership

FCM FEDERATION OF CANADIAN MUNICIPALITIES FÉDÉRATION CANADIENNE DES MUNICIPALITÉS

Current State

	Outcomes: Select the outcomes that your organization has achieved.									
Outcome areas		**Level 1**		**Level 2**		**Level 3**		**Level 4**		**Level 5**
C: Resourcing and Commitment	☑	Council knows that resources must be dedicated to exploring the requirements for **AM** and for drafting an **AM roadmap.**	☑	Council demonstrates buy-in and support for AM and allocates resources (funding or staff time) to further develop the **AM program.**	☑	Council champions AM as a core business function and has approved funding to continue **AM roadmap** activities.	☑	Council funds ongoing AM monitoring and enhancement.	☑	The **AM team** measures and monitors progress.
									☑	Council demonstrates commitment to ongoing improvement of AM practices.
Please provide notes that describe how you have achieved your current level	As defined in our Strategic Asset Management Policy, Council and Committee is responsible for ensuring resources are provided to staff to ensure the Asset Management Policy and Plan are established and maintained.									

Readiness level (automatic)	**Working on Level 1**	**Completed Level 1**	**Completed Level 2**	**Completed Level 3**	**Completed Level 4**	**Completed Level 5**
		☑	☑	☑	☑	

Expected Future State

Current (from left)	**Expected**	
5	**Select the level you expect to achieve at the end of this project**	**No anticipated change**

Please provide information about how your project activities will help you achieve your expected future state

Expected State
Level 4

Asset Management Readiness Scale Assessment Tool

Data and information

FCM FEDERATION OF CANADIAN MUNICIPALITIES | FÉDÉRATION CANADIENNE DES MUNICIPALITÉS

Data and information: By developing this competency, your organization is collecting and using asset data, performance data and financial information to support effective asset management planning and decision-making.

Note: To achieve each level, you must meet every requirement of each level before it.

Current State

	Outcomes: Select the outcomes that your organization has achieved.									
Outcome areas		**Level 1**		**Level 2**		**Level 3**		**Level 4**		**Level 5**
A: Asset Data	☑	We have **asset inventory data,** including approximate quantities of assets within most asset groups.	☑	We have a **basic inventory** of most **critical assets**, including information on general asset properties such as size, material, location and installation date.	☑	We have a consolidated, **basic inventory** of all assets.	☑	We have expanded **inventory** data for some assets.	☐	We have expanded **inventory data** for most assets.
					☑	We have defined life cycle investment requirements for **critical assets**.				
	☑	We have some anecdotal information on asset condition. Some age information exists.	☑	We are moving our data to a centralized location for use by the **AM team** (note: this does not require AM software).	☑	We have standardized condition rating systems defined for most asset groups.	☑	We have evaluated the life cycle investment requirements associated with **critical assets.**	☑	We have evaluated the life cycle investment requirements associated with most assets.
			☑	We have defined **critical assets** and have some information on asset condition for these assets.	☑	We have asset condition information on all **critical assets.**	☐	We update data according to cycles defined in our **AM plans** or **strategy.**		
Please provide notes that describe how you have achieved your current level	Asset Data is a work in progress. Work is currently underway to establish our Asset Register with a Decision Support System. We are also commencing the collection of condition data where identified data gaps in our data information are evident. The current strategy is to inspect and collect storm, sewers, watermain and road data (critical assets). We have conducted background data review and gap analysis, identified data gaps, discrepancies, and are in the process of augmenting asset information where data gaps exist into the asset register.									

Expected Future State

Current (from left)		**Expected**
3	**Select the level you expect to achieve at the end of this project**	**3**

Please provide information about how your project activities will help you achieve your expected future state

This project will provide required condition data through inspection that will provide more robust and detailed information to expand our inventory and asset register.

Asset Management Readiness Scale Assessment Tool

Data and information

FCM FEDERATION OF CANADIAN MUNICIPALITIES FÉDÉRATION CANADIENNE DES MUNICIPALITÉS

Current State

	Outcomes: Select the outcomes that your organization has achieved.									
Outcome areas		**Level 1**		**Level 2**		**Level 3**		**Level 4**		**Level 5**
B: Performance Data	☑	We have informal or anecdotal approaches for measuring asset or service performance.	☑	We have some information on performance of **critical assets**, collected from a variety of sources.	☑	We have defined **level of service** measurements for some service areas.	☑	We have defined **level of service** measurements for critical service areas.	☑	We have defined **level of service** measurements for most or all service areas.
					☑	We have captured data on current **level of service** performance for some service areas.	☑	We communicate the results from our **level of service** measurement program to staff and council regularly.	☑	We continually improve how we collect data on **level of service** performance.
					☑	We have reviewed service levels and asset performance with council.				
Please provide notes that describe how you have achieved your current level	We have identified our approach for data collection through prioritization of these needs within a data collection program. All relevant electronic information has been collected to-date to understand what information is available to support our AMP. The gap analysis identified gaps that would be required for reporting Levels of Service (LOS). Also we have established LOS tables for our critical assets. This was communicated via our AMP report to Council. We will continue to report to Council (next will be July 1st, 2020) and will include our reviewed LOS strategy and as well as asset information.									

Expected Future State

Current (from left)		**Expected**
5	**Select the level you expect to achieve at the end of this project**	**5**

Please provide information about how your project activities will help you achieve your expected future state

This project will allow us to continue to provide current asset information required to give us a more accurate picture of our Asset data and also fill data gaps that will improve our levels of service identified in our AMP.

Asset Management Readiness Scale Assessment Tool

Data and information

FCM FEDERATION OF CANADIAN MUNICIPALITIES | FÉDÉRATION CANADIENNE DES MUNICIPALITÉS

Current State

Outcomes: Select the outcomes that your organization has achieved.

Outcome areas		Level 1		Level 2		Level 3		Level 4		Level 5
C: Financial Information	☑	We have **financial information** on our assets, supporting minimum PS-3150 reporting requirements.*	☑	We have major capital renewal and operating & maintenance (O&M) expenditure data for some assets.	☑	We have capital (new and renewal) and O&M expenditure data for most assets.	☐	We understand the cost of sustaining current **levels of service** for all **critical assets**	☑	We understand the trade-offs between investment and the **level of service** we deliver and use this to optimize our financial plans.
			☑	We have a strategy to link AM and **financial information**.	☐	We have linked AM and **financial information** for all **critical assets**.				
					☑	We can demonstrate the gaps between forecasted infrastructure needs and current spending levels.				
Please provide notes that describe how you have achieved your current level	A plan is underway to improve internal asset management communication (via enterprise Asset tools) to ensure that financial information is being pulled from the most current asset data. We have and are maintaining all financial information required for PS-3150 reporting. Our asset registry has captured all financial information required for capital decisions (renew, replace).									

*PS-3150 is the Public Sector Accounting Board's standard guiding the treatment of tangible capital assets.

Readiness level (automatic)	Working on Level 1	Completed Level 1	Completed Level 2	Completed Level 3	Completed Level 4	Completed Level 5
		☑	☑			

Expected Future State

Current (from left)	Expected	
2	Select the level you expect to achieve at the end of this project	No anticipated change

Please provide information about how your project activities will help you achieve your expected future state

This project will allow us to continue to provide current asset information required to give us a more accurate picture of our AM system and also fill data gaps.

Expected State
Level 2

Asset Management Readiness Scale Assessment Tool

Planning and decision-making

FCM FEDERATION OF CANADIAN MUNICIPALITIES | FÉDÉRATION CANADIENNE DES MUNICIPALITÉS

Planning and decision-making: By developing this competency, your organization is documenting and standardizing how the organization sets asset management priorities, conducts capital and operations and maintenance (O&M) planning, and decides on budgets.

Note: To achieve each level, you must meet every requirement of each level before it.

Current State

	Outcomes: Select the outcomes that your organization has achieved.									
Outcome areas		**Level 1**		**Level 2**		**Level 3**		**Level 4**		**Level 5**
A: Documentation and Standardization	☑	Our asset planning approaches vary across the orgnization.	☑	Our departments follow a similar but informal asset planning approach.	☑	We have a structured asset planning approach, but application is inconsistent.	☑	We employ a consistent structured asset planning approach for each of our **critical services.**	☐	We employ a consistent structured asset planning approach for all services.
			☑	We evaluate investment needs and priorities based on a mix of structured and ad-hoc practices and criteria.	☑	We set priorities using criteria based on organizational goals and objectives.	☑	We set priorities using criteria that are fully aligned with our organizational goals and objectives.	☐	We adapt our planning approach and criteria to align with evolving organizational goals and objectives.
Please provide notes that describe how you have achieved your current level	Initatives have commenced to document existing business processes within the organization. The asset planning approach is being standardized for critical assets with eventual adoption across the organization. There is an established capital (Asset) planning process in place. Recommendations from each department are made through this capital planning processes. Senior Management and council consider the priorities set out in the strategic plan in order to make decisions that won't create undue financial burden, environmental concerns or infrastructure instability.									

Expected Future State

Current (from left)	**Expected**	
4	**Select the level you expect to achieve at the end of this project**	**No anticipated change**

Please provide information about how your project activities will help you achieve your expected future state

It is anticipated that this project will support our current level and support adopting the planning approach across all services in the next 1-3 years.

Asset Management Readiness Scale Assessment Tool

Planning and decision-making

FCM FEDERATION OF CANADIAN MUNICIPALITIES FÉDÉRATION CANADIENNE DES MUNICIPALITÉS

Current State

Outcome areas	Outcomes: Select the outcomes that your organization has achieved.					
	Level 1	Level 2	Level 3	Level 4	Level 5
B: Asset Management Plans	☑ Our approach to asset renewal focuses on reacting to basic needs (e.g. growth, regulation and known problems).	☑ We have draft **AM plans** for some asset classes, with forecasted financial needs based on estimated data.	☑ We have **AM plans** for **critical services**, based on a mix of estimated and actual data.	☑ We have **AM plans** for most services based on actual data.	☐ We have **AM plans** for all services based on actual data.
			☑ Our **AM plans** include available information about **level of service** (current and target) and **risk** management.	☑ Our **AM plans** include basic needs forecasting and **risk** management strategies for **critical assets.**	☐ Our individual **AM plans** are integrated across services.
	☑ We evaluate priorities based on available information, staff experience, and input from council and management.		☑ Our **AM plans** identify short-term issues and priorities.	☑ Our **AM plans** are based on both short- and long-term issues and priorities. They balance short-term service objectives with longer-term goals and **risks**.	☐ Our **AM plans** include needs forecasts and **risk** management strategies for most assets. Plans address **risks** to both service and business goals
				☑ We keep our **AM plans** up to date through normal business.	
Please provide notes that describe how you have achieved your current level	Our current AMP was derived using both desk top analysis as well as actual data. At this stage we are moving towards becoming data intelligent due to the various initiatives and projects (such as the one being utilized for this funding application).				

Expected Future State

Current (from left)	Expected	
4	**Select the level you expect to achieve at the end of this project**	**No anticipated change**

Please provide information about how your project activities will help you achieve your expected future state

It is anticipated that this project will support our current level and support AMP integration across all services in the next 1-3 years. This will also add to the data deficiency within our organization

Asset Management Readiness Scale Assessment Tool

Planning and decision-making

FCM FEDERATION OF CANADIAN MUNICIPALITIES FÉDÉRATION CANADIENNE DES MUNICIPALITÉS

Current State

Outcomes: Select the outcomes that your organization has achieved.

Outcome areas	Level 1	Level 2	Level 3	Level 4	Level 5
C: Budgets and Financial Planning	☑ We prepare annual capital and operating budgets based on historical values	☑ We prepare annual capital and operating budgets based on a mix of historical values and new priorities.	☑ We prepare an annual capital budget based on an annual assessment of current needs.	☑ We prepare annual needs-based capital and operating budgets that are based on an annual assessment of **risks** and current needs.	☑ We prepare multi-year needs-based capital and operating budgets that are based on our short- and mid-term needs.
	☑ We deal with new needs reactively, as they occur.		☑ We have a 3-year **capital plan** that addresses short-term issues and priorities.	☑ We have a 5-year **capital plan*** and update it annually. ☑ We update our **long-term financial plan** (at least 10-year) annually and understand the risks associated with our investment gap.	☐ We take a structured approach to address in-cycle changes.
Please provide notes that describe how you have achieved your current level	We have employed an in house non-proprietary excel based DSS (Decision Support System) and financial tool that provides base functionality with respect to the creation and bundling of projects and programs for budgeting. The data accuracy and gaps will be further improved through continued AM initiatives within our Organization.				

***Communities may benefit from long-term capital plans that extend beyond five years to ten years or more.**

Expected Future State

Current (from left)	Expected
4	**Select the level you expect to achieve at the end of this project** → 5

Please provide information about how your project activities will help you achieve your expected future state

It is anticipated that this project will support our current level and support AMP integration across all services in the next 1-3 years. This will also add to the data deficiency within our organization

Readiness level (automatic)	Working on Level 1	Completed Level 1	Completed Level 2	Completed Level 3	Completed Level 4	Completed Level 5
		☑	☑	☑	☑	

Expected State
Level 4

Asset Management Readiness Scale Assessment Tool

Contribution to asset management practice

FCM FEDERATION OF CANADIAN MUNICIPALITIES FÉDÉRATION CANADIENNE DES MUNICIPALITÉS

Contribution to asset management practice: By developing this competency, your organization is supporting staff in asset management training, sharing knowledge internally to communicate the benefits of asset management, and participating in external knowledge sharing.

Note: To achieve each level, you must meet every requirement of each level before it.

Current State

	Outcomes: Select the outcomes that your organization has achieved.									
Outcome areas		**Level 1**		**Level 2**		**Level 3**		**Level 4**		**Level 5**
A: Training and Development	☑	Our AM training and development approach is informal and largely driven by the personal initiative of staff.	☑	Our AM training and development requirements are defined by management based on short-term needs.	☐	We provide all staff with basic AM awareness training.	☐	We define AM knowledge and skill requirements. A training plan is in place for all positions.	☑	We train select staff members as internal experts to support the ongoing development of organizational capacity.
	☑	Some staff conduct targeted research, seeking out basic information on AM concepts and techniques.	☑	Selected staff are trained on basic AM concepts.	☑	Some staff undergo training on advanced AM concepts specific to their roles and responsibilities.	☐	Council, management and staff receive role-appropriate AM training to establish needed capacity across the organization	☐	Proactive, role-based training serves as a support for career development and succession planning.
			☑	Council has opportunities to increase their understanding of AM concepts.	☑	Staff and council are able to communicate the value of AM in their own words.				
Please provide notes that describe how you have achieved your current level	Council have been presented with our AMP. Our AM training and development is based on our immediate need to grow the capacity of key staff in their current positions, primarily our AM team. Initiatives are being developed to provide ongoing awareness of both Council, Senior Management and staff.									

Expected Future State

Current (from left)		**Expected**
2	**Select the level you expect to achieve at the end of this project**	**2**

Please provide information about how your project activities will help you achieve your expected future state

This project will support our current level in this state and lend support to AMP education rollout to Senior Management and all staff. This will be implemented over the next 1-3 years.

Asset Management Readiness Scale Assessment Tool

Contribution to asset management practice

FCM FEDERATION OF CANADIAN MUNICIPALITIES | FÉDÉRATION CANADIENNE DES MUNICIPALITÉS

Current State

Outcomes: Select the outcomes that your organization has achieved.

Outcome areas		Level 1		Level 2		Level 3		Level 4		Level 5
B: Internal Communication and Knowledge Sharing	☑	We are aware of the need to mitigate the risk of losing information held in the minds of long-term staff.	☑	We mitigate the risk of losing information held in the minds of long-term staff, through improved record keeping.	☑	A culture of knowledge sharing is emerging internally, supported by official initiatives.	☑	A culture of knowledge sharing exists and is supported by a mix of formal and informal initiatives.	☐	We capture AM knowledge and it flows freely throughout the organization.
					☑	We collect and maintain AM knowledge resources.	☐	We disseminate AM knowledge resources within the organization.	☐	Staff leverage internal and industry knowledge and leading practice resources.
					☑	We communicate the benefits of AM internally to staff and council.				
Please provide notes that describe how you have achieved your current level	Initiatives are underway to formalize the various knowledge bases (by department). The goal is to link overlaping data and resources (staff and software) and to establish redundancy of asset management knowledge and information. Since our last application, improvements regarding knowledge sharing are evident. The PM Asset Management has completed a "road show" to all department Managers. The Asset Management Steering Committee has been established, a Terms of Reference has been drafted with objectives that include corporate education and training regarding Asset Management.									

Expected Future State

Current (from left)	Expected	
3	**Select the level you expect to achieve at the end of this project**	**No anticipated change**

Please provide information about how your project activities will help you achieve your expected future state

This project will support our current level and lend support to AMP education rollout to Senior Management. This will be implemented over the next 1-3 years.

Asset Management Readiness Scale Assessment Tool

Contribution to asset management practice

FCM FEDERATION OF CANADIAN MUNICIPALITIES | FÉDÉRATION CANADIENNE DES MUNICIPALITÉS

Current State

Outcomes: Select the outcomes that your organization has achieved.

Outcome areas		Level 1		Level 2		Level 3		Level 4		Level 5
C: External Communication and Knowledge Sharing	☑	We are investigating AM-related organizations and resources.	☑	Staff or elected officials attend AM-related events.	☑	We are members of one or more AM organizations and actively share our AM experience.	☐	We are actively involved in AM organizations and present at AM events.	☑	We are a thought leader on AM within the municipal sector.
							☑	We share information with our peers on our experience, innovations and lessons learned.	☑	We are active in coaching other organizations to improve the overall body of AM knowledge.
			☑	We share basic information on current capital projects with the public.	☑	We share basic information on our assets, the services we provide, and future needs with the public.	☑	We rely on the data from our **AM program** to explain decisions to the public.	☐	We communicate the benefits of AM to the public.
Please provide notes that describe how you have achieved your current level	The Town has memberships with a variety of AM organizations including, FCM, CNAM and IAM. We also are members of a Work Management Systems working group with Municipalities from all across Ontario. We are also working collaboratively to establish a community of practice group (with our neighbouring Municipalities as well as with the Niagara Region). The Project Manager AM attended the 2020 Canadian Network of Asset Managers (CNAM) virtual Conference.									

Readiness level (automatic)	Working on Level 1		Completed Level 1	Completed Level 2	Completed Level 3	Completed Level 4	Completed Level 5
			☑	☑			

Expected Future State

Current (from left)	Expected	
3	**Select the level you expect to achieve at the end of this project**	**No anticipated change**

Please provide information about how your project activities will help you achieve your expected future state

We will explore AM awareness training for all staff as well as review ways to continue to improve our culture of knowledge sharing. This project will support our current level and lend support to further involvement in AMP organizations. Obtaining more detailed knowledge of our AM system will allow us to share lessons learned so that we can continue to educate other municipalities. We have communicated AMP and benefits (via blog) and website to the public.

Expected State
Level 2

Asset Management Steering Committee
Terms of Reference

1. Establishment

1.1. The Asset Management Steering Committee (AMSC) has been established by the CAO to ensure that the Town's asset management practices support its strategic plan objectives and are consistent with international asset management best practices and are following legislative requirements.

1.2. This Terms of Reference has been developed to reflect the AMSC's role in asset management within the Town in order to support future asset management initiatives including but not limited to, corporate philosophy and strategy, business processes and improvements, software tools, and sustainable asset management practices.

1.3. Admin Reports IS-14-2019 – Asset Management Policy and Strategy Report and IS-21-2019 – Asset Management Plan were presented to Council in 2019, resulting in By-law 78-2019 to Adopt an Asset Management Policy by the Town. The Asset Management Plan is driven by O. Reg. 588/17 Requirements.

2. Responsibilities

2.1. The AMSC is required to drive asset management activities and to ensure that there is corporate responsibility. Asset Management is not a singular responsibility and requires acceptance and involvement of the whole organization to be accomplished. The AMSC is responsible for ensuring the Town's assets are managed in a systematic, efficient and coordinated manner now and into the future. The role of this group will be to implement, monitor, guide and report on the Town's approach to asset management. The AM steering committee must provide leadership and strategy and must focus on the "big picture. AMSC must avoid making managerial decisions and getting involved in the day-to-day implementation of the AM strategy.

2.2. The responsibilities of the AMSC are as follows:

- To provide a platform for the mutual exchange and transfer of knowledge in the area of the Town's assets and asset management practices within the Town of Fort Erie;
- To encourage and promote adoption of asset management best practices within individual departments;
- To support special projects and programs dealing with asset management;
- Approve the implementation asset management practices that will provide sustainable, cost effective, systematic and coordinated management services;

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- Provide leadership in the continued development of asset management within the Town.
- Share knowledge and best practices with peer communities.

2.3. To accomplish the above responsibilities, the AMSC's task shall:

- Promote the alignment and integration of asset management planning with strategic and corporate planning;
- Review and approve every 5 years, the Town's asset management policy, objectives, strategy and plans including;
  - Review and approve the Town's levels of service and performance measures;
- Review audits and reports on asset management practices within the Town;
- Support and Promote the implementation of the Town's asset management plan (AMP);
- Review annual Report to Council on the progress of the AMP implementation before July 01st each year commencing in 2020.

2.4. The Role of the Chairperson is as follows.

- The Chairperson is responsible for coordinating, facilitating and chairing each AMSC meeting.
- Liaises with each committee member/department manager regarding asset management initiatives
- Provides updates on AMSC activities to be presented at council and various committees as required or requested.
- Delegates responsibilities to the Secretary or other Committee members as needed

2.5. The Role of the Secretary is as follows

- Reviewing all information prior to presentation to the AMSC as well as Council and special groups to assist with the corporate adoption of AM processes and policies.
- coordinating, facilitating and chairing each AMSC meetings in the absence of the Chair
- Work with the Chair on the goals of the AMSC

3. Delegations

3.1. In order to meet the responsibilities of this group, where a decision of the AMSC is unanimous it has delegated authority from the CAO to take actions to accomplish those responsibilities laid out in this document. The CAO continues to retain this delegated authority and the delegation may be revoked at any time without notice.

4. Membership

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4.1. The membership of the AMSC will consist of (or designate of):

- Town of Fort Erie's CAO
- Director, Infrastructure Services
- Director, Corporate Services
- Manager, Accounting Services
- Director, Planning and Development Services
- Project Manager Asset Management
- Manager, Parks and Facilities
- Manager, Community Services
- Manager, Engineering
- Manager, Water and Wastewater Services
- Manager, Roads and Fleet
- Town of Fort Erie's Fire Chief
- Manager, Digital Services
- Manger, Museum and Cultural Services.

A list of members for the AMSC will be provided at the end of this document. A chair and secretary will be designated on a yearly basis. The CAO is an ex-officio of the AMSC.

5. Invitees

5.1. The AMSC may invite any person or persons from within, or outside, the organization as it deems necessary to assist with required items, or for educational purposes.

6. Reporting

6.1. The AMSC reports to the CAO.
6.2. The AMSC will provide meeting minutes to the Team and Senior Management Team (SMT) following each meeting.
6.3. The AMSC will provide a status update on its objectives on a yearly basis to Council.

7. Review of the Committee

7.1. The AMSC will review its functions and performance internally every two years, including a review of this document.

8. Frequency of Meetings

8.1. The AMSC will meet at a minimum four times a year.
8.2. Meetings will be scheduled at the beginning of each year. Additional meetings may be added at the discretion of the group.

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9. Quorum

9.1. The quorum for the meetings will be half of the membership plus one.
9.2. Inquorate meetings may still be held, but any decisions must be deferred until proper quorum is achieved.
9.3. The CAO's membership shall not be used to calculate the required number for quorum but his/her attendance shall contribute to attaining quorum.

10. Consensus

10.1. All items raised in the meetings shall be dealt with on the basis of consensus. Where an agreement cannot be reached; the item shall be tabled, unless the AMSC deems the item to be of urgency to resolve. Resolution of the tabled item shall be re-attempted with the presence of the CAO. If no resolution is found then the CAO shall make the final decision.

11. Amendments

11.1. These Terms of Reference may be amended by the CAO.
11.2. The AMSC may make recommendations to the CAO for amendments to these Terms of Reference.

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Infrastructure Services

Prepared for	Council-in-Committee	**Report No.**	IS-28-2020
Agenda Date	July 13, 2020	**File No.**	230803

Subject

NOTIFICATION OF INTENT TO AWARD SINGLE SOURCE PURCHASE FOR SANITARY SEWER MONITORING

Recommendations

THAT **Council receives for information purposes the single source award of engineering services for sanitary sewer monitoring to Wood Environment & Infrastructure Solutions in the amount of $12,294.40 (including 13% HST); and further**

THAT **Council accepts $36,000 in operating funding from the Combined Sewer Overflow (CSO) Control Cost Sharing Program from the Niagara Region; and further.**

THAT **Council amends the 2020 Operating Budget to substitute $36,000 of Sewer Rate Stabilization Reserve funding with the CSO Control Cost Sharing Program grant funds to OJ-41075-FLOMON.**

Relation to Council's 2018-2022 Corporate Strategic Plan

Priority: **2: Effective, Sustainable Infrastructure for the Future**

List of Stakeholders

1) Mayor and Council of the Town of Fort Erie
2) The Ratepayers of the Town of Fort Erie
3) Wood Environment & Infrastructure Solutions
4) The Regional Municipality of Niagara

Prepared by:	Submitted by:	Approved by:
Original signed:	*Original signed:*	*Original signed:*
Ryan Maiden, B.Eng. Project Manager	Kelly M. Walsh, P.Eng. Director, Infrastructure Services	Tom Kuchyt, CET Chief Administrative Officer
Original signed:		
Tim Marotta, P.Eng. Manager, Engineering Division		

Purpose of Report

The purpose of this report is to provide Council with information regarding the intent to award engineering services to Wood Environment & Infrastructure Solutions (Formerly AMEC Foster Wheeler) for sanitary sewer flow monitoring.

Analysis

Sanitary Sewer Flow Monitoring

Staff is undertaking pre construction sanitary sewer flow monitoring at two project sites in support of our Region CSO Control Grant Program applications. The collected data will allow for an assessment of the existing inflow and infiltration and allow staff to undertake an analysis to determine the reduction of inflow and infiltration.

Project #1 – Dead End Watermain Replacements (5 Streets South of Dominion Road)

- A total of two (2) gauges to assess changes in flows along Dominion Avenue: Scott Avenue (350 mm diameter) at upstream end, and either Grandview Road or Fairview Road (400 mm and 450 mm diameter) at downstream end.

Project #2 – Lindbergh Street

- A total of one (1) gauge at downstream limits of roadway (Burns Place)

Wood Environment & Infrastructure Solutions (Formerly Amec Foster Wheeler) has previously completed pre-construction monitoring on Catherine Street, Nigh Road, Highland Avenue, Dufferin Street, Courtwright Street, Wintemute Street, Murray Street, Battery Street, Stanton Street and post-construction monitoring on Daytona Drive. Wood Environment & Infrastructure Solutions are very familiar with the equipment, methodology and processes involved with performing flow monitoring and have successfully completed similar assignments in the past for the Town of Fort Erie.

For consistency and compatibility, the equipment and methodologies that have been used in previous studies should be the same for ease of use. As such, staff recommends awarding the engineering services contract for the sanitary sewer flow monitoring program for the three project sites identified above to Wood Environment & Infrastructure Solutions. The firm's proposal identifies the total costs to be $11,071.49 (inclusive of non-rebatable HST) and includes pre construction sanitary sewer flow monitoring reports.

Financial/Staffing Implications and Accessibility (AODA) Implications

Table 1: Total Estimated Cost (FLOMON)

Contract Component	Cost
2020 Flow Monitoring and Analysis	$11,071.49

All amounts include non-rebated HST

Table 2: Available Funding Source

Funding Source	Funds
2020 Flow Monitoring and Analysis (OJ-41075-FLOMON)	$24,000.00
Combined Sewer Overflow (CSO) Control Cost Sharing Program	$36,000.00
Total	**$60,000.00**

All amounts include non-rebated HST

Acknowledgement of 2020 CSO Regional funding was received on February 5, 2020 for the Flow Monitoring and Analysis Program in the amount of $36,000. This funding can account for a maximum of 60% of the project cost.

Table 3: Project Variance

Total Project Cost		Total Budget Funds	Variance
Tender	$11,071.49	$30,642.89*	$19,571.40

**Includes the 60% of tender cost covered by CSO funding and Town funds*
All amounts include non-rebated HST

The cost for the sanitary sewer flow monitoring program for the two project sites is $11,071.49 (inclusive of non-rebatable HST). This figure is based on the proposals provided by Wood Environment & Infrastructure Solutions. The cost for this assignment will be charged to operating account OJ-41075-FLOMON. This account was established to complete flow monitoring for various projects. There are sufficient remaining funds available in this account in the amount of $60,000.

There are no anticipated AODA implications for this project.

Policies Affecting Proposal

By-law No. 124-2019 adopted Council's 2018-2022 Corporate Strategic Plan. Sustainable Infrastructure for the Future is a priority in the plan. The award and completion of this project supports the ongoing Sustainable Infrastructure Priority.

The proposed award of engineering services to Wood Environment & Infrastructure Solutions represents a single source purchase. The rationale for this approach has been undertaken in accordance with the Town's purchasing by-law (By-Law No. 2-10, being a By-Law to Respecting the Purchase of Goods, Services and Construction). Specifically in accordance with Clause 23.1 (b) – Where compatibility of a purchase with existing equipment, product standards, facilities or service is a paramount consideration. This report serves as notification to Council.

Budget Policy By-law No. 127-09, as amended, which governs the preparation of the budget.

Comments from Relevant Departments/Community and Corporate Partners

Comments from relevant departments have been incorporated into this report.

Communicating Results

Results of the sanitary sewer flow monitoring will be provided to the Regional staff in support of our Combined Sewer Overflow (CSO) Control Grant Program applications.

Alternatives

As an alternative, Council may direct staff to solicit three quotations for engineering services, but for the reasons outlined herein, this is not recommended.

Conclusion

Staff recommends that the sanitary sewer flow monitoring assignment be awarded to Wood Environment & Infrastructure Solutions (Formerly Amec Foster Wheeler) as a single source purchase on the basis of the information provided in this report in support of providing continuity of services.

Attachments

N/A

Prepared for	Council-in-Committee	**Report No.**	IS-29-2020
Agenda Date	July 13, 2020	**File No.**	360201

Subject

AWARD OF ENGINEERING SERVICES FOR THE POINT ABINO ROAD STORM PUMPING STATION - CONDITION ASSESSMENT AND PRE-DESIGN - CONTRACT NO. ISE-20P-ASTP20

Recommendations

THAT **Council accepts and approves the proposal from CIMA Canada Inc. to provide Engineering Services for the Point Abino Road Storm Pumping Station - Condition Assessment and Pre-Design, Contract # ISE-20P-ASTP20 at the upset limit of $66,342.30 (including 13% HST).**

Relation to Council's 2018-2022 Corporate Strategic Plan

Priority: **2: Effective, Sustainable Infrastructure for the Future**
Strategic Objective: Maintaining and Investing in sustainable infrastructure that services the entire community and builds a strong, vibrant and attractive community

List of Stakeholders

1) Mayor and Council of the Town of Fort Erie
2) The Ratepayers of the Town of Fort Erie
3) Residents within the Project Areas
4) Respondents to the Request for Proposal
5) CIMA Canada Inc.

Jointly Prepared by:	Submitted by:	Approved by:
Original signed:	*Original signed:*	*Original signed:*
Robert D. Judd, P.Eng. Municipal Engineer – Infrastructure Renewal	Kelly M. Walsh, P.Eng. Director, Infrastructure Services	Tom Kuchyt, C.E.T. Chief Administrative Officer
Original signed:		
Tim Marotta, P.Eng. Manager, Engineering Division		

Purpose of Report

The purpose of this report is to advise Council of the Request for Proposal (RFP) process for Engineering Services for the Point Abino Road Storm Pumping Station - Condition Assessment and Pre-Design, Contract # ISE-20P-ASTP20, and to request Council's authorization to appoint CIMA Canada Inc. of Burlington, Ontario to provide Engineering Services for the project at a total upset limit of $66,342.30 (including 13% HST).

Analysis

Background

Point Abino Road Storm Pumping Station (Pump Station) provides an outlet for lands between Erie road and Michener Road, along Point Abino Road, including part of Wildwood Avenue, by assisting roadside drainage with overcoming high lake levels that will back up the gravity outlet. Appendix '1' to this administrative report provides a map showing the Pump Station location.

The Pump Station has been in place since at least 1976. The Pump Station was upgraded in 1982 with a new pump and to provide additional capacity. The upgrade design capacity was 54 l/s but due to a power supply issue, a different impeller was used to allow the pump to operate in acceptable temperature and current range. The impeller change resulted in the pump providing 30 l/s capacity.

Due to the condition of the Pump Station and the gravity outlet, the Town frequently uses a temporary pump and temporary piping overland to provide drainage service. The Pump Station has reached the end of its service life and the Town must determine next steps to maintain or possibly enhance this service on a cost effective basis.

Some of the challenges that are expected to be considered when developing and evaluating concepts to maintain or enhance the current level of service include:

- Lake Erie water level fluctuation;
- Area Topography;
- Area soil conditions;
- Archeological resources;
- Provincially Significant Wetlands in the study area;
- Catchment area of the Pump Station;
- Location, accessibility and resiliency of the Pump Station outlets;
- Operation and Maintenance requirements;
- Point Abino Road, road allowance width;
- Level of Service (flood relief or just surface runoff drainage);
- Environmental Agency requirements for new drainage outlets to Lake Erie.

Pump Station Rehabilitation / Replacement Timing

Typical of pumping station projects, a three step approach is being used to implement work to the Pump Station:

Step 1 - Condition Assessment and Pre-Design;
Step 2 - Class Environmental Assessment / Detailed Design;
Step 3 - Tender and Construction.

Based on the outcome of this Condition Assessment and Pre-Design project, a future budget request is planned in 2021 for Step 2 for either a Class Environmental Assessment with detailed design or simply a detailed design. Funding to implement Step 3 will be requested in the 2022 Capital Budget so that construction can proceed in the fall of 2022.

Project Scope

The scope for this consulting assignment is to provide engineering services that include:

- Condition Assessment

  Completion of a structural, mechanical, electrical, process and operational condition assessment of the Pump Station. Completion of an assessment of the condition and function of the existing storm sewer from Erie Road to the Pump Station (inlet storm sewer) and the discharge pipe(s) that outlet to Lake Erie. The condition assessment results will be used to determine options for rehabilitation or alternatively, confirm the need for replacement and identify improvements.

- Level of Service Review and Local Area Storm Water Master Plan

  The review of the Pump Station's existing level of service to ensure any renewal work provides an acceptable level of service. A local area storm water master plan bounded by the station's catchment area is to be completed. It is expected that any flows that can reach an approved, resilient outlet by gravity do not contribute to the Pump Station's flow. The master plan should consider two types of storm water flows:

  - storm water flows that can be conveyed by gravity alone to an outlet; and
  - storm water flows that require pumping to reach an outlet.

  This resulting flow rate to the Pump Station will be used in a future assignment to design the recommended improvement(s).

  The Pump Station's risk to potential future high Lake Erie water levels will be examined as part of the level of service review.

- Pre-Design Concepts

  The development and analysis of concepts for the rehabilitation or replacement of the Pump Station and associated inlet and outlet sewers, forcemain, and appurtenances. To inform the development of the concepts, a Geotechnical investigation and a Stage-1 Archeological investigation will take place. These studies will ascertain the soil conditions and the potential for the presence of archaeological resources in the project area which could potentially impact the future designs for the pumping station.

  Evaluation of concepts will consider Pump Station catchment area, life cycle cost, service levels, and resiliency to fluctuating lake levels, along with the environmental impacts and property acquisition or easement requirements.

  It is anticipated the design concepts will be for precipitation related surface drainage only, not flood mitigation.

- Report

  The submission of a report that provides details on the Condition Assessment findings, the Level of Service review and Pre-Design recommendations for the Town to proceed with either a rehabilitation or replacement of the Point Abino Road Storm Pumping Station and its related inlet and outlet infrastructure. The report will also provide budget level cost estimates of any recommended concepts so the Town can confirm future project implementation funding requirements.

Proposal Call

The proposal call was initiated on May 15, 2020. The RFP for Contract ISE-20P- ASTP20 was posted on Biddingo.com and on the Town website, pursuant to the Town of Fort Erie Purchasing By-law No. 2-10, as amended. Proposals were accepted until 2:00 p.m. local time, June 5, 2020. Three proposal submissions for this project were received.

Proposal Evaluation

The proposal review process consisted of two components, specifically technical merit and cost. Proponents were directed to submit proposals in two separate electronic document files. The first electronic document file containing the Technical Proposal and the second electronic document file containing a completed Cost Schedule.

Infrastructure Services staff reviewed and evaluated the proposals with respect to technical merit based on weighted evaluation criteria. Firms with technical scores within 200 points of the highest technical score moved to the next round of evaluations in this two-step selection process. In this RFP, technical merit was worth 80% of the final score and cost represented 20% of the final score.

After review for mathematical errors, the submitted price schedule from CIMA Canada Inc. was found to satisfy the RFP requirements. The proposal from CIMA Canada Inc. received the 3rd lowest technical score and had the lowest submitted price.

Table 1 provides a summary of the proposal evaluation and ranking. Should Council wish to review the proposal submissions in detail, each of the proposal submissions can be made available from the Engineering Division, Infrastructure Services Department.

Table 1: Proposal Evaluation Summary

Engineering Firm (Proposals received on or before June 5, 2020, 2:00 p.m. local time)	**Overall Proposal Score (Maximum Score is 1000)**			
	Technical Score (Out of 800)	Cost Score (Out of 200)	Total Score (Out of 1000)	Overall Ranking
CIMA Canada Inc.	**580**	**200**	**780**	**1**
GM BluePlan Engineering Limited	642	81	723	2
Quartek Group Inc.	592	98	690	3

The CIMA Canada Inc. proposal is considered complete and technically sound. The firm has successfully completed numerous pumping station assessment and drainage studies across southern Ontario.

Based on the evaluation process, staff recommends that CIMA Canada Inc. be retained to provide engineering services for the assignment. The CIMA Canada Inc. proposal included the following schedule for project deliverables, based on a July 16, 2020 start date:

- Project ASTP20 – file Pre-design report February 2021.

Financial/Staffing Implications and Accessibility (AODA) Implications

Staff have considered accessibility impacts and expects that no new barriers will be created due to the proposed works.

Existing funding sources and a summary of project costs required to complete this engineering project are noted below in Table 2 and Table 3. The budgeted funds for the engineering component of this phase of the project, in the amount of $100,000 were approved in the 2020 budget.

Table 2: Engineering Costs for Project ASTP20

Project Component	Cost
Engineering for Design and Tender, including Archeological Sub-Consultant	$59,743.30
Estimated Geotechnical Investigation for Pre-Design	$15,000.00
Condition Assessment and Pre-Design Estimated Staff Costs (Project Administration, Stakeholder Consultation and Topographic Survey)	$16,000.00
Project Contingency	$5,900.00
Estimated Total Project Costs	**$96,643.30**

All amounts include non-rebated HST

Table 3: Available Funding Sources

Funding Source	Funds
Storm Drainage Reserve	$100,000.00
Total Project Funds Available	**$100,000.00**

All amounts include non-rebated HST

As noted in Table 4, a favourable variance for the project of $3,356.70 is forecast.

Table 4: Variance Projection - Project ASTP20

Total Estimated Project Cost	Total Project Funding	Variance
$96,643.30	**$100,000.00**	**$3,356.70**

All amounts include non-rebated HST

Funds not expended during the condition assessment and pre-design assignment will remain in the project budget until detailed design and construction are complete.

Staff will continue to monitor for Federal and Provincial grant opportunities applicable to the design and construction phases of the Pumping Station rehabilitation/replacement project.

Policies Affecting Proposal

By-law No. 124-2019 adopted Council's 2018-2022 Corporate Strategic Plan. Sustainable Infrastructure for the Future is a priority in the plan. The award and completion of this project supports the ongoing Sustainable Infrastructure Priority in addressing the Strategic Objective of "Maintaining and investing in sustainable infrastructure that serves the entire community and builds a strong, vibrant and attractive community".

The provisions of the Town of Fort Erie Purchasing Policy By-law No. 2-10, as amended, were adhered to during the proposal call process and evaluation for this project.

Comments from Relevant Departments/Community and Corporate Partners

All relevant departments were consulted throughout the RFP process.

Communicating Results

Infrastructure Services staff held a meeting on June 26, via Zoom, with the Wildwood Avenue residents group representative on June 26 to discuss the project. Additional meetings can be scheduled during the project.

Although public consultation is not mandatory, a public information centre (PIC) has been included in this engineering assignment as it provides value to the project through the presentation of concepts by the engineering team and the opportunity for stakeholders to provide local input and feedback to the engineering team.

Depending on the recommendations of this engineering assignment, additional public consultation may be warranted or required through a formal Class Environmental Assessment process as part of a future engineering detailed design assignment.

The following points of contact will be completed for the future construction project:

- Hand delivered notices will be provided to the directly impacted residents;
- Project updates provided on Town's website.

Alternatives

The Pump Station is near the end of its service life and is need of repairs or replacement. The structure has deteriorated significantly to the point where rehabilitation of some components may not be an option. The condition of the outlet is in question and must also be assessed. Existing service level must be reviewed to ensure any renewal work provides an acceptable level of service and resiliency to high lake levels

Council has the option of not authorizing the award of this engineering services contract and cancelling the project. As there is a demonstrated need to determine next steps for the pumping station, this option is not recommended.

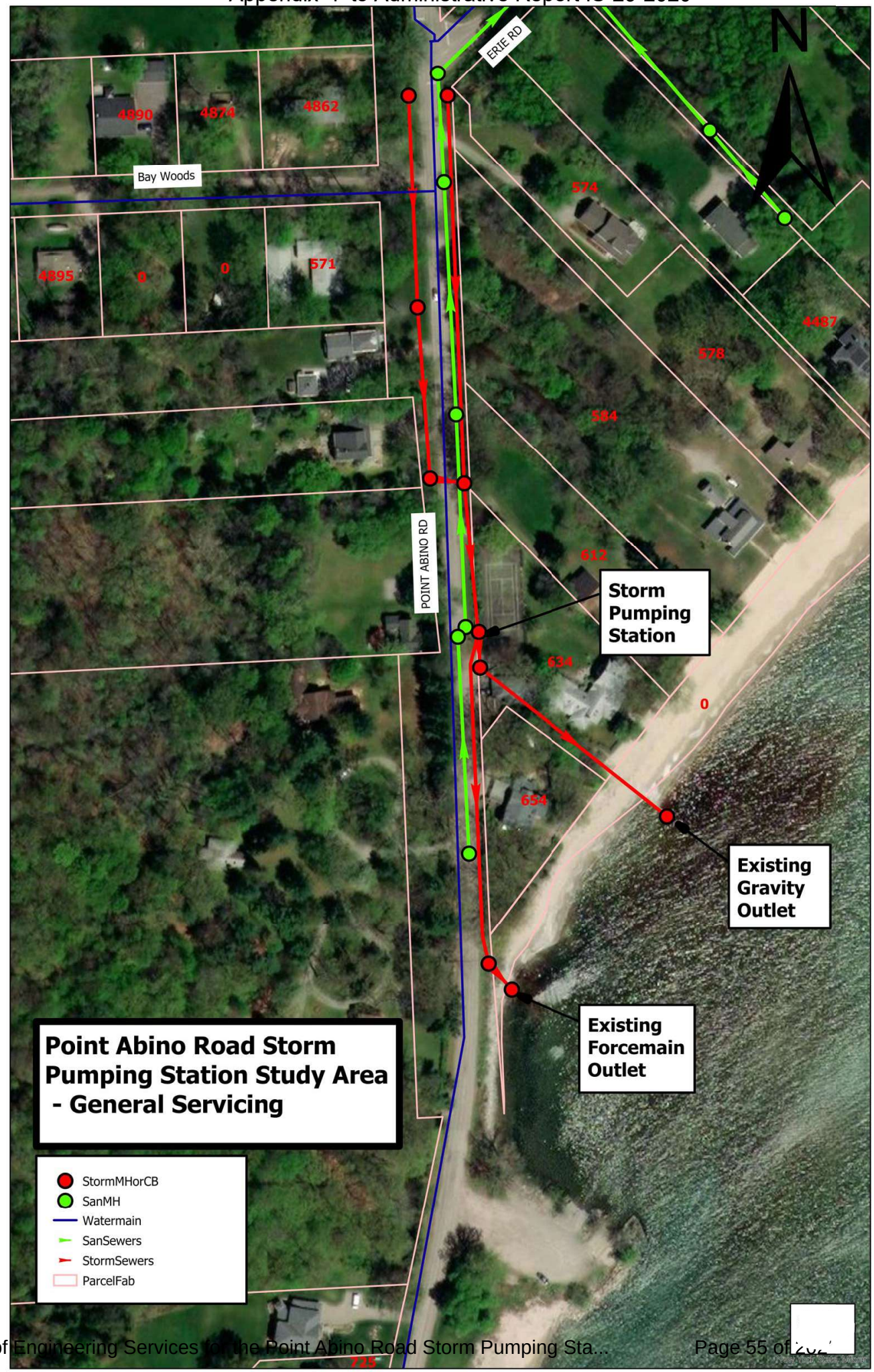
The project funds for ASTP20 Condition Assessment and Pre-Design have already been approved and the projections are that these components of the Pump Station project will be on budget.

Conclusion

Council's authorization of CIMA Canada Inc., based on their proposal and experience with similar work, to provide engineering services for the Condition Assessment and Pre-Design, Contract # ISE-20P- ASTP20 will support the Town's effective, sustainable infrastructure objective. It is expected that this project can commence promptly upon award.

Attachments

Appendix '1' – Project Location Map


ERIE RD
Bay Woods
POINT ABINO RD
4890
4874
4862
4895
0
0
571
574
4487
578
584
612
634
0
654
725
Storm Pumping Station
Existing Gravity Outlet
Existing Forcemain Outlet
Point Abino Road Storm Pumping Station Study Area - General Servicing
StormMHorCB
SanMH
Watermain
SanSewers
StormSewers
ParcelFab
N

Infrastructure Services

Prepared for	Council-in-Committee	**Report No.**	IS-30-2020
Agenda Date	July 13, 2020	**File No.**	360201

Subject

AWARD OF ENGINEERING SERVICES FOR THUNDER BAY TRENCHLESS SEWER REHABILITATION – CONTRACT ISE-20P-TBTR19

Resolutions

THAT **Council accepts and approves the proposal from Robinson Consultants Inc. for Engineering Services, Thunder Bay Trenchless Sewer Rehabilitation, Contract No. ISE-20P-TBTR19, at the upset limit of $71,127.85 (including 13% HST); and further**

THAT **Council accepts $48,000.00 in capital funding from the 2019 Combined Sewer Overflow (CSO) Program grant(s) from the Niagara Region, and further**

THAT **Council substitutes Sanitary Sewer Refurbishing Reserve funding with the CSO grant funds to capital project TBTR19 in the amount of $48,000.00.**

Relation to Council's 2018-2022 Corporate Strategic Plan

Priority: **2: Sustainable Infrastructure for the Future**

Strategic Objective: Maintaining and Investing in sustainable infrastructure that services the entire community and builds a strong, vibrant and attractive community

List of Stakeholders

1) Mayor and Council of the Town of Fort Erie
2) Wastewater Ratepayers of the Town of Fort Erie
3) Residents within the Project Areas
4) Regional Municipality of Niagara
5) Robinson Consultants Inc.
6) Respondents to the Request for Proposal

Prepared by:	Submitted by:	Approved by:
Original Signed:	*Original Signed:*	*Original Signed:*
Robert D. Judd, P.Eng. Municipal Engineer – Infrastructure Renewal	Kelly M. Walsh, P.Eng. Director, Infrastructure Services	Tom Kuchyt, CET Chief Administrative Officer
Original Signed: Tim Marotta, P.Eng. Manager, Engineering Division		

Purpose of Report

The purpose of this report is to advise Council of the proposal call process of Contract ISE-20P-TBTR19 for Engineering Services, Thunder Bay Trenchless Sewer Rehabilitation, and to request Council's authorization to appoint Robinson Consultants Inc., of Hamilton, Ontario to provide engineering services for design work, at a total upset limit of $71,127.85 (including 13% HST).

Analysis

Background

Significant extraneous flows have been found in the Thunder Bay area sanitary sewer system through Closed Circuit Television investigations conducted in 2018, and reported overflows at the Shirley Road sanitary pumping station. The Regional Niagara Wastewater Master Plan (2016) modelling results show that wet weather flows in this sewershed exceed the capacity of the Shirley Road sanitary sewage pumping station. Reduction of extraneous flow is required to mitigate inflow and infiltration impacts in the Thunder Bay area and reduce treatment costs paid by the Town. Appendix '1' to this administrative report provides the project location map.

Through Council's adoption of the 2019 budget, Town Staff were authorized to proceed with a Request for Proposal (RFP) to engage a consulting engineer for the design of trenchless repair for sewer rehabilitation of the Thunder Bay area sanitary sewer system.

Trenchless rehabilitation methods offer the following potential advantages over traditional open-cut pipe replacement options.

- Reduced impact to residents living in or motorists driving through the infrastructure project area due to smaller construction "footprint" and shorter project duration;
- Reduced costs due to less impact to adjacent infrastructure in the project area and typically have a shorter project duration;
- Reduced impact to the road, this is of interest when having to rehabilitate or replace a pipe below a road that is in good condition;
- Reduced road allowance corridor congestion because the existing alignment of the pipe can be reused. This can also reduce conflicts with other existing infrastructure that typically occur when a new pipe alignment is needed.

Consultant deliverables for the Thunder Bay Trenchless Sewer Rehabilitation project include:

- The review of 2018 CCTV records and data;
- Identification and evaluation of available methods and technologies for the rehabilitation of subject sanitary sewers, maintenance holes and laterals;
- Technical memorandum(s) to document the evaluation. The evaluation criteria will be developed by the consultant with input from Town staff;
- Preparation of cost estimates for the recommended rehabilitations;
- Preparation of contractor procurement documents, with specifications of the recommended trenchless rehabilitations;
- Provide Contract Administration and Construction Inspection (Provisional Items).

Proposal Call

The proposal call was initiated on May 29, 2020 The RFP for Contract No. ISE-20P-TBTR19 was posted on Biddingo.com and on the Town website, pursuant to the Town of Fort Erie Purchasing By-law No. 2-10. Proposals were accepted until 2:00 p.m. local time, Thursday, June 18, 2020. Two (2) submissions for this project were received.

Proposal Evaluation

The proposal review process consisted of two components, specifically technical merit and cost. Proponents were directed to submit proposals in two separate electronic document files, with the first electronic document file containing the Technical Proposal and the second electronic document file containing a completed Cost Schedule.

Infrastructure Services Staff reviewed and evaluated the proposals with respect to technical merit based on weighted evaluation criteria. Firms with technical scores within 150 points of the highest technical score moved to the next round of evaluations in this two-step selection process. In this RFP, technical merit was worth 85% of the final score and cost represented 15% of the final score.

The proposal from Robinson Consultants Inc., received the highest technical score and had the lowest evaluated price with no mathematical errors found. Based on the evaluation process, the evaluation committee recommends that Robinson Consultants Inc. be retained to provide engineering services for the assignment.

Table 1 provides a summary of the proposal evaluation and ranking. Should Council wish to review the proposal submissions in detail, each submission can be made available from the Engineering Division, Infrastructure Services Department.

The Robinson Consultants Inc. proposal is considered complete, well thought out and technically sound. They have provided consulting engineering services to the Town of Fort Erie in the past and have successfully completed similar projects throughout the Niagara Region and the Province of Ontario.

Table 1: Proposal Evaluation Summary

Engineering Firm (Proposals received on or before Thursday, June 18th, 2020, 2:00 p.m. local time)	Overall Proposal Score (Maximum Score is 1000)			
	Technical Score (Out of 850)	Cost Score* (Out of 150)	Total Score (Out of 1000)	Overall Ranking
Robinson Consultants Inc.	**717**	**150**	**867**	**1**
GM BluePlan Engineering Ltd.	665	65	730	2

Note 1- If a proposal technical score was 150 below the high technical score, a cost score of 0 was assessed and the cost envelope was not opened as per terms of the RFP

The evaluation committee is confident that Robinson Consultants Inc. has sufficient resources to complete the Engineering Services for the Thunder Bay Trenchless Sewer Rehabilitation in a timely manner, with contractor procurement documents for recommended rehabilitations available February 2021.

Financial/Staffing Implications and Accessibility (AODA) Implications

Staff have considered accessibility impacts and expect that no new barriers will be created due to the proposed works.

The Town received $48,000.00 in funding from the 2019 Combined Sewer Overflow (CSO) Program Grant(s) from the Niagara Region for this project. The Region issued funding approval on May 29, 2019 and for this project, funding is to a maximum of 30%. It is recommended these CSO funds be added to the project budget and used to substitute sewer reserve funds. An amendment to the 2019 Capital Budget is requested through the recommendation in this administrative report for the $48,000 substitution to the TBTR19 project.

A summary of project costs required to execute this project is noted below in Table 2. For the engineering component of this project, funds of $160,000 were approved in the 2019 Budget and funding sources are shown in Table 3.

Table 2: Project TBTR19 Costs

Project Component	Cost
Proposal Amount	$64,052.83
Estimated Geotechnical Investigation for Design	$15,000.00
Estimated Town Staff Project Management and Administration	$10,500.00
Project Contingency	$4,500.00
Estimated Total Project Costs	**$94,045.83**

All amounts include non-rebated HST

Table 3: Available Funding Sources

Funding Source	Funds
Sewer Reserve – TBTR19 (after substitution)	$112,000.00
2019 Niagara Region CSO Funding – TBTR19	$48,000.00
Total Project Funds Available	**$160,000.00**

All amounts include non-rebated HST

As noted in Table 4, there is a projected favourable variance for this project in the amount of $65,954.17. Unused funds will be returned to the appropriate reserve following project construction completion.

Table 4: Variance Projection

Project TBTR19 Variance		
Total Estimated Project Cost	**Total Project Funds**	**Variance**
$94,045.83	$160,000	$65,954.17

All amounts include non-rebated HST

For the construction component of this project, funds of $250,000 were approved in the 2020 Budget and construction of the recommended rehabilitation works is planned for 2021. Any additional funding needs identified during the design phase of the project can be addressed through the 2021 budget or a future budget amendment.

Policies Affecting Proposal

By-law No. 124-2019 adopted Council's 2018-2022 Corporate Strategic Plan. Sustainable Infrastructure for the Future is a priority in the plan. The award and completion of this project supports the ongoing Sustainable Infrastructure Priority in addressing the Strategic Objective of "Maintaining and investing in sustainable infrastructure that serves the entire community and builds a strong, vibrant and attractive community".

Budget Policy By-law No. 127-09, as amended, governs preparation of the budget.

The provisions of the Town of Fort Erie Purchasing Policy By-law No. 2010-002, as amended, were adhered to during the RFP process for this project.

Comments from Relevant Departments/Community and Corporate Partners

All relevant departments were consulted throughout the RFP process.

Communicating Results

Information about the project will be provided on the Town website. Construction project information, including detour routes, will be published on the Town website, in

local media or become the subject of public information meetings as the construction phases are scheduled.

The following points of contact will be completed for the project:

- Hand delivered notices will be provided to the directly impacted residents;
- Project updates provided on the Town's website.

Alternatives

Key deliverables of the engineering assignment are an evaluation of trenchless methods for rehabilitation of the Thunder Bay neighbourhood sanitary sewer system and the provision of contractor procurement documents for the recommended works. Trenchless methods and technologies are specialized and it is in the Town's best interest for an experienced consultant to do this evaluation and design work.

The TBTR19 project supports the Town's objectives for Inflow and Infiltration (I/I) Reduction and maintaining the sewer system in a State of Good Repair. Completion of State of Good Repair projects that rehabilitate existing wastewater infrastructure also provides the additional benefit of reducing overall system I/I through the repair/replacement of pipe and manholes which represent major I/I source contributions.

The project funds have already been approved and the projections are that the project will be on budget.

Council has the option of not authorizing the award of this engineering services contract. However, this option is not recommended as it does not support the Town's Inflow and Infiltration Reduction program, State of Good Repair objectives or the Asset Management program.

Conclusion

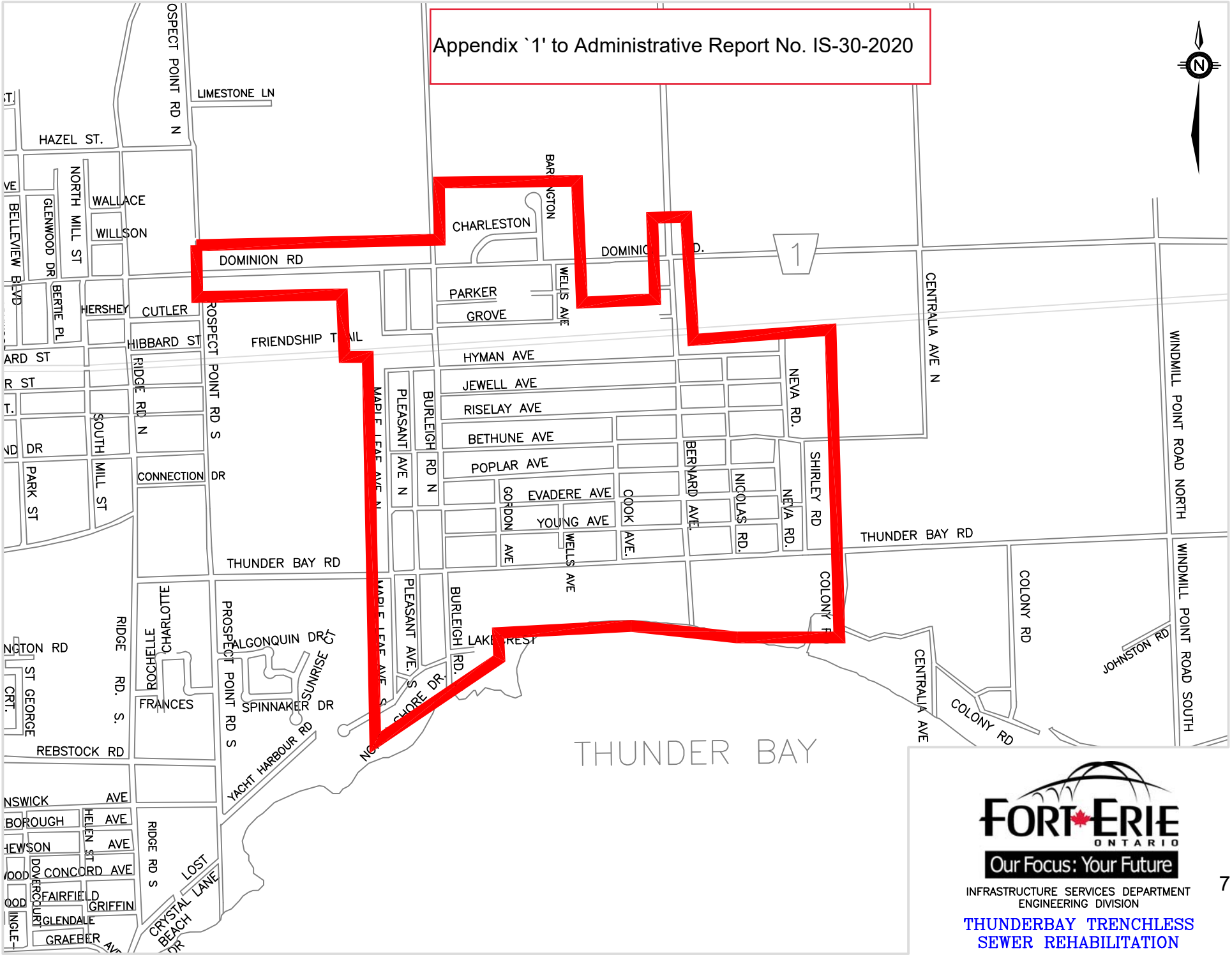
Council's authorization of Robinson Consultants Inc. to provide engineering services for the Engineering Services, Thunder Bay Trenchless Sewer Rehabilitation, Project TRTB19, will support the Town's effective, sustainable infrastructure objective by providing a Fort Erie specific evaluation of trenchless methods and technology for sewer rehabilitation. Contractor procurement documents for recommended trenchless rehabilitation works are a key deliverable for this project to allow the Town to implement recommended trenchless works. It is expected that this project can commence immediately upon award.

Attachments

Appendix '1' – Project Location Map

Award of Engineering Services for Thunder Bay Trenchless Sewer Rehabilit... Page 62 of 202

Appendix `1' to Administrative Report No. IS-30-2020



FORT ERIE ONTARIO
Our Focus: Your Future

INFRASTRUCTURE SERVICES DEPARTMENT
ENGINEERING DIVISION

THUNDERBAY TRENCHLESS
SEWER REHABILITATION

7

G:\BUDGET\2020 Budget\Budget Maps_construction 2020\ACAD Maps\

Corporate Services

Prepared for	Council-in-Committee	**Report No.**	CS-12-2020
Agenda Date	July 13, 2020	**File No.**	12090203

Subject

REQUEST TO PERMIT EXISTING ENCROACHMENTS ON RIDGEWAY VILLAGE SQUARE - 283 RIDGE ROAD NORTH (OWNER: TEAM ZING REALTY INC. – SHAWN SCHERTZING)

Recommendations

THAT Council approves the request to permit the existing encroachments on Ridgeway Village Square appurtenant to the building located at 283 Ridge Road North and requires the Owner of 283 Ridge Road North to enter into an Encroachment Agreement, which will be registered on title to the subject properties, have a Reference Plan prepared and registered at the sole expense of the Owner identifying the existing encroachments and pay an annual fee of $178.01 plus HST plus the CPI increase annually, and further

THAT Council authorizes staff to prepare a by-law to authorize the execution of the Encroachment Agreement and associated documents.

Relation to Council's 2018-2022 Corporate Strategic Plan

Priority: Promoting Business, Economic Growth and Employment Opportunities
Goal: Not applicable
Initiative: Not applicable

List of Stakeholders

Town of Fort Erie
Property Owner: Team Zing Realty Inc. – Shawn Schertzing

Prepared by:	Submitted by:	Approved by:
Original Signed	*Original Signed*	*Original Signed*
Bonnie Critelli Law Clerk	Jonathan Janzen, CPA, CA Director, Corporate Services	Tom Kuchyt, CET Chief Administrative Officer

Purpose of Report

The purpose of this report is to request Council's approval of the Land Committee's recommendation to permit the existing encroachments on Ridgeway Village Square appurtenant to 283 Ridge Road North and require the Owner of 283 Ridge Road North to enter into an Encroachment Agreement, which will be registered on title to the subject properties, have a Reference Plan prepared and registered at the sole expense of the Owner identifying the existing encroachments and pay an annual fee of $178.01 plus HST, plus the CPI increase annually.

Analysis

Background

Sleek Development Inc. ("Sleek"), a previous owner of the property, obtained a Building Permit for the construction of a two (2) storey building with commercial uses on the main floor and residential uses on the second floor on the subject property.

In August 2018, as a result of Sleek's desire to incorporate a number of window openings on the south wall of its proposed building with a 0.0 metre setback distance to the southern property line abutting Ridgeway Village Square, Sleek entered into a Spatial Separation Agreement with the Town which has been registered on title to the subject property in accordance with the Ontario Building Code.

While conducting inspections during the construction process, encroachments on Ridgeway Village Square on the south side of the building were noted by Town Staff. In this regard, the owner of 283 Ridge Road North at the time, APR Investment Inc. ("APR"), made application to the Town to permit these encroachments and furnished the Town with a $500.00 application fee for this purpose.

APR advised that the majority of the encroachments (mechanical venting and gas meters) were shown on the building permit drawings that were approved without comment by the building department during the plan examination review process and noted that page M6 of the mechanical drawings illustrates the combustion piping and mechanical gas meters on the south elevation. APR further advised that the encroachments were not intentional and has removed two (2) encroaching light fixtures on the south side façade of the building in order to lessen the impact.

The encroachments are minimal in nature and are as follows:

Mechanical Gas Meters x 3 – encroach 12" onto Town property
Mechanical Exhaust Pipes – encroach 6" onto Town property
Metal Eaves (front section) – encroaches 6" onto Town property
Mechanical Exhaust Vents x 2 – encroach 5" onto Town property
Metal Eaves (back section) – encroaches 2" onto Town property
Metal Downspout – encroaches 1" onto Town property

Attached as **Appendix "1"** for Council's review and consideration is an Encroachment Plan & Laneway/Curb Detail prepared by ACK Architects dated Jan 10, 2020, which shows the above noted encroachments identified in different colours. Close ups of these encroachments are attached as **Appendix "2"** and a photograph of the south side of the building is attached as **Appendix "3"**.

In late February 2020, ownership of the subject property was transferred to Team Zing Realty Inc. (the "Owner") who has subsequently opened a real estate office, RE/MAX Niagara Team Zing Realty Ltd.

Historical Treatment of Encroachments of a Similar Nature

Since 1970, the encroachments which have been typically dealt with relate to buildings, sidewalks appurtenant to encroaching buildings, and roof and eave overhangs.

Less typical encroachments for which permission has been given, include private water lines crossing a road allowance, an accessible ramp (Boys & Girls Club), a residential bay window and eave overhangs, a commercial asphalt parking lot enclosed with concrete & pipe bollards and gate (Jack Shaw's Service Station on the east side of Pettit Road) and most recently a garage encroachment on a Town waterline easement.

For Council's information, in September 2016, on the recommendation of the Land Committee, Council approved a request to permit an existing 2nd storey overhang encroachment on Queen Street and Archange Street and waived the requirements of the Policy.

In 2015, the Land Committee recommended a waiver of the Policy for the replacement of an existing first storey eave overhang with a new encroaching eave overhang on a second storey addition to be constructed at 351 Cherrywood Avenue. Council approved waiving the Policy on the basis that the eave overhang and trough would be well within the boulevard of the road allowance and not within the vicinity of vehicular or pedestrian traffic, and there would be no impediment to municipal use of the road allowance to its full extent.

In a Council Resolution dated November 3, 2008, relief from the encroachment policy was given for an air conditioning system on a concrete pad, and exhaust fan and frame steps appurtenant to an Avondale Store located at 3231 & 3255 Snyder Street, Stevensville because it was decided that the encroachment was minor in nature and did not impede the operational function of Snyder Street.

Financial/Staffing and Accessibility (AODA) Implications

An Administration Fee of $500 has been paid. This fee is non-refundable (unless directed otherwise by Council). If Council approves the recommendation contained in this report, in addition to the Administration Fee, the Owner, will be required to pay all associated costs, excluding the cost of a Reference Plan and the annual fee.

Policies Affecting Proposal

By-law No. 124-2019 adopted Council's 2018-2022 Corporate Strategic Plan. Promoting Business, Economic Growth and Employment Opportunities is a priority of the plan.

While not specifically applicable in this case as Ridgeway Village Square is not a road allowance, Council can look to By-law No. 89-07, as amended, which adopted the Town's Municipal Road Allowance Encroachment Policy (the "Policy"), for guidance and precedent.

Under the Policy, the general guidelines for considering an encroachment include a determination of whether the encroachment: has been constructed inadvertently; has existed for a long period of time; is maintained in good repair, used or abandoned; poses a safety hazard to the public and gives rise to potential liability claims from resultant injuries; destabilizes public lands with resultant damage to adjacent private lands; damages the natural environment and undermines the Town's stewardship role in protecting natural features; is a nature feature which should be preserved or protected (mature trees and sensitive flora or fauna); conflicts with the Town's Official Plan Policies or other applicable by-laws; interferes with any existing, planned, proposed, or possible future municipal improvements; compromises drainage or interferes with existing or proposed drainage works; is minor in nature; and in the case of a structure, determine also whether the encroachment: is constructed on a permanent foundation; is being maintained in good condition.

The Policy provides that existing commercial encroachments and new commercial encroachments may be permitted, at the sole discretion of Council, and further, that Council may waive and/or vary any part or parts of the Policy, including any or all of the requirements relating to the entering into of an Encroachment Agreement.

The Policy states that an Encroachment Agreement formally recognizes the encroachment by both the Town and the Owner (and future Owners), and clearly establishes the terms and conditions specific to the permission being granted, including but not limited to the provision that permission for the encroachment is being granted until such time as it is required to be removed by the Town, in its sole discretion. A Reference Plan deposited on title clearly identifies the extent of the encroachment, and serves to assist in eliminating subsequent enlargements of the encroachment without permission. Registration of the Agreement on the Owner's property and the subject portion of the road allowance (parkland in this case) shall occur. Registration is effective notice to subsequent owners and provides an enforceable, clear recourse to the Town in the event of the default by the owner of any of the provisions, including provisions for removal of the encroachment.

Comments from Relevant Departments/Community and Corporate Partners

Land Committee considered the request at its meeting held on February 27, 2020. The Committee made its recommendation based upon the provisions set out in the Policy

and similar encroachment decisions made by Council in the past as referred to above. Legal Services takes no position in this matter.

The Chief Building Official advised that during the plans examination process it was noted that there were proposed projections into the Town owned lands and the owner was advised that the encroachments were not permitted. The encroachments on the south side of the building occurred partially due to the minimum sideyard setback of 5" that the building was positioned at. He reviewed the proposed encroachments and does not have any concerns or comments.

The Coordinator, Development Approvals advised that through the course of the site plan approval process comments were provided identifying potential encroachments into the Town owned lands to the south of the property. The following clause was included in Schedule "H" – Special Provisions of the Site Plan Agreement, "The owner acknowledges and agrees that no portion of the building shall encroach across the south property line without first obtaining permission from the Town of Fort Erie in the form of an encroachment agreement". He had no objections to the requested encroachments.

The Manager, Community Planning does not feel that the encroachments will have a significant impact on the operation or enjoyment of the park. She suggests that the Town seeks an encroachment agreement, with an annual fee, and notifies the owner that no additional encroachments will be considered and, should they occur, will be removed at the owner's expense (ie. pathway/sidewalk to utilities or along the side of the building, planting vegetation on Town lands, etc.).

Communicating Results

Staff will advise the Owner of Council's decision, and advise of the necessary action.

Alternatives

Council could permit the encroachments and decide that an Encroachment Agreement and Reference Plan not be required. This could result in the specific terms and conditions of the permission granted to the Owner not being clearly understood and not assist in eliminating subsequent enlargements of the encroachments or providing effective notice of the encroachments to future Owners or ensuring enforceable recourse to the Town in the event of a breach of any of the conditions, including removal. Council could require or not require an annual commercial encroachment fee be collected. Under the Policy, the payment is calculated based on the total area of the encroachment multiplied by the Owner's annual taxes for a per square foot cost, or $178.01 plus HST ($201.15), whichever is greater, plus the CPI increase annually.

Council could decide to transfer a portion of the Ridgeway Village Square to the Owner for fair market value. This alternative is not recommended as it may set an unfavourable precedent.

Council could require that the Owner remove the encroachments, at the Owner's sole expense. This alternative is also not recommended as it would cause great hardship and expense to the Owner and does not follow with Council's priority of Promoting Business, Economic Growth and Employment Opportunities.

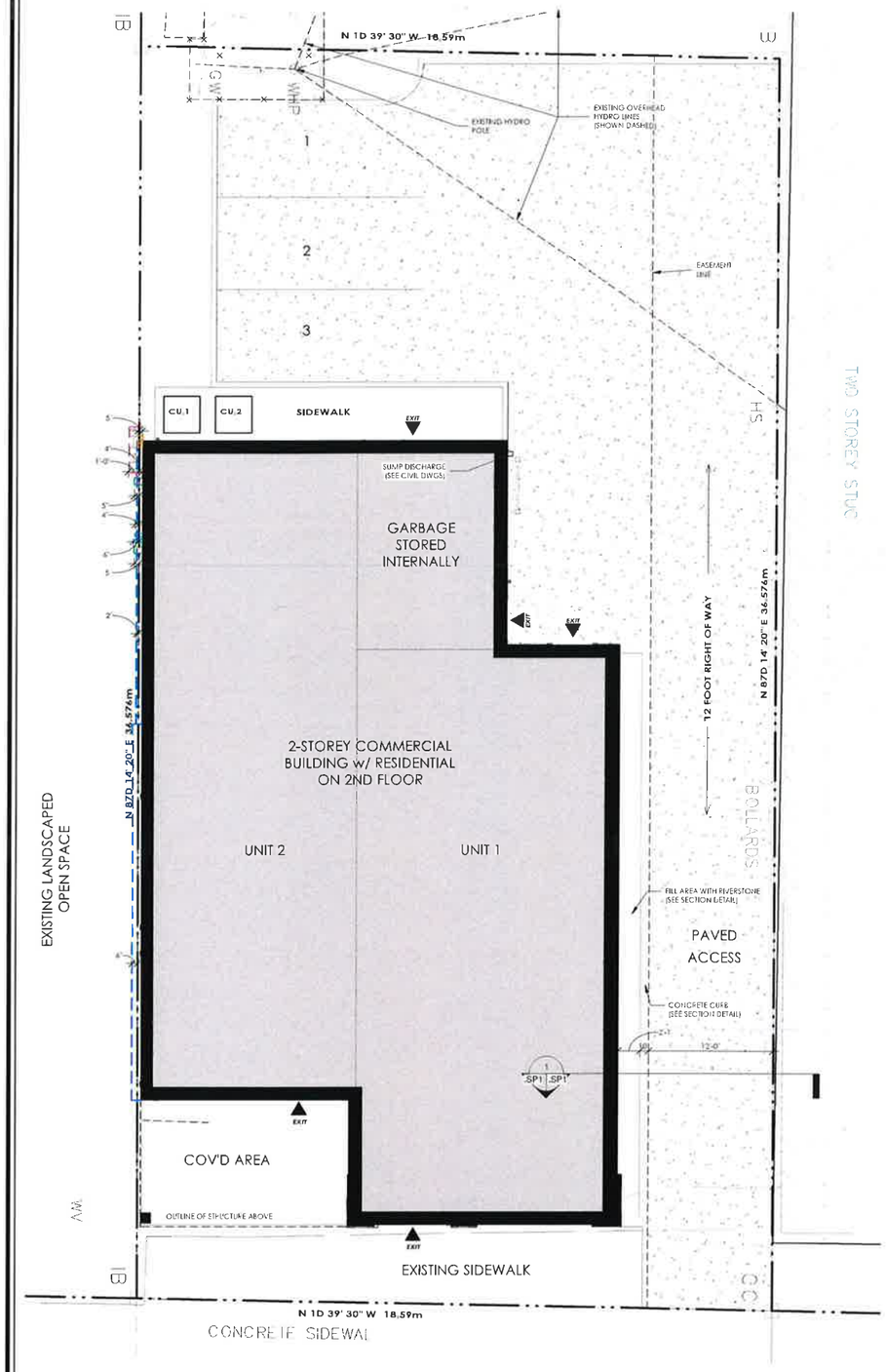
Conclusion

Land Committee recommends approval of the request to permit the existing encroachments on Ridgeway Village Square appurtenant to 283 Ridge Road North and require the Owner of 283 Ridge Road North to enter into an Encroachment Agreement, which will be registered on title to the subject properties, have a Reference Plan prepared and registered at the sole expense of the Owner identifying the existing encroachments and pay an annual fee of $178.01 plus HST, plus the CPI increase annually, as it is reasonable under these particular circumstances and in keeping with Council's Strategic priority of Promoting Business, Economic Growth and Employment Opportunities.

Attachments

Appendix "1" – Encroachment Plan & Laneway/Curb Detail prepared by ACK Architects dated Jan 10, 2020
Appendix "2" – Close ups of the encroachments shown on the above noted Plan
Appendix "3" – Photo showing Encroachments

Appendix "1" to Administrative Report No. CS-12-2020



SITE PLAN (PROPERTY LINE ENCROACHMENTS)

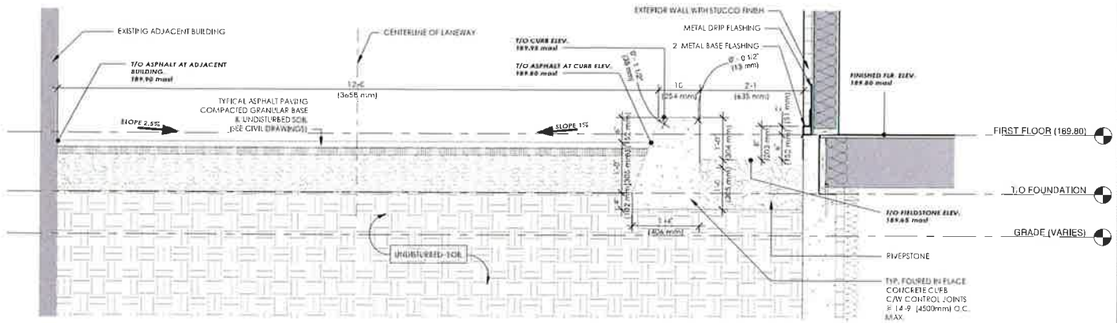
1 : 75

Total Site Area	7,318.64	679.92		
	ft²	m²	%	
Building	2,974.47	276.34	40.64%	
Covered Area	245.53	22.81	3.35%	
Total Building Coverage	**3,220.00**	**299.15**	**44.00%**	
Landscape Coverage	**784.64**	**72.90**	**10.72%**	
Existing Sidewalk	360.00	33.45	4.92%	
Asphalt	2,954.00	274.44	40.36%	
Ground Floor Square Footage	2,974.47	276.34		
Second Floor Square Footage (Residential)	1,559.67	144.90	34.40%	(Of GFA)
Gross Floor Area	4,534.14	421.24		

ENCROACHMENT LEGEND

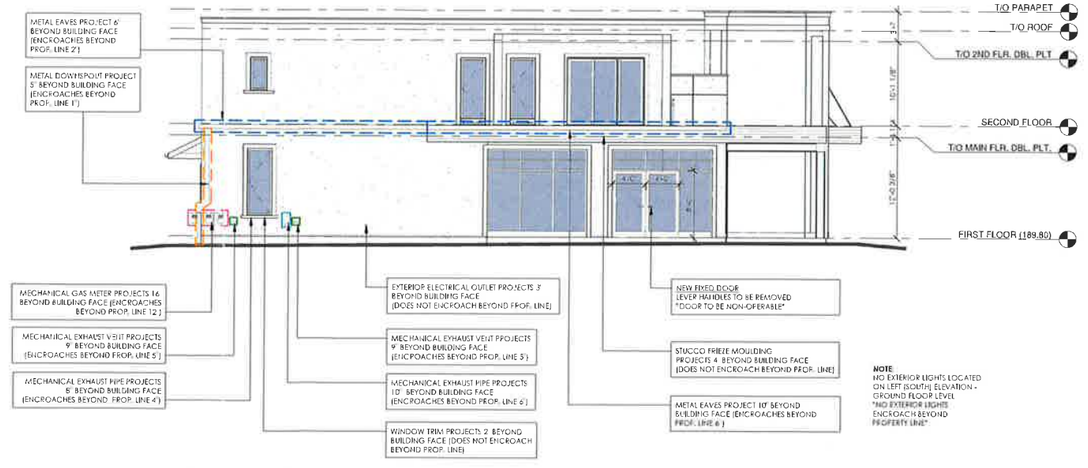
- EXISTING PROPERTY LINE
- DENOTES GAS METER ENCHROACHMENT
- DENOTES EXHAUST VENT ENCHROACHMENT
- DENOTES EXHAUST PIPE ENCHROACHMENT
- DENOTES METAL DOWNSOUT ENCHROACHMENT
- DENOTES METAL EAVES ENCHROACHMENT

KEY PLAN



1 SP1 SP1 LANEWAY / CURB DETAIL

3/4" = 1'-0"



LEFT ELEVATION (SOUTH) (PROPERTY LINE ENCHROACHMENTS)

1/8" = 1'-0"

GENERAL NOTES

NO.	DATE:	REVISION:	BY:
3	MAY 29, 2018	RE-ISSUED FOR SPA	JMR
4	MAY 29, 2018	ISSUE FOR PERMIT	SD
5	JUNE 22, 2018	FLOOR SYSTEM CHANGE	SD
6	JUNE 27, 2018	RE-ISSUED FOR SPA	JMR
7	JULY 6, 2018	RE-ISSUE FOR PERMIT	SD
8	JULY 16, 2018	CITY COMMENTS	SD
9	AUG 10, 2018	CLIENT COMMENTS	SD
10	AUG 14, 2018	STRUCTURAL UPDATE	SD
11	AUG 27, 2018	CITY COMMENTS	SD
12	JAN 10 2020	ENCROACHMENT COMMENTS	JM

COMMISSION:

MIXED-USE BUILDING

283 Ridge Road North, Fort Erie

ONTARIO ASSOCIATION OF ARCHITECTS MICHAEL D. ALLEN LICENCE 6290

A | C | K architects www.ackarchitects.com

SHEET TITLE:

ENCROACHMENT PLAN & LANEWAY / CURB DETAIL

Issued for Re-Zoning	
Issued for Site Plan Agreement	
Issued for Permit	
Issued for Tender	
Issued for Construction	
DRAWN BY:	SD/BV/JM
CHECKED BY:	M.A /JR
DATE:	JAN. 10, 2020
SCALE:	AS SHOWN
PROJECT No.	2013-147

DWG. No. .SP1

EXISTING LANDSCAPED
OPEN SPACE

N 87D 14' 20" E 36.576m

6" 2" 5" 6" 4" 5" 1'-0" 4" 5"

CU.1

CU.2

SIDEWALK

EXIT

SUMP DISCHARGE
(SEE CIVIL DWGS)

GARBAGE
STORED
INTERNALLY

2-STOREY COMMERCIAL
BUILDING W/ RESIDENTIAL
ON 2ND FLOOR

UNIT 2

UNI

D AREA

ENCROACHMENT LEGEND

- EXISTING PROPERTY LINE
- DENOTES GAS METER ENCHROACHMENT
- DENOTES EXHAUST VENT ENCHROACHMENT
- DENOTES EXHAUST PIPE ENCHROACHMENT
- DENOTES METAL DOWNSOUT ENCHROACHMENT
- DENOTES METAL EAVES ENCHROACHMENT

1
SP1 | .SP1

LANEWAY / CURB DETAIL

3/4" = 1'-0"

METAL EAVES PROJECT 6" BEYOND BUILDING FACE (ENCROACHES BEYOND PROP. LINE 2")

METAL DOWNSPOUT PROJECT 5" BEYOND BUILDING FACE (ENCROACHES BEYOND PROP. LINE 1")

MECHANICAL GAS METER PROJECTS 16" BEYOND BUILDING FACE (ENCROACHES BEYOND PROP. LINE 12")

MECHANICAL EXHAUST VENT PROJECTS 9" BEYOND BUILDING FACE (ENCROACHES BEYOND PROP. LINE 5")

MECHANICAL EXHAUST PIPE PROJECTS 8" BEYOND BUILDING FACE (ENCROACHES BEYOND PROP. LINE 4")

EXTERIOR ELECTRICAL OUTLET PROJECTS 3" BEYOND BUILDING FACE (DOES NOT ENCROACH BEYOND PROP. LINE)

MECHANICAL EXHAUST VENT PROJECTS 9" BEYOND BUILDING FACE (ENCROACHES BEYOND PROP. LINE 5")

MECHANICAL EXHAUST PIPE PROJECTS 10" BEYOND BUILDING FACE (ENCROACHES BEYOND PROP. LINE 6")

WINDOW TRIM PROJECTS 2" BEYOND BUILDING FACE (DOES NOT ENCROACH BEYOND PROP. LINE)

NEW FIXED DOOR
LEVER HANDLES TO BE REMOVED
DOOR TO BE NON-OPERABLE

STUCCO FRIEZE MOULDING PROJECTS 4" BEYOND BUILDING FACE (DOES NOT ENCROACH BEYOND PROP. LIN

METAL EAVES PROJECT 10" BEYOND BUILDING FACE (ENCROACHES BEYOND PROP. LINE 6")

Planning and Development Services

Prepared for	Council-in-Committee	**Report No.**	PDS-30-2020
Agenda Date	July 13, 2020	**File No.**	350303-0027

Subject

PROPOSED DRAFT PLAN OF COMMON ELEMENTS CONDOMIMUM – SOUTH COAST VILLAGE PHASE 3 - 0-15199 RIDGEWAY ROAD
MARZ HOMES (CRYSTAL BEACH INC.) C/O DAN GABRIELE (OWNER)
STEVEN FRASER, A.J. CLARKE (AGENT).

Recommendation

THAT Council receives for information purposes Report No. PDS-30-2020, regarding the South Coast Phase 3, Plan of Common Elements Condominium dated March 18, 2020 comprising of a condominium road, access and maintenance, landscaping, outdoor recreational area, club house and 48 visitor parking spaces for a 73 unit residential development located on a parcel on land legally described as Block 2, Registered Plan 59M-430.

Relation to Council's 2018-2022 Corporate Strategic Plan

Priority: Managed Growth through Responsibility, Stewardship and Preservation

List of Stakeholders

Residents and Property Owners in Fort Erie
Marz Homes (Crystal Beach Inc.) c/o Don Gabriele - Owners
Stephen Fraser, A.J Clarke – Agent

Prepared by:	Reviewed and Submitted by:	Approved by:
Original Signed	*Original Signed*	*Original Signed*
Anamika Dilwaria, M.Pl, MCIP, RPP Senior Development Planner	Kira Dolch, MCIP, RPP, CNU-A Director, Planning and Development Services	Tom Kuchyt, C.E.T. Chief Administrative Officer

Purpose

An application for a Draft Plan of Common Elements Condominium was received from Stephen Fraser of A.J Clarke and Associates Ltd., Agent for Marz Homes (Crystal Beach Inc.), owner of the subject property located at 0-15199 Ridgeway. A location map showing the area subject to the applications is attached as **Appendix "1"**.

The proposal known as South Coast Condominium Phase 3, Draft Plan of Common Elements Condominium permits the common ownership of a condominium road, landscaping, outdoor recreational area, club house and 48 visitor parking spaces to serve a 73 unit low-rise residential development. The proposed Draft Plan of Common Elements Condominium is included as **Appendix "2"**.

The purpose of this report is to provide information on the proposed Draft Plan of Common Elements Condominium.

Nature of the Site

The subject site is located in the Crystal Beach Neighbourhood and is approximately 2.5 hectares in size. The subject lands are south of Ryan Avenue and east of Ridgeway Road. The property is municipally known as 0-15199 Ridgeway Road and is legally known as Block 2 on Plan 59M-430. A location plan is included as **Appendix "1".** The subject property will be accessed via two (2) private roads; one access from Ridgeway Road and one from Ryan Avenue.

The following are the land uses surrounding the subject property:

North: Single-detached dwellings and townhouse dwellings with frontage on Ryan Avenue that were part of South Coast Village Phase 1 and 2.

South: Directly south of the property is a stormwater management pond, Regional wastewater treatment plant and single detached dwellings to the southeast.

East: Single-detached dwellings with frontage on Ryan Avenue that were part of South Coast Village Phase 2.

West: Single-detached dwellings with frontage on Ridgeway Road that were part of South Coast Village Phase 1.

Planning Context

Provincial Policy Statement (PPS)

The subject lands are located within a Settlement Area under the 2020 Provincial Policy Statement (PPS) and within the Delineated Built-Up Area under the 2019 Growth Plan for the Greater Golden Horseshoe (Growth Plan). The PPS and Growth Plan direct growth to settlement areas, and encourage the efficient use of land, resources, infrastructure and public service facilities though the development of complete communities with a diverse mix of land uses that provide an appropriate range and mix of housing types. This application is consistent with Provincial policies.

Further, the proposed development is occurring in a designated growth area within the urban boundary and is making an efficient use of urban serviced land. This proposal will help foster a complete community by infilling underdeveloped land.

Growth Plan for the Greater Golden Horseshoe (Growth Plan)

This proposal is consistent with the vision for the Greater Golden Horseshoe found in Section 1.2 of the Growth Plan. The proposal will assist with providing a sufficient housing supply that reflects market demand and what is needed in the community. The proposed development is located within a settlement area, makes efficient use of infrastructure and is consistent with the Growth Plan policies.

Niagara Region Regional Official Plan

The subject property is designated Urban Area in the Region Official Plan (ROP) and is located within the Built-Up Area. A full range of residential, commercial and industrial uses are permitted within the Urban Area designation, subject to the availability of adequate municipal services and infrastructure. The ROP promotes higher density development in Urban Areas and supports growth that contributes to the overall goal of providing a sufficient supply of housing that is affordable, accessible, and suited to the needs of a variety of households and income groups in Niagara.

Generally, the proposal represents an efficient use of urban residential land and existing services. The townhouse units will provide a compact form of housing that aligns with Regional growth management policies. The proposal will also assist the Town in achieving its intensification target.

Official Plan

Official Plan – Land Use Designations

The subject lands are designated Urban Residential on Schedule A of the Town's Official Plan. Section 4.7.4 of the Official Plan states that lands with Urban Residential designation are intended for a variety of housing forms such as single detached

dwellings, duplexes, semi-detached dwellings, townhouses, multiple unit dwellings, apartments, accessory apartments, rooming houses, boarding and lodging houses, group homes, housing for the elderly and similar forms of housing. Also permitted within the Urban Residential designation are uses that make up a neighbourhood including schools, churches, parks, day nurseries, public utilities, home occupations, accessory buildings, cemeteries and neighbourhood commercial uses. The proposed development consists of townhouses, a clubhouse and four apartment units which are a permitted uses under the Urban Residential designation.

Official Plan – Mineral Aggregate and Petroleum Resources

The subject property is located within area identified as a petroleum resource area in Schedule B of the Town's Official Plan. This proposal will not negatively impact extraction of petroleum resources as the site is located inside the urban boundary in an existing urbanized area where new petroleum resource operations are not a viable use. There are also no existing petroleum wells within 75 m of the subject site.

Official Plan – Natural Heritage Areas

Schedule C1 of the Official Plan does not identify any natural heritage feature on the subject lands that impacts the proposed development.

Official Plan – Archeological Zones of Potential & Sensitivity

Schedule D and D1 of the Official Plan identifies the subject lands as having archaeological potential and being within the Point Abino Zone of Sensitivity. A Stage 1-2 archaeological assessment was previously conducted by Archaeological Assessments Ltd. in December 2009. A clearance letter from the Ministry of Tourism and Culture was received on September 1, 2011 identifying they were satisfied that no further archeological work was required on site.

Comprehensive Zoning By-law No. 129-1990

The lands are currently zoned Residential Multiple 1 (RM1-649 (H)) Zone in accordance with Zoning By-law No. 129-90, as amended by By-law No. 2020-38. The Holding provision in the by-law is to ensure approval of the Condominium Agreement or the Site Plan Agreement. The proposal complies with the zoning regulations. The applicant must apply to remove the Holding provision following completion of the Site Plan/Condominium Agreement.

Condominium Design

As a result of this application, the future homeowners within this development will be part of a Common Elements Condominium Corporation with the shared condominium road, landscaping, outdoor recreational area, club house and 48 visitor parking spaces being the "common elements".

A common elements condominium is a form of a condominium which has only "common elements" and is used to tie parcels of land that are not part of the condominium to the common elements parcels.

Land that is developed as a Common Elements Condominium is also subject to Site Plan Control and all the development matters (i.e. site servicing/grading, landscaping, lighting, fencing, and waste disposal) will all addressed in the site plan agreement. The Condominium Corporation will be required to assume the responsibilities of the Site Plan Agreement through a Condominium Agreement.

Financial/Staffing Implications

All costs associated with processing the application and the development of the property is the responsibility of the owner.

Policies Affecting Proposal

The lands are being developed in accordance with the applicable policies contained in the Planning Act, R.S.O. 1990, the Town's Official Plan, the Comprehensive Zoning By-Law 129-90 and the Town's Subdivision Control Guidelines requirements.

Comments from Relevant Departments/Community and Corporate Partners

A request for comments regarding this Draft Plan of Common Elements Condominium application was circulated to relevant Departments/Community and Corporate Partners on May 7, 2020. Comments received to date are summarized below and are attached in full as **Appendix "4"**.

Staff Comments

Fort Erie Fire Department

There shall be no parking on the Streets anywhere due to possible congestion issues and the related fire response.

Manager, Community Planning

No comments.

Development Coordinator

No concerns.

Agency Comments

Canada Post

No concerns.

Niagara Region

The subject property is designated Urban Area in the Region Official Plan (ROP) and is located within the Built-Up Area. A full range of residential, commercial and industrial uses are permitted within the Urban Area designation, subject to the availability of adequate municipal services and infrastructure. Generally, the proposal represents an efficient use of urban residential land and existing services. The townhouse units will provide a compact form of housing that aligns with Regional growth management policies.

Niagara Peninsula Conservation Authority (NPCA)

No concerns.

Public Comments

A public open house was held by Town staff via Zoom on Monday, June 22, 2020. All property owners within 120 metres of the subject lands were notified of the informal public open house via a notice mailed to them. The meeting was attended by 8 area residents, the applicant, their agent and staff. Comments received (**Appendix "5")** are summarized below, with relevant responses.

Reasons for requesting Common Element Condominium and organization of condominium Corporation

The residents requested reason for the application. They requested more details regarding the common element condominium process.

Response: The owner has submitted an application to ensure ownership/tenure for the common elements that include common driveway, outdoor recreational area (pool and tennis court) clubhouse, and parking area which includes 43 visitor parking spaces. The future residents of the proposed development would form the condominium corporation.

Access to Clubhouse for residents on Ryan Avenue

One of the residents wanted to confirm if the owners of the properties on Ryan Avenue will have access to the proposed clubhouse, as they were informed when they purchased their property that they will have access to the proposed clubhouse.

Response: The developer has confirmed that if the owners of dwelling units on Ryan Avenue have bought their units from Marz Homes, then they will have access to clubhouse as long as they buy the membership.

Poor maintenance of the beach located at the end of Ridgeway Road

Residents were upset regarding the poor maintenance of the portion of beach located west of the Waterfront Park. The residents mentioned that the beach is littered with garbage and asked who the owner of this property is and why they did not maintain their property. The residents assumed the beach property was owned by Marz Homes.

Response: The applicant confirmed that the beach property was not owned by Marz Homes. Staff mentioned that they would check the ownership of the property and will take necessary action to ensure the property is cleaned and maintained as per Town's by-law standards.

Alternatives

N/A.

Communicating Results

There are no communication requirements at this time.

Conclusion

This report should be received for information purposes. Planning Staff is currently working with the Developer's lawyer regarding the registration of the Common Elements Condominium Agreement. Once the details are worked out Staff will bring a recommendation report to Council.

Attachments

Appendix "1" - Location Plan
Appendix "2" - Draft Plan
Appendix "3" - Comments from Staff/Agencies
Appendix "4" - Public Comments

LOCATION PLAN
Zoning By-law Amendment - South Coast Village Phase 2 Condominium

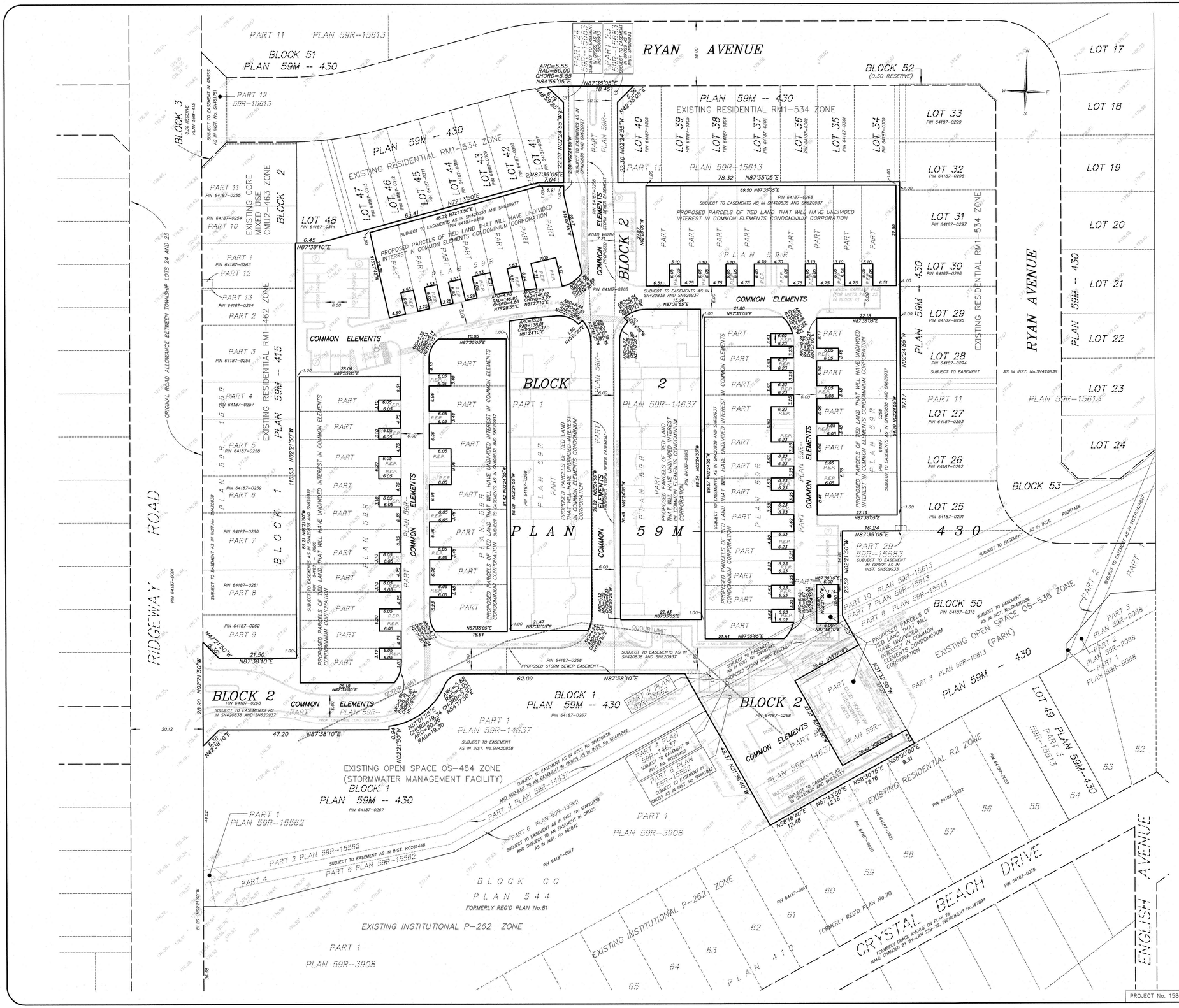
Subject Lands - Southcoast Village Phase 2 Condominium

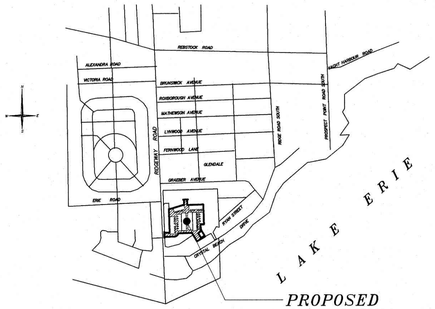
PLAN SHOWING SUBJECT LANDS IN THE CITY OF FORT ERIE REGIONAL MUNICIPALITY OF NIAGARA

Community & Development Service
Map created February 7, 2020

O:\Planning and Development Services\Planning\MAP REQUESTS\2020\Misc Location Maps\PDS-XX-2020 Appendix 1 - South Coast Village Condo.map

APPENDIX "2" TO ADMINISTRATIVE REPOSRT PDS-30-2020 DATED JULY 13, 2020





KEY PLAN
NOT TO SCALE

DRAFT PLAN OF

South Coast Village Condominiums

BEING A PROPOSED COMMON ELEMENTS CONDOMINIUM CORPORATION OF

BLOCK 2 – PLAN 59M–430

TOWN OF FORT ERIE

REGIONAL MUNICIPALITY OF NIAGARA

SCALE 1:500

0 1 2 3 4 5 metres

NICHOLAS P. MUTH O.L.S.

NOTE: THIS IS A DRAFT PLAN ONLY AND IS SUBJECT TO REVISION AND AMENDMENT.

METRIC: DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

RE: CHAPTER P.13 R.S.O. 1990 SECTION 51(17) OF THE PLANNING ACT AND SECTION 9 OF THE CONDOMINIUM ACT (1998)

A. SHOWN ON PLAN
B. SHOWN ON PLAN
C. SHOWN ON PLAN
D. SEE LAND USE SCHEDULE
E. SHOWN ON PLAN
F. SHOWN ON PLAN
G. SHOWN ON PLAN
H. MUNICIPAL PIPED WATER AVAILABLE IN RIDGEWAY ROAD & RYAN AVENUE
I. CLAY LOAM
J. SHOWN ON PLAN
K. STORM SERVICES TO BE INSTALLED SANITARY SERVICE AVAILABLE IN RIDGEWAY ROAD
L. SHOWN ON PLAN

SURVEYOR'S CERTIFICATE:

I CERTIFY THAT THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED AS SHOWN ON THIS PLAN AND THEIR RELATIONSHIP TO ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN.

MARCH 18, 2020
DATE

NICHOLAS P. MUTH
ONTARIO LAND SURVEYOR

LAND USE SCHEDULE:

PART ___ PLAN 59R–___ COMPRISES PROPOSED COMMON ELEMENTS CONDOMINIUM CORPORATION

44 PROPOSED VISITOR PARKING SPOTS
49 PROPOSED EXCLUSIVE USE PARKING SPACES (P.E.P)

CONDOMINIUM DRAFT APPROVAL:

SUBJECT TO THE CONDITIONS, IF ANY, SET FORTH IN OUR LETTER DATED 2020 THIS PLAN IS APPROVED UNDER SECTION 51 OF THE PLANNING ACT AND SECTION 9 OF THE CONDOMINIUM ACT, AS AMENDED, BY THE GENERAL MANAGER OF PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT OF THE REGIONAL MUNICIPALITY OF NIAGARA UNDER THE AUTHORITY OF BY–LAW 07–323.

THIS_____DAY OF_____ , 2020.

GENERAL MANAGER
PLANNING AND ECONOMIC DEVELOPMENT
REGIONAL MUNICIPALITY OF NIAGARA

A. J. Clarke and Associates Ltd.
SURVEYORS • PLANNERS • ENGINEERS
25 MAIN STREET WEST, SUITE 300
HAMILTON, ONTARIO, L8P 1H1
TEL. 905–528–8761 FAX 905–528–2289
email: ajc@ajclarke.com

H:\59\Morz\Phase 2\Survey\BLOCK 2\COMMON ELEMENTS CONDO\Common Elements Condo A.dwg

DELIVERY PLANNING
CANADA POST CORPORATION
955 HIGHBURY AVENUE NORTH
LONDON ON N5Y 1A3

June 3, 2020

Anamika Dilwaria, M.Pl., MCIP, RPP
Senior Development Planner, Planning and Development Services
The Corporation of the Town of Fort Erie
1 Municipal Centre Drive
Fort Erie, Ontario L2A 2S6

RE: South Coast Common Element Condominium

Dear Anamika:

Canada Post Corporation has no requirements or conditions regarding this project as the development in question falls within the Post Office Box-served boundaries of the Crystal Beach Post Office.

Should the description of the project change, I would appreciate an update in order to assess the impact of the change on mail service.

If you have any questions or concerns regarding this decision, I can be reached at 226-268-5914 or the above noted address.

I appreciate the opportunity to comment on this project.

Regards,

A. Carrigan

Andrew Carrigan
Delivery Services Officer

June 29, 2020

Anamika Dilwaria, M.PI., MCIP, RPP
Senior Development Planner
Town of Fort Erie
Planning & Development Services
1 Municipal Centre Drive
Fort Erie, ON L2A 2S6

Dear Anamika,

Re: Draft Plan of Condominium
Marz Homes (Crystal Beach) Inc.
Ridgeway Road and Ryan Avenue
Town of Fort Erie

Enbridge Gas Inc. does not object to the proposed application(s) however, we reserve the right to amend or remove development conditions.

This response does not constitute a pipe locate, clearance for construction or availability of gas.

The applicant shall contact Enbridge Gas Inc.'s Customer Connections department by emailing CustomerConnectionsContactCentre@Enbridge.com to determine gas availability, service and meter installation details and to ensure all gas piping is installed prior to the commencement of site landscaping (including, but not limited to: tree planting, silva cells, and/or soil trenches) and/or asphalt paving.

In the event that easement(s) are required to service this development, and any future adjacent developments, the applicant will provide the easement(s) to Enbridge Gas Inc. at no cost.

Sincerely,

Alice Coleman
Municipal Planning Analyst
Long Range Distribution Planning
—
ENBRIDGE GAS INC.
TEL: 416-495-5386
MunicipalPlanning@enbridge.com
500 Consumers Rd, North York, ON, M2J 1P8

enbridgegas.com
Safety. Integrity. Respect.

APPENDIX "3" TO ADMINISTRATIVE REPORT PDS-30-2020 DATED JULY 13, 2020

RE: Request for Comments- South Coast Common Element Condominium
Ellen Savoia to: Anamika Dilwaria 06/04/2020 01:30 PM
From: "Ellen Savoia" <esavoia@niagaraparks.com>
To: "Anamika Dilwaria" <ADilwaria@forterie.ca>

Hi Anamika
Please be advised that Niagara Parks has no comments or requirements with regard to the above noted application.
Thanks

Ellen

Niagara Parks

Ellen Savoia, MCIP, RPP
SENIOR MANAGER, ENVIRONMENTAL PLANNING

Ins F T

P 905-295-4396 x3258 **M** 289-241-8375 **F** 905-356-7262

7805 Niagara River Parkway, P.O. Box 150
Niagara Falls, Ontario, Canada L2E 6T2

esavoia@niagaraparks.com

niagaraparks.com

From: Anamika Dilwaria <ADilwaria@forterie.ca>
Sent: Wednesday, May 20, 2020 9:35 AM
To: Andrew.Carrigan@Canadapost.ca; circulations@mmm.ca; clampman@npca.ca; kathy.levinski@ncdsb.com; kris.watson@cnpower.com; LandUsePlanning@HydroOne.com; MunicipalPlanning@enbridge.com; planification@csdccs.edu.on.ca; Randy.Leppert@cogeco.com; sue.mabee@dsbn.org; karen.singer@bell.ca; circulations@wsp.com; Deluce, David <ddeluce@npca.ca>; erik.acs@niagararegion.ca; executivedirector@fenfc.org; craig.krueger@cogeco.com; Ellen Savoia <esavoia@niagaraparks.com>; mr18enquiry@mpac.ca; aazouz@csdccs.edu.on.ca; cgrummett@forteriecanada.com; kaudet@forteriecanada.com; scott.whitwell@ncdsb.com; lola.emberson@niagararegion.ca; aaazouz@csdccs.edu.on.ca; fawn.sault@mncfn.ca; doug.giles@niagararegion.ca; pontdj@hotmail.com; clerk@niagararegion.ca; devtplanningapplications@niagararegion.ca
Subject: Request for Comments- South Coast Common Element Condominium

All,
An application has been received by the Town of Fort Erie for a Draft Plan of Common Element Condominium consisting of private road, parking area and recreation open space for 73 unit residential development on the subject lands.
The subject property is within the urban boundary and is currently designated Urban Residential in Town's Official Plan. The lands are currently zoned Residential Multiple 1 (RM1-694) zone in accordance with Zoning By-law No. 129-90, as amended by By-law No. 2020-38.

In order for the Planning and Development Services Department to properly assess the application and prepare our report to Town Council, we would appreciate your comments as they pertain to the

APPENDIX "3" TO ADMINISTRATIVE REPORT PDS-30-2020 DATED JULY 13, 2020

RE: Request for Comments- South Coast Common Element Condominium
David Deluce to: Anamika Dilwaria 05/24/2020 02:13 PM
From: "David Deluce" <ddeluce@npca.ca>
To: "Anamika Dilwaria" <ADilwaria@forterie.ca>

Hi Anamika,

This is outside of any NPCA regulated area, therefore, we have no objections or requirements for this application.

Cheers,

David Deluce, MCIP, RPP
Senior Manager, Planning & Regulations
Niagara Peninsula Conservation Authority (NPCA)
250 Thorold Road West, 3rd Floor, Welland, ON, L3C 3W2
905-788-3135, ext. 224
ddeluce@npca.ca
www.npca.ca

Thank you for your email. Due to the COVID-19 pandemic, the NPCA has taken measures to protect staff and public while providing continuity of services. NPCA enforcement, permitting and planning functions are continuing to operate, however there may be delays in receiving responses to inquiries or complaints due to staff restrictions and remote work locations. Updates with regards to NPCA operations and activities can be found on our website at www.npca.ca/our-voice, the NPCA Facebook page at https://www.facebook.com/NPCAOntario and on Twitter at https://twitter.com/NPCA_Ontario.

For more information on Permits, Planning and Forestry please go to the Permits & Planning webpage at https://npca.ca/administration/permits.

For mapping on features regulated by the NPCA please go to our GIS webpage at https://gis-npca-camaps.opendata.arcgis.com/ and utilize our Watershed Explorer App or GIS viewer.

To send NPCA staff information regarding a potential violation of Ontario Regulation 155/06 please go to the NPCA Enforcement and Compliance webpage at https://npca.ca/administration/enforcement-compliance.

From: Anamika Dilwaria <ADilwaria@forterie.ca>
Sent: May 20, 2020 9:35 AM
To: Andrew.Carrigan@Canadapost.ca; circulations@mmm.ca; Cara Lampman <clampman@npca.ca>; kathy.levinski@ncdsb.com; kris.watson@cnpower.com; LandUsePlanning@HydroOne.com; MunicipalPlanning@enbridge.com; planification@csdccs.edu.on.ca; Randy.Leppert@cogeco.com; sue.mabee@dsbn.org; karen.singer@bell.ca; circulations@wsp.com; David Deluce <ddeluce@npca.ca>; erik.acs@niagararegion.ca; executivedirector@fenfc.org; craig.krueger@cogeco.com; esavoia@niagaraparks.com; mr18enquiry@mpac.ca; aazouz@csdccs.edu.on.ca; cgrummett@forteriecanada.com; kaudet@forteriecanada.com; scott.whitwell@ncdsb.com; lola.emberson@niagararegion.ca; aaazouz@csdccs.edu.on.ca; fawn.sault@mncfn.ca; doug.giles@niagararegion.ca; pontdj@hotmail.com; clerk@niagararegion.ca; devtplanningapplications@niagararegion.ca
Subject: Request for Comments- South Coast Common Element Condominium

Via Email Only

June 8, 2020

File No.: D.11.01.CD-20-0013

Ms. Anamika Dilwaria, M.Pl., MCIP, RPP
Senior Development Planner
Town of Fort Erie
1 Municipal Centre Drive
Fort Erie, ON L2A 2S8

Dear Ms. Dilwaria:

Re: Regional and Provincial Comments
Draft Plan of Common Element Condominium
South Coast Village
Applicant: Marz Homes (Crystal Beach) Inc.
Agent: A. J. Clarke and Associates Ltd. , Stephen Fraser
Ridgeway Road and Ryan Avenue, Block 2, Plan 59M-430
Town of Fort Erie

Regional Development Planning staff has reviewed the information circulated for this application including the draft plan of common element condominium. This draft plan of common element condominium for Block 2, 59M-430 consists of common element portions of the future corporation and parcels of tied land will have an undivided interest in the corporation. The application proposes shared ownership of private roads, private servicing, visitor parking and recreation open space for 73 residential units to be constructed on abutting lands. The application was circulated to the Region on May 20, 2020 and the associated fees were received on May 28, 2020.

The Region has provided detailed comments to the Town on the associated Site Plan application dated February 3, 2020. The comments noted that updated plans were required to address Regional Servicing and Infrastructure Easement comments and to ensure that a minimum turning radius of 12.8 m is met in accordance with Niagara Region's Waste Collection Policy. It is unclear on the submitted draft plan of condominium if these comments have been addressed. The Town should be satisfied that the Region's Site Plan comments can be addressed without impacting the Common Element Condominium as proposed. It is noted that any Regional conditions can be addressed in the Town Site Plan agreement as it is understood that the Town does not require a condominium agreement with the owner.

Conclusion

In conclusion, Regional staff has no objection to the proposed Draft Plan of Common Element Condominium provided the Town is satisfied that the common element condominium will not compromise Region's Site Plan comments.

Should you have any questions concerning the above noted comments, or if you would like a hard copy of the comments, please do not hesitate to contact me at 905-980-6000 extension 3518. Please send notice of Council's decision on this application

Respectfully,

Lola Emberson, MCIP, RPP
Senior Development Planner

cc: Ms. Susan Dunsmore, P. Eng., Manager, Development Engineering (Niagara Region)
Mr. Aaron Butler, MCIP, RPP, Manager of Development Planning (Town of Fort Erie)
Mr. Jeremy Korevaar, C.E.T, Coordinator, Development Approvals (Town of Fort Erie)

Interoffice Memorandum

June 11, 2020
File No. 350303-0027

To: Anamika Dilwaria, Senior Development Planner
From: Jeremy Korevaar, Coordinator, Development Approvals

Subject: **DRAFT PLAN OF COMMON ELEMENT CONDOMINIUM**
LOCATION: BLOCK 2, PLAN 59M-430 – SOUTH COAST VILLAGE SUBDIVISION

On behalf of the Infrastructure Services Department, Engineering Division, a review of the above noted Draft Plans of Condominium application has been completed. After a review of the application and associated documents the following comments and requirements regarding the proposed applications are provided:

General Comments

1. The Owner shall retain a qualified Engineer to prepare site engineering, cost estimates and administer servicing work associated with developing the subject lands.

2. The owner will be required to submit additional Planning Act applications (Site Plan Approval) to the Town for development of the subject lands.

Watermain Comments

1. Fire hydrants at the standard spacing must be provided, and hydrant layout is also subject to review and approval by the Town of Fort Erie.

2. All internal watermains must be looped to ensure a consistent turn-over of water within the development.

3. In accordance with the Town's Water By-law (By-law No. 66-2016) each property will be provided with one water connection which shall be metered near the property line by a new water meter in an underground chamber. Where two water service connections are proposed, each connection shall be served with a water meter and backflow in an underground chamber.

Storm Drainage Comments

1. Storm Water Management (SWM) and the site storm drainage system is to be addressed in accordance with the Town of Fort Erie's Storm Drainage Guidelines, the Town of Fort Erie Lot Grading Policy, Town of Fort Erie Stormwater Management Facility Design, Operation and Maintenance Policy and Standards and Ministry of Environment Best Management Principles. The minor system is to be capable of accommodating the 5-year storm. The major system shall provide unencumbered flow for the major event (100-year storm) to the storm water management facility.

2. A Site Plan Grade Control Plan showing existing and proposed grades, overland flow routes and building envelope and basement floor elevations is to be submitted by the Owner for review and approval by the Town.

3. Existing overland drainage patterns must be maintained.

REQUESTED CONDITIONS OF DRAFT PLAN APPROVAL:

1. That the applicant/developer enter into a Site Plan Agreement pursuant to Section 41 of the Ontario Planning Act and deposit sufficient security to ensure the completion of all common element services pursuant to Section 158 of the Condominium Act, 1998.

2. That the applicant/developer submit an undertaking that the Condominium Corporation will enter into an assumption agreement with the municipality, once the condominium plan has been registered, which requires the Condominium Corporation to assume the maintenance and responsibilities contained in the site plan agreement and that the Condominium Corporation will not object to the registration of the agreement.

3. That immediately following the registration of the Condominium Plan the Condominium Corporation enter into an assumption agreement with the Municipality which requires the Condominium Corporation to:
   a) Assume the maintenance and responsibilities outlined under the site plan control agreement to be approved by the Town of Fort Erie
   b) Provide to the Town security deposits as necessary to ensure completion of all outstanding works.

4. That the Site Plan Agreement between the owner and the Town be registered by the Municipality against the lands to which it applies in accordance with the Planning Act.

5. That the owner agrees in writing to satisfy all of the requirements, financial and otherwise, of the Town of Fort Erie concerning the provision of roads, watermains, sewers, drainage, storm water management, daylight triangles, sidewalks, fire hydrants, streetlighting, including the upgrading of existing services and the restoration of existing road damaged during the development of the Condominium.

6. That the owner agrees to deed any and all easements that may be required for access, utility and drainage purposes be granted to the appropriate authorities and utilities.

7. That all roads and driveways, water distribution, sewage collection, and storm drainage works within the subject lands shall be private.

8. That the site plan agreement include a clause requiring that each agreement of purchase and sale state that “Roof downspouts shall discharge only to ground surface via splash pads to either side or rear yards, with no direct connection to the storm sewer or discharge directed to the driveway or roadway”.

9. That the owner shall co-ordinate the preparation of an Overall Utility Distribution Plan to the satisfaction of all the affected authorities.

10. That the owner prepare a detailed Subdivision Grade Control Plan showing both existing and proposed grades and the means whereby major storm flows will be accommodated across the site be submitted to the Town of Fort Erie, Regional Municipality of Niagara Planning & Development Services Department and the Niagara Peninsula Conservation Authority for review and approval.

11. That the detailed design drawings for sanitary sewer and storm water drainage systems, including storm water management, to service this development be submitted to the Town of Fort Erie for review and approval.

12. That design drawings for watermains required to service this development be submitted to the Town of Fort Erie for review and approval.

13. That prior to approval of the final plan or any on-site grading, the owner submit to the Town of Fort Erie for review and approval two copies of a detailed stormwater management plan for the condominium and the following plans designed and sealed by a suitably qualified professional engineer in accordance with the Ministry of the Environment documents entitled "Stormwater Management Planning and Design Manual”, March 2003, and “Stormwater Quality Guidelines for New Development”, May 1991, and in accordance with Town of Fort Erie’s Storm Drainage Guidelines, the Town of Fort Erie Lot Grading Policy, Town of Fort Erie Stormwater Management Facility Design, Operation and Maintenance Policy and Standards:

    a) Detailed lot grading and drainage plans, noting both existing and proposed grades and the means whereby overland flows will be accommodated across the site;
    b) Detailed sediment and erosion control plans.

14. That the site plan agreement between the owner and the Town of Fort Erie contain provisions whereby the owner agrees to implement the approved stormwater management plan required in accordance with Condition 13 above.

Jeremy Korevaar, C.E.T.
Coordinator, Development Approvals

cc: Aaron Butler, Manager, Development Approvals
Tim Marotta, Manager, Engineering

APPENDIX "3" TO ADMINISTRATIVE REPORT PDS-30-2020 DATED JULY 13, 2020

Draft Plan of Common Element Condominium - South Coast Phase 2
Keegan Gennings to: Anamika Dilwaria 05/27/2020 08:57 AM
From: Keegan Gennings/FortErie
To: Anamika Dilwaria/FortErie@TownOfFortErie

To: ADilwaria@forterie.ca

Hi Anamika,

I have reviewed the application for draft plan of common element condominium for South Coast phase 2 and have no comments.

Regards,

Keegan Gennings C.B.C.O
Chief Building Official
Town of Fort Erie
905-871-1600 ext. 2515

APPENDIX "3" TO ADMINISTRATIVE REPORT PDS-30-2020 DATED JULY 13, 2020

Re: Request for comments- South Coast Village Phase 2 Condominium
Ed Melanson to: Anamika Dilwaria 05/10/2020 09:56 AM
From: Ed Melanson/FortErie
To: Anamika Dilwaria/FortErie@TownOfFortErie

To: ADilwaria@forterie.ca

Good morning Anamika,

I have reviewed the attached documents for Phase 2, South Coast Condominiums. My only comment is that there shall be no parking on the Streets anywhere due to possible congestion issues and the related fire response.

Ed Melanson
Fire Chief & CEMC
Fort Erie Fire Department

Office: (905) 871-1600 ext. 2600
Cell: (905) 329-7255

Anamika Dilwaria---2020-05-07 03:31:39 PM---Request for comments- South Coast Village Phase 2 Condominium

Request for comments- South Coast Village Phase 2 Condominium

2020-05-27 Wed 12:00 PM - 1:00 PM
Attendance is **required** for Ed Melanson

Chair:
Anamika Dilwaria/FortErie
No Location Information

This entry has an alarm. The alarm will go off before the entry starts.

Required: Chris Millar/FortErie@TownOfFortErie, Ed Melanson/FortErie@TownOfFortErie, Jeremy Korevaar/FortErie@TownOfFortErie, Keegan Gennings/FortErie@TownOfFortErie, Signe Hansen/FortErie@TownOfFortErie
Optional: Aaron Butler/FortErie@TownOfFortErie, Kira Dolch/FortErie@TownOfFortErie

Description

[attachment "JUNE 14-18 South Coast Village - Preconsultation Agreement_FINAL.pdf" deleted by Ed Melanson/FortErie] [attachment "CE 2020 Draft Plan of Condo Application.pdf" deleted by Ed Melanson/FortErie] [attachment "Common Elements Condo A signed.pdf" deleted by Ed Melanson/FortErie] [attachment "Condo cover letter for CE Condo.pdf" deleted by Ed Melanson/FortErie] [attachment "Internal Staff Circulation Memo -.docx" deleted by Ed Melanson/FortErie]

Personal Notes

APPENDIX "4" TO ADMINISTRATIVE REPORT PDS-30-2020 DATED JULY 13, 2020

Beach waterfront at Ridge Road
Barbara Anderson to: ADilwaria 06/23/2020 02:15 PM
From: "Barbara Anderson" <barbandersonmsw@gmail.com>
To: ADilwaria@forterie.ca

Anamika

Thanks so much for getting back to me about this. This piece of private property is causing a lot of concern to the small community of residents on the waterfront with or without bathrooms. I would actually like to know who owns this numbered company.

The private unprotected unregulated property is free, accessible, overcrowded and there are no garbage cans so garbage is strewn there weekly and it gets nasty.

My concern is the area is widely known to be open, free and unregulated and it attracts the public who either can't access Bay Beach or who don't want to pay. This was a problem on weekends last year and it appears it will be much worse this year.

People park in the boat launch parking so people with boat launch parking permits so that people who have paid $100 for the season cannot even find a parking space.

This property owner definitely needs to work with the town to be responsible about the concern. Some future planning needs to be put in place for the area as a whole as density and traffic increases in this area. Is there a plan for this?

Currently there is a free for all happening here on summer weekends and I have written to the Mayor about the past weekend and I would hope that going forward the town council and staff put together a short term and long term plan to deal with this.

Can you let me know what follow up takes place with this property owner and what the outcome might look like?

Thanks so much,

Barb

Barbara Anderson

M.S.W., R.S.W., Acc FM, FDRP MED

Certified Relational Life Therapist (RLI), EMDR Therapist
Accredited Family Mediator OAFM and FDRIO

I will answer your email as soon as possible on the next business day.

As the cases of coronavirus (COVID-19) increases around the world and in Canada, I continue to implement precautionary measures to ensure the health and safety of people, families, clients, and our community. I am closely monitoring the situation and following the best

APPENDIX "4" TO ADMINISTRATIVE REPORT PDS-30-2020 DATED JULY 13, 2020

Proposed Marz Homes Condos - Zoom Meeting
heidi s to: adilwaria@forterie.ca 06/22/2020 12:43 PM
From: "heidi s" <heidistoronto@hotmail.com>
To: "adilwaria@forterie.ca" <adilwaria@forterie.ca>
History:
This message has been replied to.

TO: Anamika Dilwaria, Senior Development Planner
South Coast Village Phase 3

RE: Zoom Meeting: Monday June 22, 2020, 5pm

Ms. Dilwaria,

Thank you for providing this opportunity for residents who will be profoundly affected by this condominium development to voice our concerns. I have spoken with many residents on Crystal Beach Drive who have asked me to write on their behalf - some are listed at the end of this letter, some are not.

We are year-round residents directly South of this proposed development. We are located at 3816 Crystal Beach Drive. We are pro-development and love witnessing the growth of our beautiful community however we have fought hard to maintain the beauty, charm & friendly coexistence of neighbours that continues to draw people to our area.

1) I formally request that a meeting delay on this condo development so that residents of Crystal Beach Drive who are our valued U.S. neighbours and who contribute to our local economy and pay taxes to The town of Fort Erie. As you know, COVID-19 has closed the U.S. border and many cottages remain empty - including the cottage which borders directly on the chain link fence surrounding your proposed common area - many are ***not even receiving notice of this meeting for those who can not access the Crystal Beach P.O. Boxes if notification was only mailed to them***. To slight these residents during a pandemic could set up a future of ill-will towards Marz Homes. Marz Homes could be seen of taking advantage of the closed border and local health emergency to push through these Town Council decisions - just like the Community Centre Condo height allowance that was pushed through in the dead of Winter last February. Please consider what would be a short delay in the grand scheme of things out of respect for the residents who have supported Crystal Beach for generations.

2) Please provide a 3-D representation or photo-to-scale (***not*** 2D drawings) of the development at the Zoom meeting that can be circulated to the public. No developer operates without one and without one ***no resident can have a clear idea of what Marz Homes is proposing in order to fully grasp the significance of this proposal to formulate the opinion you are requesting at this time.*** It is critical that the public be informed by Marz Homes about what this building will look like - to scale - from all sides.

3) **NOISE BARRIERS**: At exactly what point in the development will mature trees be planted along the South facing chain link fence? We immediately request the installation of a noise barrier during the building process until these mature trees are planted. We have already endured the cacophony of

APPENDIX "4" TO ADMINISTRATIVE REPORT PDS-30-2020 DATED JULY 13, 2020

Re: Christopher Young link for Zoom Meetin
Christopher Young to: Anamika Dilwaria 06/23/2020 08:59 PM
From: "Christopher Young" <ciyoung@att.net>
To: "Anamika Dilwaria" <ADilwaria@forterie.ca>

Thanks so much for your prompt attention in this matter Anamika. Hopefully we can all work together to make the area a safer, cleaner and more beautiful community.
Take care,
Chris Young

Sent from my iPad

On Jun 23, 2020, at 9:30 AM, Anamika Dilwaria <ADilwaria@forterie.ca> wrote:

HI Chris,

Just wanted to follow-up on the complaint regarding the beach area- the lands are owned by a numbered company and to address the resident concerns raised at the open house meeting I have put in a property standard complaint and I hope the situation is rectified soon.

Thanks

Anamika Dilwaria, M.Pl., MCIP, RPP
Senior Development Planner, Planning and Development Services
The Corporation of the Town of Fort Erie
1 Municipal Centre Drive
Fort Erie, Ontario L2A 2S6
TEL: 1-905-871-1600 ext.2507
E-mail-adilwaria@forterie.ca

From: "Christopher Young" <ciyoung@att.net>
To: "adilwaria@forterie.ca" < adilwaria@forterie.ca>
Date: 06/22/2020 04:07 PM
Subject: Christopher Young link for Zoom Meetin

Thanks for calling me, and I'd appreciate the link for the meeting at 5PM.
Chris

Planning and Development Services

Prepared for	Council-in-Committee	**Report No.**	PDS-31-2020 (Revised)
Agenda Date	July 13, 2020	**File No.**	350303-0031

Subject

PROPOSED DRAFT PLAN OF STANDARD (PHASED) CONDOMINIUM - BRYDGEVIEW TOWNHOUSES PHASE 2 – 0 ALBANY STREET
1639875 ONTARIO LTD,C/O FRANK QUI(OWNER)
JAY MCGUFFIN, MONTEITH BROWN PLANNING –(AGENT)

Recommendation

THAT Council receives for information purposes Report No. PDS-31-2020, regarding the Brydgeview Townhouses Phase 2, Plan of Standard (Phased) Condominium dated January 31, 2020 showing 6 townhouse blocks, containing 26 townhouse dwelling units as shown in Appendix "2".

Relation to Council's 2018-2022 Corporate Strategic Plan

Priority: Managed Growth through Responsibility, Stewardship and Preservation

List of Stakeholders

Residents and Property Owners in Fort Erie
1639875 Ontario Ltd (c/o Frank Qui) - Owners
Monteith Brown Planning (Jay McGiffin) – Agent

Prepared by:	Reviewed and Submitted by:	Approved by:
Original Signed	*Original Signed*	*Original Signed*
Anamika Dilwaria, M.Pl., MCIP, RPP Senior Development Planner	Kira Dolch, MCIP, RPP, CNU-A, Director, Planning and Development Services	Tom Kuchyt, C.E.T. Chief Administrative Officer

Purpose

An application for a Draft Plan of Standard (Phased) Condominium was received from Jay McGuffin of Monteith Brown Planning Consultants, Agent for 1639875 Ontario Ltd, (Frank Qui), Owner of the subject property located at 0 Albany Road. A location map showing the area subject to the application is attached as **Appendix "1"**.
The proposal, known as BrydgeView Townhouses Phase 2, Draft Plan of Standard (Phased) Condominium, would permit the development of the subject lands for 6 townhome blocks that includes 26 townhouse dwelling units. The proposed Draft Plan of Standard (Phased) Condominium is included as **Appendix "2"**.

A Phased Condominium allows the Plan to be registered in phases, as each block of townhouses are built. The initial phase of the condominium would include the common element portions of the condominium necessary to serve the initial phase, such as internal roads and services, as well as the initial block of townhouses. Subsequent phases would be registered with common element portions needed to serve each phase. The purpose of this report is to provide information on the proposed Draft Plan of Standard (Phased) Condominium.

Nature of the Site

The site is approximately 0.79 ha (1.95 acres) in area and is located on the north side of Albany Road, east of King Street in the Gateway Neighbourhood. The subject property is currently vacant and is municipally known as 0 Albany Road. A location plan is included as **Appendix "1"** to this report.

Surrounding land uses include the following:

North: Former County Fair Mall / future site of Gilmore Lodge Long Term Care Facility
South: Albany Street and single detached dwellings
East: Former County Fair Mall / future site of Gilmore Lodge Long Term Care Facility
West: King Street and single detached dwellings (Phase 1 of the BrydgeView development)

Planning Context

Provincial Policy Statement (PPS)

The subject lands are located within a Settlement Area under the 2020 Provincial Policy Statement (PPS) and within the Delineated Built-Up Area under the 2019 Growth Plan for the Greater Golden Horseshoe (Growth Plan). The PPS and Growth Plan direct growth to settlement areas, and encourage the efficient use of land, resources, infrastructure, public service facilities and the development of complete communities

with a diverse mix of land uses that provide an appropriate range and mix of housing types. This application is consistent with Provincial policies.

Further, the proposed development is occurring in a designated growth area within the urban boundary and is making an efficient use of urban serviced land. This proposal will help foster a complete community by infilling underdeveloped land.

Growth Plan for the Greater Golden Horseshoe (Growth Plan)

This proposal is consistent with the Vision for the GGH found in Section 1.2 of the Growth Plan. The proposal will assist with providing a sufficient housing supply that reflects market demand and what is needed in the community. The proposed development is located within a settlement area, makes efficient use of infrastructure and is consistent with the Province's growth policies.

Niagara Region Regional Official Plan

The subject property is designated Urban Area in the Region Official Plan (ROP) and is located within the Built-Up Area. A full range of residential, commercial and industrial uses are permitted within the Urban Area designation, subject to the availability of adequate municipal services and infrastructure. The ROP promotes higher density development in Urban Areas and supports growth that contributes to the overall goal of providing a sufficient supply of housing that is affordable, accessible, and suited to the needs of a variety of households and income groups in Niagara.

Generally, the proposal represents an efficient use of urban residential land and existing services. The townhouse units will provide a compact form of housing that aligns with Regional growth management policies. The proposal will also assist the Town in achieving its intensification target.

Official Plan

Official Plan – Land Use Designations

The Town's Official Plan designates this property as "Urban Residential". Various forms of residential uses are permitted within the Urban Residential designation, including townhouses and apartments.

The Gateway Secondary Plan designates the subject property as Medium Density Residential. Multi-unit dwellings, including townhouses and apartments are permitted at a density range of 25-50 units per hectare in the Medium Density designation. The proposed Draft Plan of Standard Condominium has a density of approximately 33 units/hectare, which is consistent with the medium density designation.

Official Plan – Mineral Aggregate and Petroleum Resources

The subject property is located within area identified as a petroleum resource area in Schedule B of the Town's Official Plan. This proposal will not negatively impact extraction of petroleum resources as the site is located inside the urban boundary in an existing urbanized area where new petroleum resource operations are not a viable use. There are also no existing petroleum wells within 75 m of the subject site.

Official Plan – Natural Heritage Areas

Schedule C1 of the Official Plan does not identify any natural heritage feature on the subject lands that impacts the proposed development.

Official Plan – Archeological Zones of Potential & Sensitivity

Schedule D of the Official Plan identifies that the subject lands are located in an area of high archaeological potential. As part of the earlier planning applications, the applicant had submitted a Stage 3 Archaeological Assessment prepared by Golder Associates, dated August 2009, and an acknowledgement letter from the Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI), dated November 17, 2009, confirming that archaeological resources have been adequately addressed.

Comprehensive Zoning By-law No. 129-1990

The lands are currently zoned Residential Multiple 1 (RM1-594) zone in accordance with Zoning By-law No. 129-90, as amended by By-law No. 2018-13. The applicant has recently received approval from the Committee of Adjustment (A-12-2020) to address some minor zoning deficiencies on the plan. The final appeal date for the minor variance application A-12-2020 is July 13, 2020.

Condominium Design

The plan of standard (phased) condominium will accommodate the intended division of the land into 6 blocks of land which would create 26 townhouse units that can be owned separately. The plan will facilitate the sale of the townhome dwelling units to be built on them. The plan includes a private common road off Albany Road and two parking areas. The scale and height of the proposed dwellings will be compatible with the surrounding detached dwellings.

The developer will be required to enter into a condominium agreement with the Town at a later date. The agreement will address any necessary works and warning clauses. Land that is developed as a Standard (Phased) condominium is also subject to Site Plan Control and all the development matters (i.e. site servicing/grading, landscaping, lighting, fencing, and waste disposal) will all be addressed in the site plan agreement.

Financial/Staffing Implications

All costs associated with processing the application and the development of the property is the responsibility of the owner.

Policies Affecting Proposal

The lands are being developed in accordance with the applicable policies contained in the Planning Act, R.S.O. 1990, the Town's Official Plan, the Comprehensive Zoning By-Law 129-90 and the Town's Subdivision Control Guidelines requirements

Comments from Relevant Departments/Community and Corporate Partners

A request for comments regarding this Draft Plan of Standard (Phased) condominium application circulated to relevant Departments/Community and Corporate Partners on March 2, 2020. Comments received to date are summarized below and are attached in full as **Appendix "3"**.

Staff Comments

Fort Erie Fire Department

No questions, comments or concerns.

Manager, Community Planning

No comments

Development Coordinator

No concerns.

Agency Comments

Bell Canada

No concerns.

Canada Post

No concerns.

Cogeco

No comments.

Enbridge

No concerns.

Hydro One

No objections or concerns.

Niagara Region

The subject property is designated Urban Area in the Region Official Plan (ROP) and is located within the Built-Up Area. A full range of residential, commercial and industrial uses are permitted within the Urban Area designation, subject to the availability of adequate municipal services and infrastructure. Generally, the proposal represents an efficient use of urban residential land and existing services. The townhouse units will provide a compact form of housing that aligns with Regional growth management policies.

Noise

Regional staff noted concerns with potential noise issues emanating from the adjacent property loading area and recommended enhanced noise mitigation measures along with warning clauses as a condition of draft plan. The future Condominium agreement will include warning clauses that must be included in Offers to Purchase and Agreements to Purchase and Sale.

Archaeological Resources

The subject land is identified as having high archaeological potential based on the Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI). The Region is in receipt of the Stage 3 Archaeological Assessment prepared by Golder Associates, dated August 2009, and an acknowledgement letter from the Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI), dated November 17, 2009, confirming that archaeological resources have been adequately addressed. Regional staff note that the warning clause is included in the Subdivision agreement and request the standard warning clause also be included in the site agreement.

Servicing

The proposed development is within the drainage area of the Lakeshore Road Sewage Pumping Station (SPS).

Stormwater Management

Niagara Region staff has reviewed the Stormwater Management Report Bridgeview Townhouses Phase 2' (dated September 2019) and the associated engineering drawings (dated September 2019) all by Dillon Consulting.

Waste Collection

The subject property is eligible to receive Regional curbside waste and recycling collection provided the owner brings the waste and recycling to the curbside on the designated pick up day.

Niagara Peninsula Conservation Authority (NPCA)

No comments were provided at the time of this writing.

Public Comments

A public open house was held by Town staff via Zoom on Wednesday, June 17, 2020. All property owners within 120 metres of the subject lands were notified of the informal public open house via a notice mailed to them. None of the area residents attended the public information open house meeting. No written submissions have been submitted to staff at the time of this writing.

Alternatives

N/A.

Communicating Results

There are no communication requirements at this time.

Conclusion

This report should be received for information purposes. Planning Staff is currently working with the Developer regarding certain conditions of Draft Plan Approval. Once the conditions are finalized, Staff will bring a recommendation report to Council.

Attachments

Appendix “1” - Location Plan
Appendix “2” - Draft Plan of Condominium
Appendix “3” - Comments from Staff/Agencies

APPENDIX "1" TO ADMINISTRATIVE REPORT PDS-31-2020 DATED JULY 13, 2020

LOCATION PLAN
Zoning By-law Amendment - Brydgeview Phase 2 Condominium

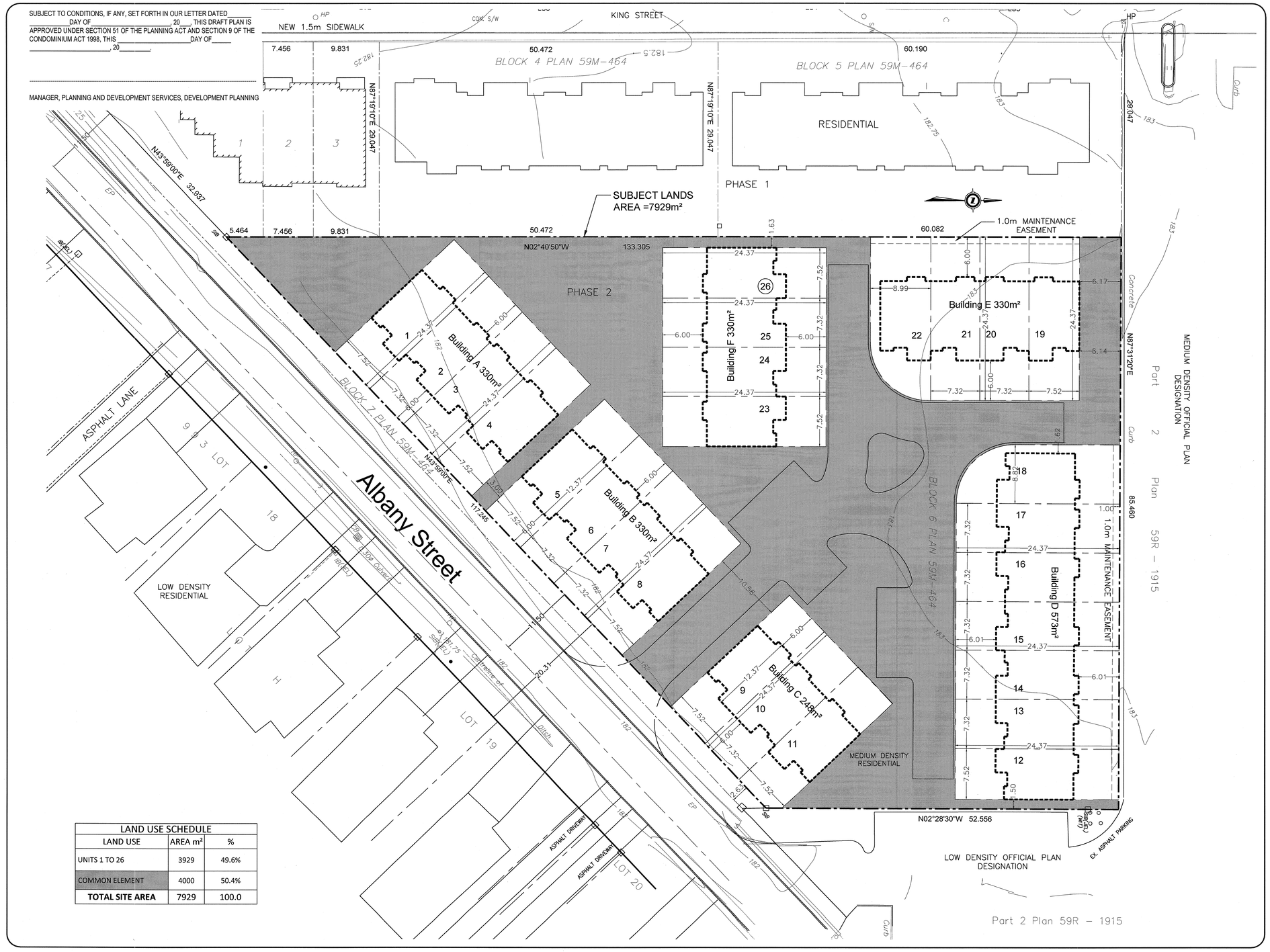
Subject Lands - Brydgeview Phase 2 Condominium

Planning & Development Services
Map created July 7, 2020

Proposed Draft Plan of Standard (Phased) Condominium - BrydgeView Townho... Page 104 of 202

SUBJECT TO CONDITIONS, IF ANY, SET FORTH IN OUR LETTER DATED_____
_____DAY OF_____, 20___, THIS DRAFT PLAN IS APPROVED UNDER SECTION 51 OF THE PLANNING ACT AND SECTION 9 OF THE CONDOMINIUM ACT 1998, THIS _____DAY OF_____
_____, 20_____.

_____
MANAGER, PLANNING AND DEVELOPMENT SERVICES, DEVELOPMENT PLANNING



LAND USE SCHEDULE		
LAND USE	AREA m²	%
UNITS 1 TO 26	3929	49.6%
COMMON ELEMENT	4000	50.4%
TOTAL SITE AREA	7929	100.0

mbpc
Monteith+Brown
planning consultants
610 PRINCESS AVENUE, LONDON, ONTARIO N6B 2B9
Tel: (519) 686-1300 E-mail: mbpc@mbpc.ca

DRAFT PLAN OF CONDOMINIUM (PHASED)

BLOCK 6 PLAN 59M-464
TOWN OF FORT ERIE
REGIONAL MUNICIPALITY OF NIAGARA

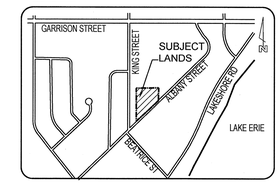
OWNER'S CERTIFICATE
I, Jay McGuffin of Monteith Brown Planning Consultants, am authorized to submit this Draft Plan of Condominium on behalf of the owner.

J. McGuffin, BA, MSIP, RPP
Monteith Brown Planning Consultants
FEB 7, 2020
Date

SURVEYOR'S CERTIFICATE
I hereby certify that the boundary of the lands to be subdivided as shown on this plan and their relationship to the adjacent lands are correctly shown.

Harold D. Hyde, OLS
Rasch & Hyde Ltd.
FEB 5, 2020
Date

KEY PLAN: N.T.S.



No.	REMARKS	DATE
2	SUBMIT FOR REVIEW	FEB 2020
1	DPC PRE CONSULTATION	DEC 2018

RECORD OF SUBMISSION

LEGEND
- SUBJECT LANDS
- PROPOSED UNIT LIMITS
- PROPOSED ASPHALT
- PROPOSED MAINTENANCE EASEMENT
- PROPOSED BUILDING

SURVEYOR
RASCH & HYDE LTD.
Ontario Land Surveyors
P.O. Box 550, 74 Jarvis Street
FORT ERIE, ONT, L2A 5Y1
905-871-9757
(FAX 905-871-9748)

PLANNING ACT;
REQUIREMENTS UNDER SECTION 51 (17) OF THE PLANNING ACT, 1990 (as amended)

a) as shown on plan	g) as shown on plan
b) as shown on plan	h) municipal water
c) as shown on key plan	i) sandy silt / silty sand
d) as shown on land use schedule	j) as shown on plan
e) as shown on plan	k) municipal sewers & water
f) as shown on plan	l) as shown on plan

SCALE:
DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048
SCALE 1 : 250
0 5 10 15m

PROJECT TITLE:
BRYDGEVIEW TOWNHOMES
Phase 2
1639875 ONTARIO LTD.

Prepared by:	bs	Drawn by:	bs
Checked by:	jmc	Surveyed by:	R&H
Scale:	1 : 250 (24"X36")	Date:	Jan 31, 2020

Drawing No. 1
File No. 15-1621

Niagara Region

Planning and Development Services
1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7
905-980-6000 Toll-free:1-800-263-7215

Via Email Only

April 29, 2020

File No.: D.11.01.CD-20-0005

Ms. Anamika Dilwaria, M.Pl., MCIP, RPP
Senior Development Planner
Town of Fort Erie
1 Municipal Centre Drive
Fort Erie, ON L2A 2S8

Dear Ms. Dilwaria:

Re: Regional and Provincial Comments
Draft Plan of Vacant Land Condominium
Phase 2 Brydgeview Townhouse Development
Applicant: Foxwood Building Corporation
Agent: Monteith Brown Planning, Jay McGuffin
Owner: 1639875 Ontario Ltd.
Albany Street east of King Street, Block 6, Plan 59M-464
Town of Fort Erie

Regional Development Planning staff has reviewed the Draft Plan of Vacant Land Condominium and Site Plan applications for Phase 2 of the Brydgeview Plan of Subdivision. Phase 1 of the development consisted of street townhouse units fronting onto King Street. This draft plan of vacant land condominium for Block 6, 59M-464 proposes 26 condominium townhouse units consisting of 11 units fronting onto Albany Street and 15 fronting onto a private road accessed via Albany Street. The proposed common elements include the private road, private servicing, visitor parking and open space.

A pre-consultation meeting regarding this proposal was held on December 13, 2018. The application was circulated to the Region on March 5, 2020 and the associated fees were received on April 22, 2020. The following comments are provided from a Regional and Provincial perspective to assist the Town in considering the proposed condominium application and preliminary comments on the site plan application.

Provincial and Regional Policies

The subject lands are located within a Settlement Area under the 2020 Provincial Policy Statement (PPS) and within the Delineated Built-Up Area under the 2019 Growth Plan for the Greater Golden Horseshoe (Growth Plan). The PPS and Growth Plan direct growth to settlement areas, and encourage the efficient use of land, resources, infrastructure and public service facilities though the development of complete communities with a diverse mix of land uses that provide an appropriate range and mix of housing types.

The subject propety is designated Urban Area in the Region Official Plan (ROP) and is located within the Built-Up Area. A full range of residential, commercial and industrial uses are permitted within the Urban Area designation, subject to the availability of adequate municipal services and infrastructure. The ROP promotes higher density development in Urban Areas and supports growth that contributes to the overall goal of providing a sufficient supply of housing that is affordable, accessible, and suited to the needs of a variety of households and income groups in Niagara.

Generally, the proposal represents an efficient use of urban residential land and existing services. The townhouse units will provide a compact form of housing that aligns with Regional growth management policies. The proposal will also assist the Town in achieving its intensification target.

Noise

Regional staff noted concerns with potential noise issues emanating from the adjacent property loading area and recommended enhanced noise mitigation measures along with warning clauses as a condition of draft plan. The Subdivision agreement includes warning clauses be included in Offers to Purchase and Agreements to Purchase and Sale. It is also noted that the site plan shows a 1.8 m high barrier fence along the northerly property line. The Town may wish to consider the extension of the fence along the easterly property line to buffer the rear yards of Unit 12 and 11 from any future development on the adjacent property.

Archaeological Resources

The subject land is identified as having high archaeological potential based on the Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI) Criteria for Evaluating Archaeological Potential and the Town of Fort Erie’s Archaeological Master Plan. The Region is in receipt of the Stage 3 Archaeological Assessment prepared by Golder Associates, dated August 2009, and an acknowledgement letter from the Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI), dated November 17, 2009, confirming that archaeological resources have been adequately addressed. Recognizing that no archaeological survey, regardless of its intensity, can entirely negate the possibility of deeply buried archaeological materials, Regional staff note that

the warning clause is included in the Subdivision agreement and request the standard warning clause also be included in the site agreement. Appropriate wording for the warning clause is included in the Appendix I.

Technical Comments

Servicing

Regional staff have reviewed the draft plan condominium drawing for the proposed development. The proposed site plan is within the drainage area of the Lakeshore Road Sewage Pumping Station (SPS). The Region has reviewed the recently completed Master Servicing Plan (MSP) and provide the following comments:

- This sewershed has been allocated growth out to 2041 in consultation and collaboration with the Town of Fort Erie. The study was completed at a high level and did not allocate capacities to individual properties.
- Currently the MSP has identified a future upgrade to the Lakshore Road Sewage Pumping Station to upgrade the capacity from 63.0 L/sec to 70.0 L/sec, however it was noted that flow monitoring and I/I study was to be completed to see if the upgrade was required before the project was scheduled for design and construction.
- The MSP can be found at the following link: http://www.niagararegion.ca/2041/master-servicing-plan/default.aspx

The servicing plans provided shows the storm sewer connecting into a storm sewer in Phase 1 (King Street Townhouses). In future site plan submissions clarificiation as to where this storm sewer is outletting to should be included. If an extension of a municipal storm sewer is proposed, Ministry of Environment, Conservation and Parks, ECA will be required.

The Region requires conditions of condominium approval related to servicing capacity and detailed design. These conditions are included in Appendix I.

Stormwater Management

Niagara Region staff has reviewed the 'Stormwater Management Report Brydegview Townhouses Phase 2' (dated September 2019) and the associated engineering drawings (dated September 2019) all by Dillon Consulting. Based on our review on these materials, Regional staff offer the following comments:

Niagara Region will require that stormwater runoff from the development be captured and treated to an Enhanced standard prior to discharge from the site.

a) The Region has no objection to the proposed installation of an oil-grit separator (OGS) Stormceptor STC750 to service the major portion of the development to meet this criterion. The proposed OGS is adequately sized.

b) Please clarify how water treatment requirement for Buildings A, B and C fronting on Albany Street will be met.

Niagara Region will not require flow control, as the proposed development will not directly affect the Regional infrastructures and so have no comments on the flow control plan. Staff note that the submitted Stormwater Management Report is not signed. Please forward a signed copy of the Stormwater Management Report for our records.

Conditions of condominium approval related to stormwater management review and approval are included in Appendix I.

Waste Collection

Niagara Region provides curbside waste and recycling collection for developments that meet the requirements of Niagara Region's Waste Collection Policy. The subject property is eligible to receive Regional curbside waste and recycling collection provided the owner brings the waste and recycling to the curbside on the designated pick up day, and that the following limits are not exceeded:

- No limit blue/grey containers;
- No limit green containers; and,
- 1 garbage container per unit.
- Collection will be at the curbside only

Condominium Townhouse Developments are eligible to receive internal curbside waste collection through the Region. In order for this service to be provided, the developer/owner shall comply with the Niagara Region's Corporate Policy and By-laws related to curbside collection of waste and recycling and complete the Application for Commencement of Collection and Indemnity Agreement. The required forms and policy can be found at the following link: www.niagararegion.ca/waste.

Regional staff reviewed the submitted Draft Plan and site plan drawings. It is unclear if the units fronting the private road would be able to receive Regional curbside collection. The required turning radii for waste collection trucks does not appear to meet the requirements and appropriate waste collection pads for units 12, 13, 14, 15, 16, 19, 20, 24, 25, and 26 are not clearly identified on the site plan drawings.

In order to determine if on-site waste collection can be provided in a safe manner and to identify any additional units requiring waste collection pads, Region staff request revised plans be submitted overlaid with the Regional Waste Collection truck turning template (see attached Appendix II) indicating the required collection route and showing the vehicle entering and exiting the site from both travelled directions. The areas required for turning movements and curbside collection should be free and clear of any parking spaces or obstructions. If the requirements of the Waste Collection Policy cannot be met then waste collection will be the responsibility of the owner through a private contractor and not the Niagara Region.

A condition relating to Regional waste collection is requested in Appendix I.

Conclusion

In conclusion, Regional staff has no objection to the proposed Draft Plan of Vacant Land Condominium from a Provincial and Regional perspective, subject to the satisfaction of the requested conditions of approval attached in Appendix 1. Please refer to the detailed comments of this letter when preparing final plans for approval.

Should you have any questions concerning the above noted comments, or if you would like a hard copy of the comments, please do not hesitate to contact me at 905-980-6000 extension 3518. Please send notice of Council's decision on this application

Respectfully,

Lola Emberson, MCIP, RPP
Senior Development Planner

cc: Ms. Susan Dunsmore, P. Eng., Manager, Development Engineering (Niagara Region)
Mr. Aaron Butler, MCIP, RPP, Manager of Development Planning (Town of Fort Erie)
Mr. Jeremy Korevaar, C.E.T, Coodinator, Development Approvals (Town of Fort Erie)

Appendix I

Conditions of Draft Plan of Condominium Approval

King Street and Albany Street (Brydgeview Townhomes - Phase 2)

Town of Fort Erie

1. That the following clause be included in the condominium agreement:

   Should deeply buried archaeological remains/resources be found on the property during construction activities, the activities impacting the archaeological resources must cease immediately and notify the Archaeology Programs Unit of the Ontario Ministry of Heritage, Sport, Tourism, and Culture Industries (416-212-8886) and a licensed archaeologist [Golder Associates] is required to carry out an archaeological assessment in accordance with the Ontario Heritage Act and the Standards and Guidelines for Consultant Archaeologists.

   In the event that human remains are encountered during construction, all activities must cease immediately and local police as well as the Cemeteries Regulation unit of the Ministry of Government and Consumer Services in Toronto (416-326-8800) must be contacted. In situations, where human remains are associated with archaeological resources, Ministry of Heritage, Sport, Tourism, and Culture Industries should also be notified to ensure that the site is not subject to unlicensed alterations which would be a contravention of the Ontarion Heritage Act.

2. That the owner provides a written acknowledgement to Niagara Region Planning and Development Services Department stating that draft approval of this condominium does not include a commitment of servicing allocation by Niagara Region as servicing allocation will not be assigned until the plan is registered and that any pre-servicing will be at the sole risk and responsibility of the owner.

3. That the owner provides a written undertaking to Niagara Region Planning and Development Services Department stating that all Offers and Agreements of Purchase and Sale or Lease, which may be negotiated prior to registration of this condominium shall contain a clause indicating that servicing allocation for the condominium will not be assigned until the plan is registered, and a similar clause be inserted in the condominium agreement.

4. That prior to approval of the final plan or any on-site grading, the owner shall submit the design drawings [with calculations] for any new municipal sanitary and storm sewers required to service this development and obtain the necessary Ministry of the Environment Compliance Approval under the Transfer of Review Program.

5. That the condominium agreement between the owner and the Town contain provisions whereby the owner agrees to implement the approved plan(s) required by Niagara Region, including Stormwater management and sediment control.

6. That the owner/developer ensure that all streets and development blocks can provide an access in accordance with the Niagara Region's Corporate Policy and By-laws relating to the curbside collection of waste and recycling.

7. That in order to accommodate Regional Waste Collection service, the owner submits a revised draft plan of condominium illustrating Regional Waste Collection truck turning template and waste collection pads for Units 12-16, 19-20, and 24-26. The waste collection pads shall be designed/constructed in accordance to the details outlined in Niagara Region's Corporate Policy for Waste Collection.

8. If Regional Waste Collection can be provided, the following clause be included in the Condominium Agreement and inserted into all offers and agreements of Purchase and Sale or Lease for Units 12-16, 19-20 and 24-26:

   Owners/Purchasers/Tenants are advised that in order to accommodate Regional Waste Collection Service they will be required to bring their waste/recycling containers to the designated waste collection pads on the required collection day.

9. That the owner/developer shall comply with the Niagara Region's Corporate Policy for Waste Collection and complete the Application for Commencement of Collection and Indemnity Agreement.

10. If Regional Waste Collection cannot be provided, the condominium agreement between the owner and the Town contain provisions that the owner shall provide a written undertaking to the Niagara Region Planning and Development Services Department acknowledging that because the site design does not meet Regional Waste Policy, garbage/recycling pick-up for the development will not be provided by the Region. Further, the following warning clause shall be included in the condominium agreement and inserted in all Agreements of Purchase and Sale or Lease for each dwelling unit:

    "Purchasers/Tenants are advised that due to the site layout, garbage/recycling pick-up for the development will be provided by the condominium corporation through a private contractor and not the Region."

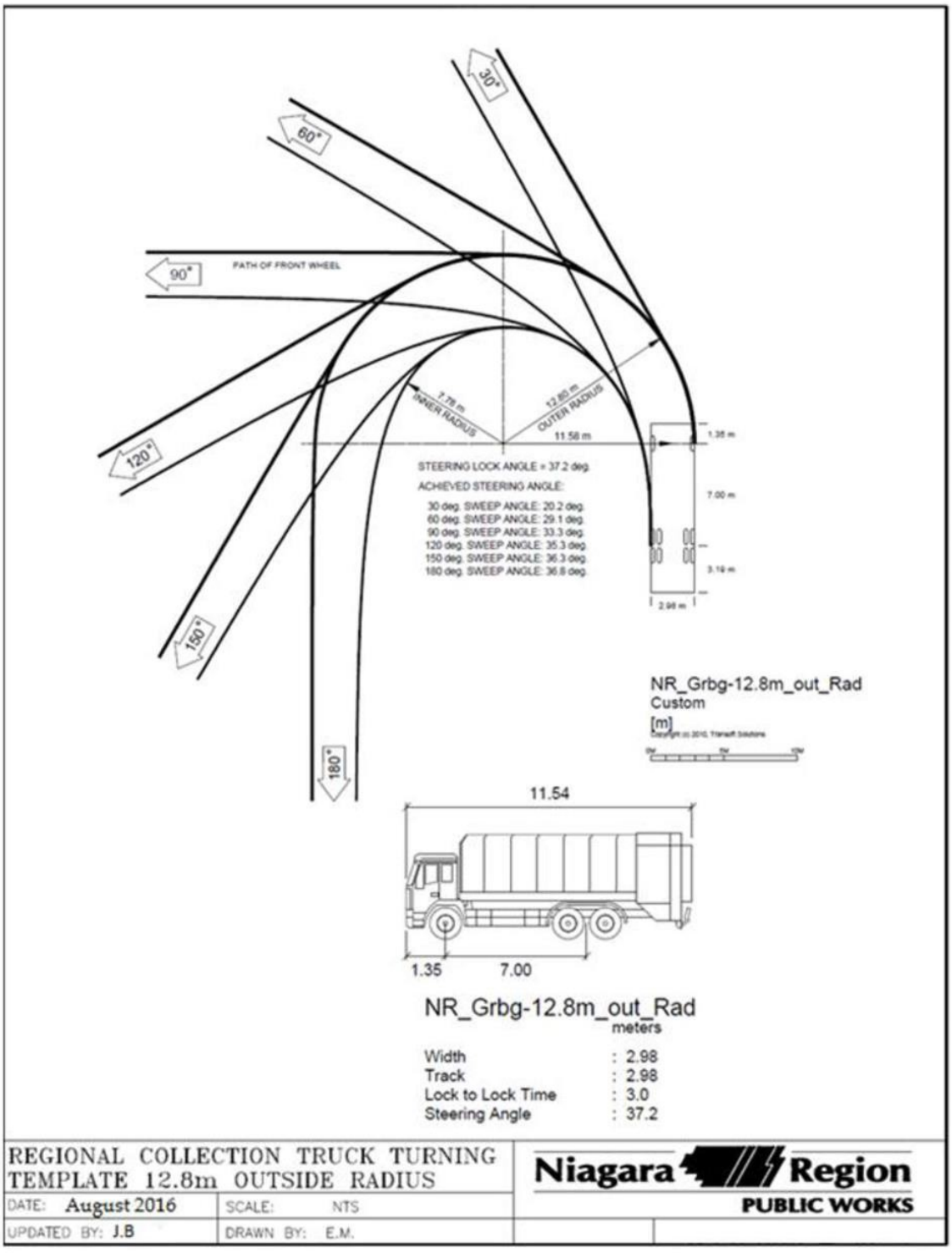
Notes

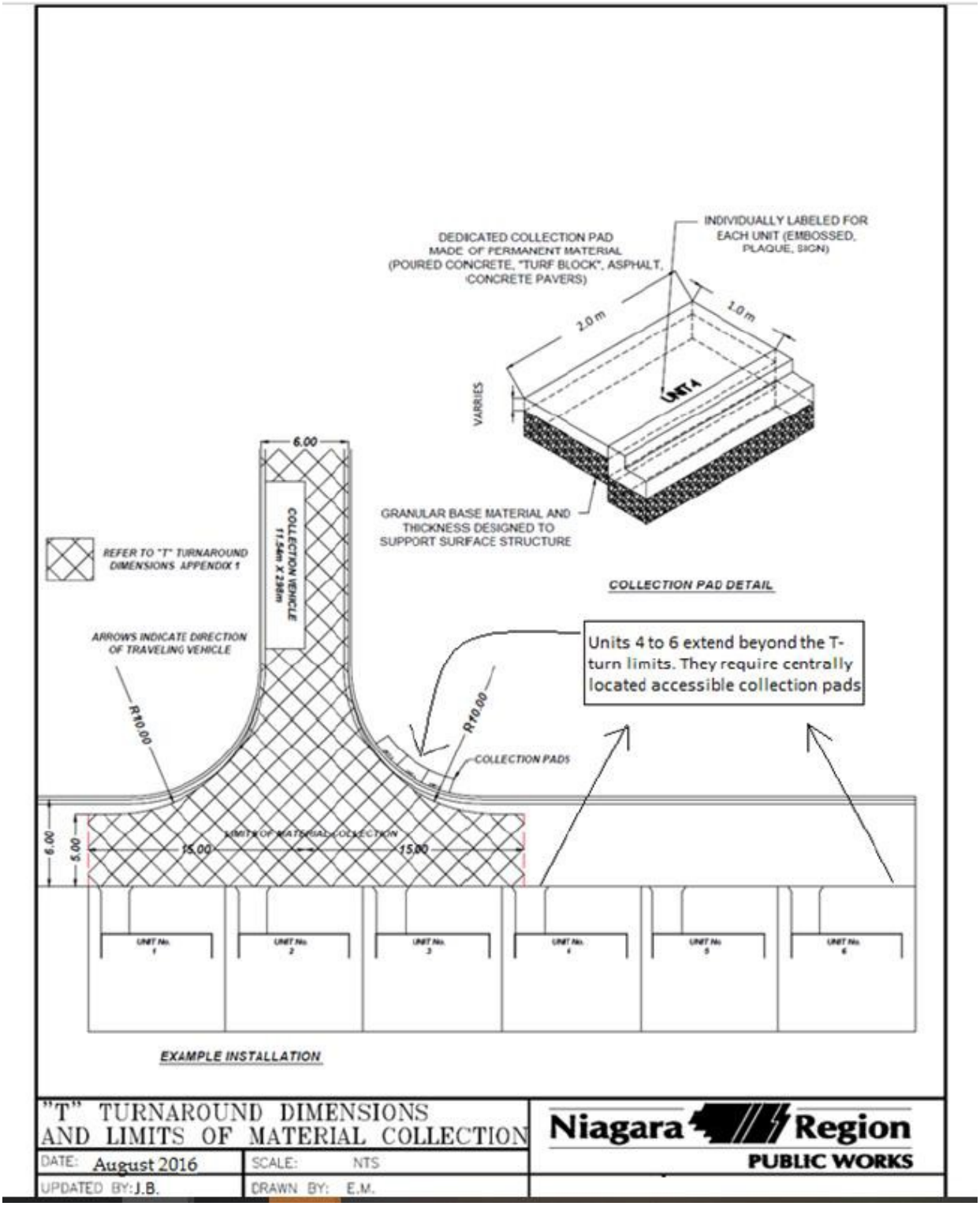
1. Prior to granting final plan approval, the Town must be in receipt of written confirmation that the requirements of each condition have been met and all fees have been paid to the satisfaction of the Niagara Region.

2. Prior to final approval for registration, a copy of the executed condominium agreement for the proposed development should be submitted to the Niagara Region for verification that the appropriate clauses pertaining to any of these conditions have been included. The Niagara Region recommends that a copy of the draft agreement also be provided in order to allow for the incorporation of any necessary revision prior to execution.

3. In order to request clearance of the above noted Regional conditions, a letter outlining how the conditions have been satisfied, together with all studies and reports (two hard copies and a PDF digital copy), the applicable review fee, and the draft subdivision agreement shall be submitted to the Niagara Region by the applicant as one complete package, or circulated to the Niagara Region by the Town of Fort Erie

Appendix II, Waste Collection Templates




DEDICATED COLLECTION PAD
MADE OF PERMANENT MATERIAL
(POURED CONCRETE, "TURF BLOCK", ASPHALT,
CONCRETE PAVERS)
INDIVIDUALLY LABELED FOR
EACH UNIT (EMBOSSED,
PLAQUE, SIGN)
2.0 m
1.0 m
VARIES
UNIT 4
GRANULAR BASE MATERIAL AND
THICKNESS DESIGNED TO
SUPPORT SURFACE STRUCTURE
COLLECTION PAD DETAIL
6.00
COLLECTION VEHICLE
11.54m X 2.96m
REFER TO "T" TURNAROUND
DIMENSIONS APPENDIX 1
ARROWS INDICATE DIRECTION
OF TRAVELING VEHICLE
R10.00
R10.00
COLLECTION PADS
Units 4 to 6 extend beyond the T-turn limits. They require centrally located accessible collection pads
6.00
5.00
15.00
15.00
UNIT No. 1
UNIT No. 2
UNIT No. 3
UNIT No. 4
UNIT No. 5
UNIT No. 6
EXAMPLE INSTALLATION
"T" TURNAROUND DIMENSIONS
AND LIMITS OF MATERIAL COLLECTION
Niagara Region
PUBLIC WORKS
DATE: August 2016
SCALE: NTS
UPDATED BY: J.B.
DRAWN BY: E.M.

APPENDIX "4" TO ADMINISTRATIVE REPORT PDS-31-2020 DATED JULY 13, 2020

Draft Plan of Condominium (350303-0031), 51 King St. (NE corner of King St. & Albany St.), Fort Erie
circulations to: ADilwaria 03/10/2020 10:28 AM
From: <circulations@wsp.com>
To: <ADilwaria@forterie.ca>
Please respond to <circulations@wsp.com>

2020-03-10

Anamika Dilwaria

Fort Erie
, ,

Attention: Anamika Dilwaria

Re: Draft Plan of Condominium (350303-0031), 51 King St. (NE corner of King St. & Albany St.), Fort Erie; Your File No. 350303-0031

Our File No. 86582

Dear Sir/Madam,

We have reviewed the circulation regarding the above noted application.

The following paragraph is to be included as a condition of approval:

“The Owner shall indicate in the Agreement, in words satisfactory to Bell Canada, that it will grant to Bell Canada any easements that may be required, which may include a blanket easement, for communication/telecommunication infrastructure. In the event of any conflict with existing Bell Canada facilities or easements, the Owner shall be responsible for the relocation of such facilities or easements”.

We hereby advise the Developer to contact Bell Canada during detailed design to confirm the provision of communication/telecommunication infrastructure needed to service the development.

As you may be aware, Bell Canada is Ontario’s principal telecommunications infrastructure provider, developing and maintaining an essential public service. It is incumbent upon the Municipality and the Developer to ensure that the development is serviced with communication/telecommunication infrastructure. In fact, the 2014 Provincial Policy Statement (PPS) requires the development of coordinated, efficient and cost-effective infrastructure, including telecommunications systems (Section 1.6.1).

The Developer is hereby advised that prior to commencing any work, the Developer must confirm that sufficient wire-line communication/telecommunication infrastructure is available. In the event that such infrastructure is unavailable, the Developer shall be required to pay for the connection to and/or extension of the existing communication/telecommunication infrastructure.

Re: 350303-0031, Application for Draft Plan of Condominium - Phase 2-BrydgeView Townhouse Development , Albany Street

Ed Melanson to: Anamika Dilwaria 03/03/2020 12:25 PM

Cc: Chris Millar, Jeremy Korevaar, Keegan Gennings, Kira Dolch, Signe Hansen

From: Ed Melanson/FortErie
To: Anamika Dilwaria/FortErie@TownOfFortErie
Cc: Chris Millar/FortErie@TownOfFortErie, Jeremy Korevaar/FortErie@TownOfFortErie, Keegan Gennings/FortErie@TownOfFortErie, Kira Dolch/FortErie@TownOfFortErie, Signe Hansen/FortErie@TownOfFortErie

Anamika Dilwaria	350303-0031, Application for Draft Plan of Condominium- Phase 2-BrydgeVie
Ed Melanson	*Good afternoon, I have reviewed the attached documents and have to*

Good afternoon,

I have reviewed the attached documents and have to questions or comments.

Thank you for reaching out.

Ed Melanson
Fire Chief & CEMC
Fort Erie Fire Department

Office: (905) 871-1600 ext. 2600
Cell: (905) 329-7255

Anamika Dilwaria All, Attached is a copy of the interdepartmental... 2020-03-02 12:12:49 PM

From: Anamika Dilwaria/FortErie
To: Jeremy Korevaar/FortErie@TownOfFortErie, Ed Melanson/FortErie@TownOfFortErie, Keegan Gennings/FortErie@TownOfFortErie, Signe Hansen/FortErie@TownOfFortErie, Chris Millar/FortErie@TownOfFortErie
Cc: Kira Dolch/FortErie@TownOfFortErie
Date: 2020-03-02 12:12 PM
Subject: 350303-0031, Application for Draft Plan of Condominium- Phase 2-BrydgeView Townhouse Development, Albany Street

All,

Attached is a copy of the interdepartmental memo, draft plan, applicant's letter and stormwater management report for a Draft Plan of Condominium application, Phase 2 of BrydgeView

subdivision. The development is proposed on the portion of land described as Block 6 Plan 59M-464. Please review the attached documents and provide your comments by Monday, March 23, 2020. Please feel free to contact me, if you have any questions or require any additional information.

Thanks

Anamika Dilwaria, M.Pl., MCIP, RPP
Senior Development Planner, Planning and Development Services
The Corporation of the Town of Fort Erie
1 Municipal Centre Drive
Fort Erie, Ontario L2A 2S6
TEL: 1-905-871-1600 ext.2507
E-mail-adilwaria@forterie.ca

[attachment "15-1621 DPC app signed.pdf" deleted by Ed Melanson/FortErie] [attachment "15-1621 DPC signed.pdf" deleted by Ed Melanson/FortErie] [attachment "19-9357 - Issued to MBPC For SPA SWM RPT (16 Sept 2019).pdf" deleted by Ed Melanson/FortErie]

Interoffice Memorandum

March 27, 2020
File No. 350303-0031

To: Anamika Dilwaria, Senior Development Planner

From: Jeremy Korevaar, Coordinator, Development Approvals

Subject: **DRAFT PLAN OF CONDOMINIUM**
LOCATION: BLOCK 6, PLAN 59M-464 – KING STREET SUBDIVISION

On behalf of the Infrastructure Services Department, Engineering Division, a review of the above noted Draft Plans of Condominium application has been completed. After a review of the application and associated documents the following comments and requirements regarding the proposed applications are provided:

General Comments

1. The Owner shall retain a qualified Engineer to prepare site engineering, cost estimates and administer servicing work associated with developing the subject lands.

2. The Owner must obtain approved Service Connection Permits from the Town of Fort Erie for residential connections to existing sewers or watermains.

3. The owner will be required to submit additional Planning Act applications (Site Plan Approval) to the Town for development of the subject lands.

Watermain Comments

1. Fire hydrants at the standard spacing must be provided, and hydrant layout is also subject to review and approval by the Town of Fort Erie.

2. All internal watermains must be looped to ensure a consistent turn-over of water within the development.

3. In accordance with the Town's Water By-law (By-law No. 66-2016) each property will be provided with one water connection which shall be metered near the property line by a new water meter in an underground chamber.

Storm Drainage Comments

1. Storm Water Management (SWM) and the site storm drainage system is to be addressed in accordance with the Town of Fort Erie's Storm Drainage Guidelines, the Town of Fort Erie Lot Grading Policy, Town of Fort Erie Stormwater Management Facility Design, Operation and Maintenance Policy and Standards and Ministry of Environment Best Management Principles. The minor system is to be capable of accommodating the 5-year storm. The

major system shall provide unencumbered flow for the major event (100-year storm) to the storm water management facility.

2. A Site Plan Grade Control Plan showing existing and proposed grades, overland flow routes and building envelope and basement floor elevations is to be submitted by the Owner for review and approval by the Town.

3. Existing overland drainage patterns must be maintained.

REQUESTED CONDITIONS OF DRAFT PLAN APPROVAL:

1. That the applicant/developer enter into a Site Plan Agreement pursuant to Section 41 of the Ontario Planning Act and deposit sufficient security to ensure the completion of all common element services pursuant to Section 158 of the Condominium Act, 1998.

2. That the applicant/developer submit an undertaking that the Condominium Corporation will enter into an assumption agreement with the municipality, once the condominium plan has been registered, which requires the Condominium Corporation to assume the maintenance and responsibilities contained in the site plan agreement and that the Condominium Corporation will not object to the registration of the agreement.

3. That immediately following the registration of the Condominium Plan the Condominium Corporation enter into an assumption agreement with the Municipality which requires the Condominium Corporation to:

   a) Assume the maintenance and responsibilities outlined under the site plan control agreement to be approved by the Town of Fort Erie
   b) Provide to the Town security deposits as necessary to ensure completion of all outstanding works.

4. That the Condominium Corporation agrees to convey any easements required by the Town of Fort Erie for servicing or other infrastructure purposes.

5. That the Site Plan Agreement between the owner and the Town be registered by the Municipality against the lands to which it applies in accordance with the Planning Act.

6. That the owner agrees in writing to satisfy all of the requirements, financial and otherwise, of the Town of Fort Erie concerning the provision of roads, watermains, sewers, drainage, storm water management, daylight triangles, sidewalks, fire hydrants, streetlighting, including the upgrading of existing services and the restoration of existing road damaged during the development of the Condominium.

7. That the owner agrees to deed any and all easements that may be required for

access, utility and drainage purposes be granted to the appropriate authorities and utilities.

8. That all roads and driveways, water distribution, sewage collection, and storm drainage works within the subject lands shall be private.

9. That the site plan agreement include a clause requiring that each agreement of purchase and sale state that "Roof downspouts shall discharge only to ground surface via splash pads to either side or rear yards, with no direct connection to the storm sewer or discharge directed to the driveway or roadway".

10. That the owner shall co-ordinate the preparation of an Overall Utility Distribution Plan to the satisfaction of all the affected authorities.

11. That the owner prepare a detailed Subdivision Grade Control Plan showing both existing and proposed grades and the means whereby major storm flows will be accommodated across the site be submitted to the Town of Fort Erie, Regional Municipality of Niagara Planning & Development Services Department and the Niagara Peninsula Conservation Authority for review and approval.

12. That the owner shall enter into any agreement as required by utility companies for installation of services including the provision of street lighting all in accordance with the standards of the Town of Fort Erie. All utilities servicing the condominium shall be underground.

13. That the detailed design drawings for sanitary sewer and storm water drainage systems, including storm water management, to service this development be submitted to the Town of Fort Erie for review and approval.

14. That design drawings for watermains required to service this development be submitted to the Town of Fort Erie for review and approval.

15. That prior to approval of the final plan or any on-site grading, the owner submit to the Town of Fort Erie for review and approval two copies of a detailed stormwater management plan for the condominium and the following plans designed and sealed by a suitably qualified professional engineer in accordance with the Ministry of the Environment documents entitled "Stormwater Management Planning and Design Manual", March 2003, and "Stormwater Quality Guidelines for New Development", May 1991, and in accordance with Town of Fort Erie's Storm Drainage Guidelines, the Town of Fort Erie Lot Grading Policy, Town of Fort Erie Stormwater Management Facility Design, Operation and Maintenance Policy and Standards:

    a) Detailed lot grading and drainage plans, noting both existing and proposed grades and the means whereby overland flows will be accommodated across the site;

b) Detailed sediment and erosion control plans.

16. That the site plan agreement between the owner and the Town of Fort Erie contain provisions whereby the owner agrees to implement the approved stormwater management plan required in accordance with Condition 15 above.

17. Approved Service Connection Permits must be obtained by the owner from the Town for connection to existing sewers and watermains.

18. That no tree removal, grading or soil disturbance shall take place on the lands until the Site Plan Approval has been granted by the Director, Planning and Development Services; all of the servicing approvals have been given; and the owner has given to the Town all of the security deposits required by the site plan agreement or as determined by the Town of Fort Erie.

19. The Developer is responsible to front-end the construction of a municipal storm sewer on King Street including the removal of the existing CSP storm pipe across the frontage of the lands of the King Street Plan of Subdivision (Plan Number 59M-464). At the time of this application there is no budget for this project however the estimated budget for the project will be based on the latest version of the Town of Fort Erie's Development Charges Background Study. The construction of the storm sewer will be considered a Primary Service for the purposes of the Site Plan Agreement and will be required to be completed prior to obtaining Building Permits for any of the residential units in the subject development.

Jeremy Korevaar, C.E.T.
Coordinator, Development Approvals

cc: Aaron Butler, Manager, Development Approvals
Tim Marotta, Manager, Engineering

APPENDIX "4" TO ADMINISTRATIVE REPORT PDS-31-2020 DATED JULY 13, 2020

Re: Fw: 350303-0031, Application for Draft Plan of Condominium- Phase 2-BrydgeView Townhouse Development, Albany Street
Signe Hansen to: Anamika Dilwaria 03/19/2020 09:22 AM
Cc: Jeremy Korevaar
From: Signe Hansen/FortErie
To: Anamika Dilwaria/FortErie@TownOfFortErie
Cc: Jeremy Korevaar/FortErie@TownOfFortErie
History:
This message has been replied to.

ADilwaria@forterie.ca

JKorevaar@forterie.ca

Cc:

Morning Anamika

Thanks for the clarification.

I have no comments relative to the Draft Plan of Condominium Applications. I will have a number of comments on the site plan application.
Unless the requirement for cash-in-lieu of parkland would be attached to the Condo application...

I noted that Section 2 and 3 of the application are incomplete relative to explanations requested for the 'no' responses, and answers incorrect in some cases. Perhaps this is normal and we don't care. I will identify any issues I have related to Section 2/3 in my site plan comments.

Regards
Signe Hansen, OALA, CSLA, MBA
Manager, Community Planning
The Corporation of the Town of Fort Erie| Planning and Development Services
1 Municipal Centre Drive, Fort Erie, Ontario L2A 2S6
T: 905-871-1600 x 2506| F: 905-871-6411

Anamika Dilwaria---2020-03-19 08:55:28 AM---Hi Signe, Applicant has submitted concurrent Draft Plan of Condominium and Site Plan applications. I

From: Anamika Dilwaria/FortErie
To: Signe Hansen/FortErie@TownOfFortErie
Cc: Jeremy Korevaar/FortErie@TownOfFortErie
Date: 2020-03-19 08:55 AM
Subject: Re: Fw: 350303-0031, Application for Draft Plan of Condominium- Phase 2-BrydgeView Townhouse Development, Albany Street

---

Hi Signe,

Applicant has submitted concurrent Draft Plan of Condominium and Site Plan applications. I am working on the condo application while Jeremy is looking after the site plan. It is my understanding that Jeremy would be circulating the site plan, landscape plan and engineering plans as part of site plan package.

I hope this helps.

Thanks
Anamika

Planning and Development Services

Prepared for	Council-in-Committee	**Report No.**	PDS-32-2020
Agenda Date	July 13, 2020	**File No.**	130103

Subject

AWARD OF CONSULTING SERVICES FOR TOWN OF FORT ERIE EMPLOYMENT LAND EXPANSION STUDY – CONTRACT PDS-20P-ELES

Resolution

THAT Council accepts and approves the proposal from WSP Canada Group Limited for Consulting Services for the preparation of the Town of Fort Erie Employment Land Expansion Study (Contract No. PDS-20P-ELES), to the upset limit of $71,735.23 (including 13% HST).

Relation to Council's 2018-2022 Corporate Strategic Plan

Priority: Promoting Business, Economic Growth and Employment Opportunities
Goal 4.2: Proceed with the Industrial Land Strategy
Initiative: Facilitate the availability of shovel ready industrial land

List of Stakeholders

Residents and Property Owners in Fort Erie
The Corporation of the Town of Fort Erie
Economic Development Stakeholders
Industrial Businesses and Manufacturers

Prepared by:	Submitted by:	Approved by:
Original Signed	*Original Signed*	*Original Signed*
Lindsay Richardson, MCIP, RPP, Senior Community Planner	Kira Dolch, MCIP, RPP, CNU-A Director, Planning and Development Services	Tom Kuchyt, CET Chief Administrative Officer

Purpose of Report

The purpose of this report is to seek Council authorization to award the contract for consulting services for the preparation of the Fort Erie Employment Land Expansion Study (ELES), Contract PDS-20P-ELES to WSP Canada Group Limited (WSP) of Thornhill, Ontario to an upset limit of $71,735.23 (including 13% HST).

Analysis

Background

The Town of Fort Erie's 2017 Industrial Land Supply Study (IDLS) concluded that there is a lack of serviced "shovel-ready" employment land within the Town's existing urban boundary. The need for an urban area boundary expansion to incorporate additional employment lands has been identified through various studies, and ranges from 135-185 hectares. Additional study work in 2018 and 2019 looked at the environmental constraints on properties within the IDLS study area which showed that over 50% of the existing industrial lands in the Town contain natural heritage features which restrict their development. The study further noted that the Town does not have enough industrial land to accommodate future employment growth to the planning horizon of 2041.

With the release of the new Growth Plan in 2019, and the Provincial Policy Statement 2020 (PPS), opportunities to expand employment lands now include land swapping and Urban Area Boundary (UAB) expansions, with provisions for more flexibility in local planning decision-making. Under the new legislation UABs may be permitted outside of a Municipal Comprehensive Review (MCR) if:

- The expansion request is not establishing a new urban area; and
- The urban area to be expanded is not a rural settlement area or in the Greenbelt; and
- The amount of land to be added to the existing urban area will be no larger than 40 hectares; and
- If the proposal is privately initiated, the applicant must review the boundary expansion with the local municipality prior to a request for pre-consultation

The Region of Niagara, in February 2020 released its final guidance document with respect to Pre-MCR Urban Boundary Expansions. This document outlines the procedure for proceeding with an UAB outside of the MCR process.

Since 2017, the Region of Niagara has been working towards the completion of a MCR and New Official Plan. A number of background studies which will inform the development of the New Region of Niagara Official Plan have been undertaken in 2019 and the Region anticipates draft policies and mapping will be completed in 2020. The final draft Niagara Official Plan is anticipated to be finalized in 2021.

The Region, through its MCR process, will not proactively expand any urban area boundary. Any request for an urban area boundary expansion must come from the

municipality and must include the necessary justification to support the request. Regardless of whether it becomes part of the MCR or is a pre-MCR request, the Town will be required to undertake the necessary study work in order to justify any urban area boundary expansion requests.

PDS-09-2020 was received by Council earlier this year. The purpose of this report was to update Council on changes to A Place to Grow – Growth Plan for the Greater Golden Horseshoe, 2019 (Growth Plan), specifically in regards to urban area boundary expansions outside of the Region's municipal comprehensive review process. Through this report, Council approved the completion of an industrial urban area boundary expansion site assessment and directed Staff to prepare an RFP to hire a consultant to prepare the Study.

The need for an urban area boundary expansion to incorporate additional industrial lands has been identified through the study work completed for the Town's industrial land supply, which concluded that there is a lack of serviced, "shovel-ready" industrial land within the Town's existing urban boundary. It is important for the Town to assess potential UAB expansion areas, perform the necessary studies and submit for Regional consideration prior to the completion of the Municipal Comprehensive Review. This information will assist the Region in considering additional industrial lands beyond the 40 hectare allowance as detailed above. .

Analysis

The preparation of a comprehensive Employment Land Expansion Study will confirm the need for additional employment lands within the municipality given the Growth Plan targets to 2051 under Amendment #1; identify land swap opportunities for employment lands currently constrained within the UAB, and identify specific 40 hectare (or less) parcels of land that are adjacent or within close proximity to the Town's existing urban area boundary and suitable for expansion

The Employment Land Expansion study will establish any study work that will be required to justify an urban area boundary expansion request. Results of this study will be used to prioritize the ideal site(s) for Council consideration and to guide additional study work which may result.

Request for Proposal (RFP) PDS-20P-ELES for consulting services to prepare a comprehensive Employment Land Expansion Study was issued on Thursday May 7, 2020, pursuant to the Town's Purchasing Policy. The proposal call was advertised through Biddingo and on the Town of Fort Erie Website.

Two electronic proposal submissions were received prior to the 2:00 p.m. May 28, 2020 submission deadline. An Evaluation Committee comprised of representatives from the Planning and Development Services and Economic Development and Tourism Services Departments reviewed the proposals. The Manager of Procurement, Finance and Risk oversaw the process. The Evaluation occurred in five stages:

Stage 1: It is determined if all submissions meet the mandatory submission requirements.

Stage 2: The proposals are evaluated based upon the criteria outlined in the Request for Proposal, which considers the consultant team's expertise and relevant experience, overall clarity and understanding of project requirements, services to be provided, proposed public consultation process, work plan and schedule, and value added features.

Stage 3: The RFP process provides for the optional interview of up to three top scoring proponents. No interviews were held for this RFP.

Stage 4: Proposal fees are submitted separately from the proposal, in a separate electronic file - in order that fees have no influence on the evaluation of the proposal. The fee submissions are opened after proposal evaluations were complete.

Stage 5: Scores for the proposal submission and the fee submission are compiled into a Total Score. Based on this total score, the Evaluation Committee makes its recommendation to Council.

The evaluation scores for RFP PDS-20P-ELES are summarized below:

Proponent	Proposal Score (out of 90)	Fee Score (out of 10)	Total Score	Rank	Bid*
WSP	87	8	95	1	$64,599.79
The Planning Partnership	74	10	84	2	$51,439.68

** Including non-rebatable HST*

The Evaluation Committee unanimously recommend that WSP be retained to undertake the preparation of the Fort Erie Employment Land Expansion Study, for an upset limit of $71,735.23 including HST, or $64,599.79 including non-rebatable HST. The proposal is considered complete and technically sound.

WSP is one of the world's leading professional services consulting firms, specialized in providing assistance to public and private sector clients through their strategic and technical capabilities. WSP are leaders in studying and rationalizing employment lands to enable the development of realistic and successful strategies across the Province.

In 2018, WSP was retained by the Town to complete a comprehensive Industrial Land Supply Assessment of vacant and underutilized properties. This included assessing strategically located sites within the Town to determine their viability for future industrial development, providing recommendations for alternative land use designations and identifying any further studies required. Additionally, in 2019, WSP was retained by the Town to complete the Active Transportation Master Plan. Staff are confident that WSP is well suited to undertake the Employment Land Expansion Study.

Public Engagement:

With the current Covid19 restrictions on public meetings and consultation, the RFP asked proponents to provide a detailed consultation strategy that would address these limitations. The proposal from WSP provided excellent details on how to manage this and Staff is satisfied that the level of engagement will not be impacted by the current restrictions.

Financial/Staffing Implications and AODA Considerations

Through PDS-09-2020 Council approved an amendment to the 2020 Operating Budget by $75,000, with 90% or $67,500 coming from the Development Charges Reserve Fund for Administration - Studies, and 10% or $7,500 from the General Levy Rate Stabilization Reserve for the preparation of the Fort Erie Employment Land Expansion Study.

The proposal submitted by WSP is recommended, as it meets the specification of the project and the proposed fee is below the upset limit for the project. The Corporate Services Department has reviewed the financing for the work and concurs that funding is available. Project costs are summarized below:

Project Budget	$75,000.00
Bid	$63,482.50
Total Bid including HST	$71,735.23
Total Cost (Bid + Non-rebatable HST)	$64,599.79
Contingency	$5,000.00
Total Project Cost	$69,599.79
Positive Variance	$5,400.21

Policies Affecting Proposal

The Request for Proposal was issued in accordance with the Town of Fort Erie Purchasing By-law No. 2-10.

Comments from Relevant Departments/Community and Corporate Partners

Representatives from the Planning and Development Services, Economic Development and Tourism Services and Corporate Services Departments were involved in this Request for Proposal process.

The Corporate Services Department participated in the proposal evaluation process and agrees with Staff's recommendations to award the project. Corporate Services was included in the review of the report.

Communication Requirements

There are no communication requirements at this time.

Alternatives

Council may elect not to proceed with this project. This is not recommended, as appropriate funds were allocated through the 2020 Operating Budget and it has been identified that the Town requires additional industrial employment lands

Attachments

None

The Municipal Corporation of the Town of Fort Erie

Business Status Report

Planning and Development Services

July 13, 2020

Forecasted Reports	Source	Status
Award of Contract – Cannabis Study	Council Request	July 20, 2020
2020 Q1 Subdivision, Building & By-law Activity	Staff Initiative	August 10, 2020
Regional Agricultural Mapping Update – Information Report (tentative)	Legislative Update	August 10, 2020
0 Nigh Road – DiCorso OPA/ZBA Public Meeting and Information Report (tentative)	Application	August 12, 2020
0 Nigh Road – DiCorso OPA/ZBA Recommendation Report (tentative)	Application	August 24, 2020
613 Ridge Road OPA/ZBA & Draft Plan of Subdivision (Royal Ridge Subdivision Phase 2) - Public Meeting and Information Report	Application	August 31, 2020
0 Burleigh Road North ZBA - Public Meeting and Information Report	Application	August 31, 2020
Townline Rd ZBA - Public Meeting and Information Report	Application	September 2, 2020
Award of Contract – Playground Installations (Sugarbowl, Ferndale)	Capital	September 8, 2020
Award of Contract – Phase 2 Crystal Ridge Park (tentative)	Capital Project	September 8, 2020
94 Jarvis Street OPA/ZBA – Public Meeting and Information Report (tentative)	Application	September 8, 2020

Affordable Housing OPA – Public Meeting and Information Report	Council Request	September 14, 2020
Affordable Housing CIP Program – Public Meeting and Information Report	Council Request	September 14, 2020
Affordable Housing Committee Terms of Reference	Committee Meeting	September 14, 2020
PDS-11-2020 260-262 Gorham Road & 3854 Disher Street ZBA Recommendation Report	Returning from March 9	September 14, 2020
Spears Park Master Plan Recommendation Report	Council Request	September 14, 2020

Prepared By:

Original Signed

Kira Dolch, MCIP, RPP
Director, Planning and Development Services

Respectfully Submitted By:

Original Signed

Tom Kuchyt, C.E.T.,
Chief Administrative Officer

Infrastructure Services

Prepared for	Council-in-Committee	**Report No.**	IS-10-2020
Agenda Date	March 9, 2020	**File No.**	360402

Subject

STEVENSVILLE ROAD DRAIN – FILING OF ENGINEER'S REPORT, PURSUANT TO SECTION 4 OF THE *DRAINAGE ACT, R.S.O. 1990, c.D.17*

Recommendations

THAT **Council accepts the new Engineer's Report for the Stevensville Road Drain for information purposes; and further**

THAT **Council directs staff to continue with the legislative process in accordance with the *Drainage Act* and establish the date for the Court of Revision.**

Relation to Council's 2018-2022 Corporate Strategic Plan

Strategic Priority: **Sustainable Infrastructure for the Future**

Strategic Objective: Maintaining and investing in sustainable infrastructure that serves the entire community and builds a strong, vibrant and attractive community.

List of Stakeholders

1) Mayor and Council of the Town of Fort Erie
2) Town of Fort Erie Municipal Departments
3) Regional Municipality of Niagara
4) Benefiting property owners of the Stevensville Road Drain Watershed
5) Ministry of Agriculture, Food and Rural Affairs
6) Ministry of Natural Resources
7) Department of Fisheries and Oceans
8) Niagara Peninsula Conservation Authority
9) CP Rail

Prepared by:	Submitted by:	Approved by:
Original signed by:	Original signed by:	Original signed by:
Dave Maiden CST, CRS Drainage Superintendent	Kelly M Walsh, P. Eng. Director, Infrastructure Services	Tom Kuchyt, CET Chief Administrative Officer
Original signed by:		
Timothy Marotta, P. Eng. Manager, Engineering Division		

Purpose of Report

To seek Council's acceptance of the new Engineer's Report for information purposes and direction of Town staff to proceed in accordance with the *Ontario Drainage Act,* in delivering the Engineer's Report to the benefitting landowner's.

Analysis

Background

The petition by the Region of Niagara for the requested work was submitted to the Town of Fort Erie. Administrative Report IS-34-09, dated July 13, 2009, requested Council's approval to appoint a Drainage Engineer to prepare an Engineer's Report and maintenance schedules for the Stevensville Road Drain under the provisions of the *Ontario Drainage Act 1990, chapter 17*, and to appoint K. Smart and Associates Ltd as the Drainage Engineer. The report has been prepared pursuant to Section 4 of the *Ontario Drainage Act* and in accordance with By-law No. 109-09 passed on July 20, 2009. The by-law indicated that an Engineer's Report for the Stevensville Road Drain was to be prepared to provide new and future maintenance schedules for the Stevensville Road Drain.

The Engineer's Report is provided as Appendix '1' to this report to provide Council with additional background information.

Analysis

The primary objective of the new Engineer's Report was to prepare a design and a schedule of assessments for construction and future maintenance that accurately defines the properties benefitting from by this drain and provides an equitable means to distribute future maintenance costs.

The Engineer's Report for the Stevensville Road Drain was filed with the Town Clerk on November 25, 2019. Council is required to authorize staff to continue in accordance with the processes set out under the *Ontario Drainage Act.* Should staff be directed to proceed, assessed benefitting landowners and utilities must receive a copy of the Engineer's Report and a notice identifying when a 'Meeting to Consider' the report will take place. This meeting is usually held at a Council-in-Committee meeting so that a provisional bylaw can be brought forward at the following Regular Council meeting. As noted, all affected and interested parties listed under this Administrative Report have been sent a copy of the Engineer's Report for the Stevensville Road Drain, along with notification of the public meeting to consider the Engineer's Report on March 9, 2020.

The total estimated cost to prepare the Stevensville Road Drain Engineer's Report is $ 204,035 (including construction and the preparation of the new and future maintenance schedules) as reported as the total in Appendix "1". The total drainage area affected is approximately 68.5 hectares (169 acres).

Financial/Staffing and Accessibility (AODA) Implications

Funding Requirements

Under the provisions of the Act, the costs for the preparation of a new Engineer's Report are assessed against all benefitting landowners and road authorities within the drainage area. Costs for this report must be front-end financed by the Town of Fort Erie, apportioned as per the assessment schedules of the Engineer's Report, and invoiced to the benefitting landowners and road authorities within the Stevensville Road Drain area watershed to be recovered through tax billing.

The Ministry of Food and Agriculture will pay up to 33% as a grant for agricultural lands on projects that are completed under Section 4 of the Act and which have an Engineer's Report adopted by by-law.

The cost estimate is for the Engineer's Report and initial construction as identified in the Act. The cost breakdown and project variances are identified in the table below:

Table 1:

Municipality	Cost Breakdown	Budget
Town of Fort Erie Benefitting Land Owners	$75,883.00	37.19 %
Town of Fort Erie Roads/Lands	$701.00	0.35 %
Regional Municipality of Niagara Roads	$17,106.00	8.38 %
CP Rail Special Assessment	$95,045.00	46.58 %
CP Rail Lands	$15,300.00	7.5 %
Total Cost	**$204,035.00**	**100%**

Table 2:

Project Component	Cost
Constructing, Engineering & Allowances	$204,035.00
Total Project Costs	**$204,035.00**
Municipal Drain Reserve	$56,000.00
Benefitting Land Owners Contribution	$203,334.00
Total Project Funds	**$259,334.00**

All amounts include non-rebatable HST

The Reserve Funds noted in Table 2 are broken down in Table 3 below:

Table 3:

Municipal Drain Reserve	Benefitting Land Owner Charge
$56,000	$203,334

All amounts include non-rebatable HST

Table 4:

Stevensville Road Drain (ISE-10-2020) Variance		
Estimated Project Cost	**Total Project Funds**	**Variance**
$204,035.00	**$259,334.00**	**$55,299.00**

All amounts include non-rebatable HST

The estimated project cost is $204,035. However, of this amount, the landowner's portion to be billed (based on the Engineer's Report estimate) is $203,334. This leaves $701 in Town costs. The $56,000 in funding currently allocated by the Town from the Municipal Drain Reserve results in an estimated Town surplus of $54,598 which shall be returned to the Municipal Drain Reserve upon final assessments being levied.

As noted in Table 4, the positive projected variance for this combined project is $55,299.00. Final assessments are not levied until after the work is certified complete by the Engineer. The construction cost estimate is prepared by the Engineer using his best knowledge of past and expected costs. Final costs will be established through the tendering process. Council may direct staff as to how to allocate any variance left in the project at the time of an award of tender.

Staff have considered accessibility impacts and expect that no new barriers will be created due to the proposed works.

Policies Affecting Proposal

By-law No. 124-2019 adopted Council's 2018-2022 Strategic Plan. This project conforms to Priority 2, maintaining and investing in sustainable infrastructure that serves the entire community and builds a strong, vibrant and attractive community.

Should Council decide not to proceed with drainage works, and landowners incur losses, the Municipality can be held liable for such damages or losses under the *Ontario Drainage Act*, Section 79(1) RSO 1990, c17. All landowners must be notified of Council's decision and the process left available to them for appeals, as per the *Ontario Drainage Act*.

Should Council decide to proceed with the recommendations under the Engineer's Report, landowners and agencies have further appeal mechanisms under the *Ontario Drainage Act*, should they not agree with Council's decision.

Where the assessment against any parcel of land is $50 or less, the assessment shall be paid in the first year in which the assessment is imposed upon the land assessed. R.S.O. 1990, c. D.17, s. 61 (3). Council may provide that the assessment shall be paid out of the general funds of the municipality.

Comments from Relevant Departments/Community and Corporate Partners

Comments or concerns have been received by affected landowners, government ministries, agencies and interested parties within the Stevensville Road Drain watershed, who have attended any of the public meetings.

The Engineer has consulted with the Niagara Peninsula Conservation Authority and Department of Fisheries and Oceans on this project.

Conclusion

Staff recommends that Council proceed with the new Engineer's Report as it will provide a design and an up to date assessment for all property holders in the Stevensville Drain watershed. This will facilitate the new construction and any future work on the drain if required.

Alternatives

Council will be required to decide on one of three possible options:

1) Continue with the legislative process in accordance with the *Ontario Drainage Act* and establish the date for the Court of Revision.

2) Refer the Engineer's Report back to the Engineer as outlined under Section 57 of the *Ontario Drainage Act*. This option could be considered should Staff or Council be of the opinion that the Drainage Engineer did not complete or investigate all alternatives possible, and has not reasonably addressed the concerns of the affected landowners as outlined under the *Ontario Drainage Act*.

3) Council can decide not to proceed with this Engineer's Report or drainage project. The Municipality can be held accountable for all costs to date, and/or liable for any damages caused as a result of not proceeding.

Attachments

Appendix '1' – Stevensville Road Drain Engineer's Report - Dated November 15, 2019

ENGINEERING REPORT

for the

STEVENSVILLE ROAD DRAIN

Town of Fort Erie

(Geographic Township of Bertie)

Region of Niagara

November 15, 2019

File No. 09-141

K. SMART ASSOCIATES LIMITED
Kitchener Sudbury

K. SMART ASSOCIATES LIMITED
CONSULTING ENGINEERS AND PLANNERS
85 McIntyre Drive
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November 15, 2019 File No. 09-141

STEVENSVILLE ROAD DRAIN

Town of Fort Erie

SUMMARY
This is a drainage report pursuant to Section 4 of the Drainage Act, RSO 1990 as a result of a petition by the Region of Niagara, filed with the Clerk. The purpose of this report is to provide an improved drainage outlet for Stevensville Road at Eagle Street, in the north part of the built up area known as Stevensville. The proposed work is located in Lots 12 & 13 Concession 12 Niagara River (geographic Township of Bertie), in the Town of Fort Erie.

The work involved with the preparation of this report has followed the normal procedures of the Drainage Act which have involved an on-site meeting, review of the site, undertaking of survey and design, and the preparation of a report to include plan and profile, specifications, assessment schedule, cost estimate and miscellaneous paragraphs regarding the description of the work, etc.

The estimated cost of the project is $204,035.
The work will consist of 493m of open drain work and 35m of closed drain work.
The watershed served is approximately 68.5 hectares (169 acres).

The estimated costs are to be assessed out in accordance with Schedule A, Schedule of Assessment. Schedule B, the future maintenance schedule, is to be used to assess out future maintenance costs as outlined in the “Maintenance” section of this report. Schedule C indicates the estimated net assessments after deducting possible available grants and allowances where applicable. Schedules A to C are on Pages 16 to 18. Appendix A illustrates the calculations of the assessments outlined in Schedule A and Appendix B illustrates the calculations of the future maintenance assessments outlined in Schedule B. Appendices A and B are on Pages 19 & 20.

BACKGROUND
The petition by the Region of Niagara for the requested work was submitted to the Town of Fort Erie. Town Council passed a resolution on June 20, 2009 for the preparation of a report under Section 4 of the Drainage Act, RSO 1990 and appointed K. Smart Associates Limited as Drainage Engineer.

The required on-site meeting with owners was conducted on September 25, 2009. The survey and the design occurred from November 2009 to May 2014. A second site meeting was conducted with the owners on June 18, 2014 to discuss the work to be recommended. Discussions were held with the NPCA, MNRF, DFO and CPR in 2014 to 2019. The report was subsequently completed and is herein being submitted.

EXISTING DRAINAGE HISTORY

It would appear that there is an existing private ditch that existed as far back as the 1930's in a similar alignment as the existing ditch in the east part of Lots 12 and 13, Concession 12, Niagara River (geographic Township of Bertie). The ditch commences in Black Creek approximately 250m west of Stevensville Road and continues northeasterly to the west side of the road and terminates approximately 50m north of the Lot 12-13 lot line. The ditch appears to have been straightened through the residential property to the west of Eagle Street but a ditch has existed in this location as far back as the 1930's.

In recent years the Niagara Region and developers have been enclosing the existing roadside ditches with storm drains along Stevensville Road as the community of Stevensville has developed. All water draining to the road ditches from College Road south to the Railway are drained to this system.

The existing ditch outlets into the Black Creek Drainage Works (2014) which has a long and extensive history in the locate area.

ON-SITE MEETING WITH THE OWNERS

On September 25, 2009, the required on-site meeting occurred. The owners believed to be in the watershed of the proposed drain, at that time, plus the affected utilities and agencies were notified. The following were in attendance: John Kuntze, from K. Smart Associates Limited (the drainage engineer), Ralph Scholz of the Region of Niagara, Brett Ruck (Drainage Superintendent) of the Town of Fort Erie and landowner representatives Ken Ruch, Don Plyley, and Reginald Cahill.

Their comments are as follows:

<u>Reginald Cahill (Roll No. 30-186)</u>
Mr. Cahill indicated he was having problems with erosion on his property. He also mentioned the sump pump he has runs extensively. He was also concerned about backwater from the north.

<u>Ken Ruch (Roll No. 30-186)</u>
Mr. Ruch indicated that he built the house at 2709 Stevensville Road. At the time, the road water travelled south and the ditch was originally dug only to drain his property. He would like to see the road widened and the used ditch raised. Mr. Ruch was concerned about flooding to the north of the property. He also indicated that a study was done on the drain in the plaza and a pond was to be constructed, however was never implemented.

Don Plyley (Roll No. 30-181 & 30-107)
Mr. Plyley was concerned about the flow through his property and would like to see the watercourse improved. He indicated he has a 36” driveway culvert and the town suggested it should be larger.

Ralph Scholz (Region of Niagara)
Mr. Scholz commented on the possibility of the water travelling down Eagle Street instead.

SITE EXAMINATION AND SURVEY
The field examination indicated:

- There is patio stone located along bottom of channel at upstream end of the ditch.
- The ditch was full of metal and rock obstructions at upstream end near house.
- Concrete slabs were found at a couple of different locations along the existing ditch for controlling erosion.
- To the south of the residential property the proposed ditch travels along a swale through vacant agricultural land. The existing swale is heavy grassed with brush along the swale.
- The existing railway culvert is in poor condition and is impeding the flow of water. Parts of the existing culvert have collapsed and the railway has done work on the culvert.
- Downstream of the railway culvert the existing ditch travels south to the Black Creek Drain (1978). The existing ditch travels through a large residential property. The property is part of the Stevensville development area and is zoned for multiple residential units. There are two existing culverts along this portion of ditch. The existing ditch is mostly bare soil on the ditch bottom and vegetated with small brush along the banks. The bank is eroded in some places due to the steep grade of the existing ditch.
- An alternative route along Stevensville Road was investigated but due to the size and amount of underground pipe that would be required, this alternative was the most expensive option.
- An alternative route along Eagle Street was investigated. This would require crossing an existing watershed break and would require the excavation of a new large ditch. The existing ditch between Eagle Street and Black Creek Drain is in poor condition and a large excavation would be required. This alternative would also be costly.

AREA REQUIRING DRAINAGE & SUFFICIENCY OF PETITION
The area requiring drainage was determined to be the portion of the land to the west of Stevensville Road (2709 Stevensville Road) and is part of Lot 13, Concession 12 Niagara River (geographic Township of Bertie), in the Town of Fort Erie. Since the petition was signed by the Niagara Region, as the road authority for the Stevensville Road, the petition is deemed to be valid in accordance with Sections 4(1)(c) of the Drainage Act.

SIZING CONSIDERATIONS

The open channel work recommended in this report has been sized to provide for the runoff from a 2 year storm event as determined by the Rational Design method. The railway culvert work has been sized to provide for the runoff from a 100-year storm event. The HDPE pipe (culvert) along the HSE # 2709 has been sized to provide for the runoff from a 25-year storm event.

OUTLET CONSIDERATIONS

The work recommended in this report will outlet into an existing drain known as the Black Creek Drainage Works (2014). The Black Creek Drain subsequently outlets into the Niagara River. Both of which are in acceptable condition and which therefore provide a sufficient outlet.

SOILS CONSIDERATIONS

The Region of Niagara soils map for this area indicates that the soils in the watershed are primarily Welland reddish-hued lacustrine heavy clay loam with pockets of Niagara loamy textures over reddish-hued lacustrine heavy clay, all of which have imperfect to poor drainage. This material should be easier to dig, with few stones and the 2:1 side slope should be stable. The material at the railway appears to be poor in nature. A number of sinkholes around the existing culvert were observed, this and the poor state and multi material types of the existing culverts, suggest that the contractor may experience deleterious material in the railway line crossing.

ENVIRONMENTAL CONSIDERATIONS

Because the majority of the proposed work is excavation, cleanout, and general improvement of an existing open ditch, there will be little environmental impact. Discussions with the NPCA, MNRF and DFO have occurring during the course of this project.

PERMITS AND UNDERGROUND UTILITIES

A permit is required to work in the ditch from the NPCA and in the road right-of-way from the Niagara Region. No other applications should be required for this work other than to the Niagara Peninsula Conservation Authority/DFO/Niagara Region. An application will be made, if required.

There should not be any utilities affected by construction except for possible overhead hydro lines at Stevensville Road.

The requirement of the Ministry of Natural Resources and Forestry (MNRF) (now the Ministry of Environment, Conservation and Parks (MECP)) and DFO with respect to the Endangered Species Act were considered and it was determined that only grass pickerel may be present in the Black Creek Drain. Since the existing ditch is an intermediate watercourse and is dry most of the year. It is anticipated that construction occurs in the dry or winter. A letter of advice was received from the DFO dated May 28, 2015.

Thje CPR has authorized the proposed railway crossing on August 29, 2019 during an on-site meeting.

The contract (tender) documents will also require that the Contractor have locates done of all underground utilities.

ADDITIONAL WORK ITEMS THAT COULD BE REQUESTED BY OWNERS AT TIME OF CONSTRUCTION

Most items of additional work that could be required by owners at the time of construction would have to be paid directly by the owner to the contractor and such would not form part of the drain nor be eligible for the grant. Only if the engineer determines that such additional items are necessary for the intended purpose of the drain could such be part of the drain and be eligible for grant.

PRIVACY OF LANDS

Even though a Municipal Drain is being constructed across the lands of various owners, there still is no right of one owner to enter onto another owner's lands. Only the appropriate Municipal representative (Drainage Superintendent) as part of his maintenance of the drain or the Engineer (or Engineer's assistant, i.e. survey or inspection crew) as part of his work with respect to this report, plus the selected Town approved contractors for construction of this drain and future maintenance of the drain, have the right to enter onto privately owned lands of others.

CONSTRUCTION SCHEDULING

Construction cannot commence until after the statutory requirements of the Drainage Act have been satisfied. If there are no appeals after the Court of Revision, construction could commence, weather permitting, approximately 10 days after the date of the Court of Revision. Appeals under the procedures in the Drainage Act could result in a later starting date as no construction can take place until all appeals are settled. No construction can take place until all necessary permits have been obtained from the Niagara Peninsula Conservation Authority / DFO. Once construction commences, if the work is proceeded with continuously, it should be completed in approximately 8 to 10 working days.

The Engineer may supervise the construction of the drain and may conduct at least two meetings with the Contractor and landowners affected by construction: at the commencement and completion of construction. The contract for construction of the drain will be awarded by public tender. Unless construction commencement and completion dates are requested prior to the tender call the Contractor will specify in the tender the starting and completion dates for construction.

SECOND MEETING WITH THE OWNERS

After the survey work and preliminary design was complete, a second meeting with the landowners and agencies was held. This meeting took place on June 18, 2014 at 6:00pm

with Robert Judd (Drainage Superintendent), Neal Morris (K. Smart Associates Ltd. Engineer), and Carol Cahill, Larry Wale, Judy Wood, Margaret Plyley, Mike Grummett Jr., Susan Ward, Gord Kostyk, Chris Millar, Jeff & Stephanie Brunning, and Councillor Collard in attendance. The Engineer communicated a brief history and logic of the Drainage Act, the appeals process, the proposed works, how assessments are determined and a draft of the assessment schedules. After which the floor was opened to questions and concerns from the landowners.

The Brunning (Roll No. 30-113) and Cahill (Roll No. 30-186) properties felt that due to their high assessment, the disturbed area should be seeded and that the pipe should only go 10m past the existing house and the spoil can be spread on the banks and seeded.

Mrs. Plyley (Roll No. 30-107) was concerned that the municipal drain would restrict their future use of the lands and wanted the engineer to investigate a system taking water along Stevensville Road or east along Eagle Street. The engineer commented that the existing watercourse is regulated by the NPCA, so there are restriction of the watercourse currently, making it a municipal drain will allow the municipality to maintain the existing ditch legally and provides a robust process to change the drain if needed. The NPCA has the ability to reject any development in their regulated areas, except in the case of a municipal drain, because municipal drains are mandated by provincial legislation.

After the meeting the engineer met with a few of the business owners, to change the watershed. Some of the lands were graded out of the watershed.

RECOMMENDED WORK

As a result of the surveys, the design, the discussions at the two meetings with owners, and the discussions with NPCA and DFO, the work recommended for the Stevensville Road Drain is described on the drawings and Special Provisions on Drawing 5 and is also what the drain is for future maintenance purposes.

PLAN

The location of the Stevensville Road Drain and the affected properties are shown on Drawing No. 1 included with this report. The heavy solid line indicates the location of the proposed drain. The numbers adjacent to the lines are station numbers which indicate in metres the distance along the drain. The heavy broken line indicates the approximate watershed boundaries for the drain and the thin broken lines indicate sub-watersheds. The plan also shows other existing drains, property boundaries, Municipal assessment roll numbers and hectares affected for each parcel.

PROFILES AND OTHER DRAWINGS

The profile for the Stevensville Road Drain can be found on Drawing 2. The profile shows the depth and grade of the proposed new drain. The upper thin solid line represents the existing ground level. The lower heavy solid line (the grade line) indicates the proposed drain grade. The numbers above the profile line for the existing ground indicate the depth to invert or bottom of the new drain measured in metres from the ground level at the survey

stake to the proposed grade line. Drawing 3 contains a detail of the railway crossing. Drawing No. 4 contains a ditch relocation detail at the upstream end of the drain and Drawing 5 contains the specific and general notes.

COST ESTIMATE

The cost estimate on this project consists of the allowances made to the owners having worked on their properties, the construction cost estimate including contingency items, the engineering cost estimate, and an estimate of the administration (non-administrative) and construction supervision costs. These are set out in detail as follows:

a) Allowances

i) Section 29 of the Drainage Act provides for the payment of allowances to landowners who have a portion of a new drain on their property that has not been constructed pursuant to a previous report. This allowance compensates the owners for land used to accommodate the drain (right-of-way), access routes to the drain and for right-of-way alongside the drain for construction and maintenance purposes.

Section 29 allowances are based on the following rates:

Type of Land	Area Land Value
Residential Lands	$ 11,800/ha
Undeveloped or Farmland	$ 5,900/ha

Along the open and closed drains a 12m maintenance strip allowance is provided. The allowance for right of way is based on fair market value for the land taken. A review of the assessed value for the properties was obtained from the current municipal assessment roll.

ii) Section 30 of the Drainage Act provides for the payment of allowances to landowners where the lands are used for the construction of the drain. These allowances compensate the owner for damages caused by the construction equipment and for the placement of the drain including the piling and the leveling of excavated material. Allowances were also made for access routes.

Normally the allowance for damages to lands is based on common crop yields and historical crop prices compiled by OMAFRA for the area. A fair representative annual crop value would be based on a 3-year composite average for the latest available crop statistics. The damage allowance rate is a form of compensation to account for both the immediate crop damage plus reduced productivity of the land for several years thereafter, caused by the work.

Section 30 allowances are based on the following rates:

Type of Land	Area Land Value
Cultivated Lands	$ 1,300/ha

However, there are no crop lands involved in this project. Rather the damage allowances are based on the fact that the landowners will be responsible for the care / watering of the newly seeded area. Based on this approach, a damage allowance of $1,300 per hectare

($3,200± per acre) has been determined for normal tile drain applications and applied to cultivated lands.

Allowances at the above rate for a 5m width for access have also been provided to those properties noted on the plan. For ditch cleanouts, a 20m width on each side for damages has been allowed.

In accordance with Section 62(3) of the Drainage Act RSO 1990, the allowances shown may be deducted from the final assessment levied. Payment to the owner would only be made when the allowance is greater than the final assessment. The allowances are a fixed amount and are not adjusted at the conclusion of construction. Allowances can only be changed if the report is modified prior to adoption of the report by bylaw or in accordance with the Drainage Act procedures which deal with changing the scope of work after the bylaw is passed.

The allowances payable to the owners entitled thereto on this project are as follows:

Con	Lot	Roll No.	Owner	Sec 29 (R-O-W)	Sec 30 (Damages)	Total	Recommended Culvert Sizes (mm)
MAIN DRAIN							
12 NR	Pt 12	30-186	R. & C. Cahill	6.600	100	6,700	n/a
12 NR	Pt 12 & 13	30-113	J. & S. Brunning	13,000	300	13,300	900mm CSP
12 NR	Pt 12	30-107	M. Plyley	21,800	800	22,600	1200mm CSP
TOTAL ALLOWANCES:				41,400	1,200	42,600	

b) Construction Cost Estimate

The estimated cost for Labour, Equipment and Materials to construct the proposed drain is outlined in detail in the following section. The final cost of drain construction cannot be established until the construction is completed. The Contractor is to supply all labour, equipment and materials to construct the following:

Sta.			Item	Cost	
i) Main Drain					
-0+299	to	0+001	- 300m of Ditch clean out, 1m bottom width, 2:1 side slopes including incidental brushing and levelling	6,000	
-0+100			- Lower existing CSP culvert	1,000	
-0+225			- Lower existing CSP culvert	1,000	
0+001	to	0+025	- Remove and dispose of existing railway crossing culvert and construct twin (2) 24m lengths of 900mm dia. PPE triple walled pipes across railway by open cut including restoration	72,000	+
0+001			- Place 20m^2 of riprap	900	+
0+025			- Place 20m^2 of riprap	900	+
0+025	to	0+119	- Excavate 94m of ditch, 1m bottom width, with 2:1 side slopes including levelling	4,700	

Sta.			Item	Cost
0+119			- Construction temporary rock sediment trap including 5m^2 of riprap	1,200
0+119			- Place 5m^2 of riprap at existing ditch from the north. Taper ditch for 5m.	500
0+122			- Remove/repair 20m of wire fence	200
0+119	to	0+159	- Excavate 40m of open ditch and level spoil on south side of ditch 4" thick and including incidental brushing	800
0+159	to	0+194	- 35m of 750mm dia. HDPE pipe with rodent gate and 5m² of riprap at outlet	12,300
0+150	to	0+194	- Fill/regrade 44mof existing ditch to overflow swale, 1m bottom width, 6:1 side slopes and 300mm deep including incidental brushing	500
0+194			- Construct 900 x 1200mm concrete CB	2,500
0+122	to	0+194	- Seed disturbed work area and overflow swale	1,200
			Sub-Total	$105,700
ii) Contingency			Lump sum contingency allowance	$10,600
			Total Construction Cost Estimate	**$116,300** *

+ Part of Special Assessment to CPR.

c) Engineering Cost Estimate

Report Preparation

For work re gathering background information, preparing for and attending on-site meeting, field survey using GPS including fly levels and cross-sections, preparing profiles and details, drain design, conduct discussions with affected landowners and agencies, attending to alternatives, review watersheds, preparing for and attending a second meeting, preparing cost estimates and assessment schedules, prepare future maintenance schedules, specifications, report writing and typing and complete drawings.

	Total Report Preparation (includes extra work for railway crossing)	$ 19,295
	Preparing for and attending Consideration of Report meeting	1,100
**	Preparing for and attending Court of Revision	650
TOTAL ENGINEERING COST ESTIMATE		**$ 21,045** *

** Cost if for a maximum of 3 appeals, additional appeals will increase this cost.

The cost for report preparation is usually not altered at the conclusion of a project unless the report is referred back or the report is appealed to the Drainage Tribunal, which would be additional costs.

The amounts shown for meetings are estimates. Final costs will be based on time required for meetings.

d) Non-Administrative and Construction Supervision Cost Estimate

i) Construction Supervision

For work to prepare tender documents and to review contract award, attend pre-construction meeting, construction inspection, payments, attend final inspection meeting and do final inspection, post construction follow-up, and prepare or assist in preparing grant applications

* Total Construction Supervision (Estimate) **$7,700**

The estimate shown for Construction Supervision is based on past experience and assumes good construction conditions and a Contractor who completes the construction in an efficient manner. The final (actual) cost for construction supervision will vary as per the actual time spent during the construction stage.

ii) Non-Administrative Cost Estimate

Section 73 of the Drainage Act directs that the administrative cost incurred by the municipality in carrying out the Drainage Act process shall not form part of the final cost of the drain. However, Section 73(1) outlines that the following non-administrative costs incurred by the municipality can be included in the cost of the drain: *cost of any application, reference or appeal and the cost of temporary financing.*

The Non-Administrative cost estimate is included to cover the above referenced items from Section 73(1). The cost estimate primarily provides for interest charges on financing the project until it is completed.

The OMAFRA Agricultural Drainage Infrastructure Program policy for the 1/3 grant indicates that municipal costs for photo-copying and mailing required to carry out the required procedures under the Drainage Act can be included as a non-administrative cost on a drain.

The Harmonized Sales Tax (HST) will apply to most costs on this project (allowances are excluded). However, the Municipality is eligible for a refund of a proportion of the HST paid. Therefore, the cost estimate in this report does include a dollar allowance equivalent to a net tax (net HST) in the amount of 1.76%. The Net HST has been rounded off to the nearest $5. It is also shown as a non-administrative cost.

The non-administrative cost estimate thus includes an allowance for the following costs.

*	NPCA/DFO submission	$ 1,200
*	Printing of reports	400
*	Printing of tender documents	300

	Interest Estimate	7,400
	Permits and Applications Allowance	300
*	Unforeseen	4,000
	Sub Total Administration	$ 13,600
	Net HST Estimate (1.76%)	$ 2,790
	TOTAL NON-ADMINISTRATIVE AND CONSTRUCTION SUPERVISION COST ESTIMATE	**$ 24,090**

* *The estimated Net HST (1.76%) would be applicable to these items. The estimated Net HST has been rounded to the nearest $5.*

Estimated Cost Summary

Allowances	$ 42,600
Construction Cost Estimate	116,300
Engineering Cost Estimate	21,045
Non-Administrative and Construction Supervision Cost Estimate	24,090
TOTAL ESTIMATED COST	**$ 204,035**

ASSESSMENTS

The Drainage Act requires that the total estimated cost be assessed to the affected lands and roads under the categories of benefit (Section 22), outlet liability (Section 23), injuring liability (Section 23), special benefit (Section 24) and special assessment (Section 26). On this project assessments for Benefit, Outlet Liability and Special Assessment are involved.

The method of calculating the assessments for this drain is illustrated in Appendix A which has been included with this report. Appendix A divides the drain into intervals. The estimated cost for each of these intervals is then determined. The first step in the assessment calculation is to apply benefit and special assessments, if applicable, to the affected lands and roads in each of the drain intervals. After deducting the total benefit and special assessments from the interval cost, the balance of the cost is then assessed as outlet liability on a per hectare basis to all lands and roads in the watershed. As noted, the hectares affected are adjusted prior to calculating the outlet liability. The basis for this adjustment is 1 hectare of cleared agricultural land contributing both surface and subsurface water to the drain. Areas which generate greater runoff such as paved roads are increased by a factor of 2.0 and areas which generate lesser runoff such as woodlots and/or low areas are decreased by a factor of 0.5.

Special Assessments

In accordance with Section 26 of the Drainage Act, the Canadian Pacific Railway is assessed the increased costs associated with the new twin culvert crossing across the railway. The final special assessment will be determined as described below by substituting actual construction costs from the contract for the estimated values. Any

additional costs identified by the Engineer will be added to the special assessment where appropriate.

The following table illustrates the calculation of the Special Assessments:

Sta	Road	Authority	Cost of Work (Est.)	Less Equivalent Drain Cost (Fixed)	Plus Eng. Cost (Est.)	Plus Net HST (Est.) (1.76%)	Special Assess. (Estimate)
0+001 to 0+025	Railway	CP Rail	$73,800	$ 400	$ 20,000	$ 1,645	$ 95,045

If the C.P.R. elects to construct the works across their right-of-way subject to the Special Assessment (this option is available in accordance with the Drainage Act), the Special Assessment shall be calculated with zero for cost of work. The Special Assessment will not apply for future maintenance.

Should crossings of utilities (such as Bell, Union Gas and Hydro) be encountered and require work by the Contractor, or should any municipal utilities (such as sanitary sewers or watermains if any) require work by the Contractor, the costs will also be assessed as special assessments to the utilities or road authority, based on the actual costs incurred and any additional engineering, even if not shown in the above table. However, if the utility or road authority undertakes the work, there will be no construction costs, but may be some administrative costs.

Assessment Summary
The assessments against the affected lands and roads are summarized in Schedule A.

Schedule B (Schedule of Assessments for Future Maintenance) will be used to prorate the proratable drain repair and maintenance costs when incurred.

Schedule C shows the possible grant and allowances and the net assessments. Net assessments may vary depending on the availability of grants.

Appendix A shows how the amounts in Schedule A were arrived at.

Appendix B shows how the amounts (percentages) in Schedule B were arrived at.

In Schedules A to C each parcel of land assessed has been identified by their assessment roll number for the municipality at the time of preparation of this report. The size of each parcel was established using the assessment roll information. For convenience only, each parcel is further identified by the owner's name from the last revised assessment roll.

PROVISIONS OF SECTION 61(3) OF DRAINAGE ACT
Pursuant to Section 61(3), a Municipality may pay out of General Funds any assessment equal to or less than $50. The Municipality should send a copy of the notice however regarding the meeting to consider the report to any owner affected by Section 61(3)

BUFFER STRIP
In order to facilitate maintenance, provide for nutrient management and decrease the amount of soil erosion and bank degradation, it is recommended that a 1.2m (4') wide buffer strip be maintained on both sides of any open drain. Ideally buffer strips should not be cultivated but could be used for lawn, pasture, access or forage crops.

WORKING CORRIDOR AND RIGHT OF WAY
The Contractor shall be allowed to operate his equipment within a working corridor as defined in Section C (Working Corridor) of the attached specifications and also in Section 400.4 of the Standard Specifications for Construction of Drains. Each landowner is required to provide the Contractor and the Municipality with reasonable access to the drain on his property for both construction and maintenance.

ALIGNMENT OF DRAINS IN RELATION TO PROPERTY LINES
All drains shall be constructed generally to the alignment as noted on the plans and as dictated by the Specific Notes in the Construction Notes (Special Provisions). Existing fences near boundaries between properties shall be deemed to be in the proper location of the boundary unless otherwise noted by the affected landowners. In the absence of fences or other properly marked and located legal boundaries, the drains shall be located more or less on the lands as noted in the plans and specific notes without the benefit of a legal survey to confirm property lines.

Construction shall follow the location as specified on the plan, wherever practicable.

Should the owners require a more precise location for the drains in relation to their property line or if there is a dispute about the location of the line, it is recommended that they obtain a legal survey at their own cost prior to construction or maintenance and/or advise the Drainage Superintendent and/or Engineer prior to construction or maintenance, of the concern re the property line location.

MAINTENANCE
After completion, the Stevensville Road Drain, as outlined in this report shall be maintained by the Town of Fort Erie with costs of all maintenance to be assessed to the lands and roads pro rata with the assessments in Schedule B.

To use Schedule B, the interval in which maintenance is to be undertaken must be identified. Then the percentages (or dollar amounts) shown will be used to establish the share (or percentages) that each owner will bear for maintenance costs in that interval. If repair or maintenance is done in 2 or more intervals, the assessments shown are to be totalled. Special assessments were not included in these calculations. These amounts are derived from Appendix B.

A minimum percentage assessment is applied to all future lots in the watershed of 0.01% per interval.

It is noted that the dollar amounts in Schedule B are not amounts to be paid now, they are only theoretical amounts shown to establish the percentages that owners would pay of whatever maintenance costs are incurred in the future.

Any landowner making a new connection into the Stevensville Road Drain either, tile, open ditch or outlet, shall request permission from the Drainage Superintendent to connect to such drain. If the Drainage Superintendent is not notified, this connection will be deemed to be an obstruction under Section 81 & 82 of the Drainage Act RSO 1990 and shall be removed at the owner's expense.

All parties affected by the Stevensville Road Drain, are encouraged to periodically inspect the drain once constructed and report any visible or suspected problems to the Municipality. If any areas require corrective work as the result of construction deficiencies, such will be attended to as part of the contract.

Each owner must provide an access route to the drain for access by the Municipality to undertake necessary repair or maintenance. As well, a right-of-way along the drain route equal to the working area described in the drawings is also to be available for future maintenance.

It has been brought to the attention of the engineer that the property downstream of the railway (30-107), is a potential growth area in the village of Stevensville. To accommodate future growth, the drain alignment may change without the requirement of a Section78 report if the follow constraints are met:

1) The inlet and outlet location remain in the same location.
2) There is a water conveyance system that can convey the same capacity as a cleaned out trapezoidal channel with a bottom width of 1m and 2:1 side slopes and 0.8m deep at 0.85% grade.
3) That there is a minimum 5m maintenance corridor which can be accessed by the Town to maintenance the drain in the future. No permanent structure or obstructions may be placed on this corridor.
4) The Drainage Superintendent approves plans for the new drain location before construction and receives copies of as-constructed drawings after construction has been completed.
5) The new alignment construct is to be fully paid for by the landowner.
6) The new alignment/drain will be maintained by the Town as part of the Stevensville Road Drain.
7) Any future road crossings are to convey a minimum flow equivalent to a 1200mm dia. CSP culvert at 0.85% grade.
8) A Section 65 report is completed to account for the new parcels.

BYLAWS

This report including drawings and specifications, when adopted in bylaws forms in accordance with the Drainage Act, RSO 1990, will provide the basis for construction and maintenance of this project.

GRANTS

In accordance with the provisions of Section 85 of the Drainage Act and OMAFRA's ADIP policies, a grant not exceeding 1/3 (33-1/3%) may be available on the assessments against privately owned parcels of land which are used for agricultural purposes and are eligible for the Farm Property Class Tax Rate (F.P.C.T.R.). Section 88 of the Drainage Act directs the Town to make application for this possible grant upon certification of completion of the drain provided for in this report. The Town will then deduct the grant from the assessments prior to collecting the final assessments.

If an assessed owner not shown as having the Farm Property Class Tax Rate feels that their property should be eligible for the grant, and they can provide proof to the Municipality of this eligibility as noted prior to the final cost levy then the property could have the one-third (33-1/3%) grant deducted from the final cost levy. Please be advised that OMAFRA retains the final right to determine eligibility under the grant program, regardless of designation herein.

In accordance with Section 85 of the Drainage Act, a grant not exceeding 1/3 (33-1/3%) may also be available in the future on the assessments against privately owned parcels of land used for agriculture (again as per OMAFRA'S, ADIP policies), for maintenance and repair of the Stevensville Road Drain, if done on the recommendation and supervision of an approved Drainage Superintendent and using the same eligibility requirements as outlined above.

CHANGES TO DRAIN AFTER BYLAW IS PASSED AND BEFORE COST IS LEVIED

Should changes, deletions or extensions to the drain proposed in this report be requested or required after the bylaws are passed and the contract is awarded, there may be some difficulty in attending to such. Since this drain is to be constructed in accordance with Bylaws of the Town of Fort Erie, changes to the drain cannot be undertaken without a change to the bylaws. An exception would be very minor changes which are approved by the Engineer and the Town in accordance with the General Conditions in the report.

If it is desired to make a substantial addition or deletion to the drain proposed in this report, it will be necessary that a revised report be prepared and processed through the Drainage Act, or in some cases, an application to the Ontario Drainage Tribunal may be required under the Drainage Act to obtain approval for a necessary change.

If any individual or group of owners require additional work on the proposed drain and are prepared to pay for such, they may make their own arrangements with the contractor to have such work constructed. The Engineer must pre-approve such additions to verify there is no impact on the function or maintenance of the drain as proposed. Even so, the work added would not form part of the drain for the purpose of future maintenance.

All of which is respectfully submitted,

K. SMART ASSOCIATES LTD.

Neal Morris

N. Morris, P. Eng.
mw

SCHEDULE A - SCHEDULE OF ASSESSMENTS
STEVENSVILLE ROAD DRAIN
Town of Fort Erie

Con	Lot	Roll No.	Owner(s)	Total Ha Affected	Benefit $	Outlet $	Total $
Town of Fort Erie (020-031-0) (Former Township of Bertie)							
			Lands				
11NR	Pt 13	29-060-00	Bell Canada	0.10	0	63	63
11NR	Pt 13	29-061-00	7292520 Canada Inc.	1.10	0	694	694
11NR	Pt 13	29-062-00	Minor Bros. Farm Supply Ltd.	0.10	0	63	63
11NR	Pt 13	29-063-00	Bertie Tire Centre Ltd.	0.40	0	253	253
11NR	Pt 13	29-064-00	Alexson 1998 Inc.	0.60	0	379	379
11NR	Pt 13	29-064-10	The TDL Group Corp.	0.40	0	253	253
11NR	Pt 13	29-065-00	R. Trottier	0.20	0	126	126
11NR	Pt 13	29-066-00	M. Gibbons	0.20	0	126	126
11NR	Pt 14	29-067-00	T. & T. Tykolis + M. Tykolis-Casey	0.50	0	211	211
12NR	Pt 12	30-107-00	M. Plyley	4.40	22,600	733	23,333
12NR	Pt 12 & 13	30-110-00	Town of Fort Erie	1.80	0	300	300
12NR	Pt 12 & 13	30-113-00	J. & S. Brunning	4.00	18,800	1,631	20,431
12NR	Pt 13	30-114-00	Meridian Credit Union Ltd.	0.50	0	263	263
12NR	Pts 12 & 13	30-116-00	Tykolis Holdings Ltd.	26.20	0	12,859	12,859
12NR	Pt 14	30-117-00	W. & S. Young	21.80	0	7,363	7,363
12NR	Pt 14	30-117-10	S. Young	0.50	0	276	276
12NR	Pt 15	30-118-00	R. & M. McLean	0.25	0	127	127
12NR	Pt 12	30-181-00	M. Plyley	0.20	0	100	100
12NR	Pt 12	30-183-00	Canadian Niagara Power Company Ltd.	0.10	0	50	50
12NR	Pt 12	30-184-00	G. Kostyk	0.10	0	50	50
12NR	Pt 12	30-185-00	G. Kostyk	0.40	0	200	200
12NR	Pt 12	30-186-00	R. & C. Cahill	0.30	8,500	163	8,663
		996-00	CP Rail	1.80	15,000	300	15,300
		00-01-1900	Special Assessment to CP Rail	0.00	95,045	0	95,045
Total Assessments on Lands:				65.95	159,945	26,583	186,528
			Roads				
	Eagle St.		Town of Fort Erie	0.16	0	168	168
	Stevensville Rd.		Niagara Region	2.00	15,000	2,106	17,106
	College Rd.		Town of Fort Erie	0.35	0	233	233
Total Assessments on Roads:				2.51	15,000	2,507	17,507
TOTAL ASSESSMENTS FOR STEVENSVILLE ROAD DRAIN:				68.46	174,945	29,090	204,035

Note:

1. Section 21 of the Drainage Act, RSO 1990 requires that assessments be shown opposite each parcel of land and road affected. The affected parcels of land have been identified using the roll number from the last revised assessment roll for the Township. For convenience only, the owners' names as shown by the last revised assessment roll, has also been included.

SCHEDULE B - SCHEDULE OF ASSESSMENTS FOR FUTURE MAINTENANCE
STEVENSVILLE ROAD DRAIN, Town of Fort Erie

Con	Lot	Roll No.	Owner(s)	INTERVAL 1 Sta -0+299 to 0+000 Assess	%	Interval 2 Sta 0+000 to 0+119 Assess	%	INTERVAL 3 Sta 0+119 to 0+194 Assess	%
Town of Fort Erie (020-031-0) (Former Township of Bertie)									
			Lands						
11NR	Pt 13	29-060-00	Bell Canada	3	0.10	1	0.09	24	0.69
11NR	Pt 13	29-061-00	7292520 Canada Inc.	37	1.17	13	1.16	262	7.57
11NR	Pt 13	29-062-00	Minor Bros. Farm Supply Ltd.	3	0.10	1	0.09	24	0.69
11NR	Pt 13	29-063-00	Bertie Tire Centre Ltd.	14.00	0.44	5	0.45	95	2.75
11NR	Pt 13	29-064-00	Alexson 1998 Inc.	20	0.63	7	0.63	143	4.13
11NR	Pt 13	29-064-10	The TDL Group Corp.	14	0.44	5	0.45	95	2.75
11NR	Pt 13	29-065-00	R. Trottier	7	0.22	2	0.18	48	1.39
11NR	Pt 13	29-066-00	M. Gibbons	7.00	0.22	2	0.18	48	1.39
11NR	Pt 14	29-067-00	T. & T. Tykolis + M. Tykolis-Casey	11	0.35	4	0.36	79	2.28
12NR	Pt 12	30-107-00	M. Plyley	996	31.57	0	0.00	0	0.00
12NR	Pt 12 & 13	30-110-00	Town of Fort Erie	20	0.63	0	0.00	0	0.00
12NR	Pt 12 & 13	30-113-00	J. & S. Brunning	102.00	3.23	287	25.63	607	17.54
12NR	Pt 13	30-114-00	Meridian Credit Union Ltd.	17	0.54	6	0.54	24	0.69
12NR	Pts 12 & 13	30-116-00	Tykolis Holdings Ltd.	869	27.54	295	26.34	167	4.83
12NR	Pt 14	30-117-00	W. & S. Young	495	15.69	168	15.00	175	5.06
12NR	Pt 14	30-117-10	S. Young	17.00	0.54	6	0.54	48	1.39
12NR	Pt 15	30-118-00	R. & M. McLean	9	0.29	3	0.27	0	0.00
12NR	Pt 12	30-181-00	M. Plyley	7	0.22	0	0.00	0	0.00
12NR	Pt 12	30-183-00	Canadian Niagara Power Company Ltd.	3	0.10	1	0.09	0	0.00
12NR	Pt 12	30-184-00	G. Kostyk	3.00	0.10	1	0.09	0	0.00
12NR	Pt 12	30-185-00	G. Kostyk	14	0.44	5	0.45	0	0.00
12NR	Pt 12	30-186-00	R. & C. Cahill	10	0.32	129	11.52	393	11.36
		996-00	CP Rail	336	10.65	133	11.88	0	0.00
Total Assessments on Lands:				3,014	95.53	1,074	95.94	2,232	64.51
			Roads						
	Eagle St.		Town of Fort Erie	9	0.29	3	0.27	64	1.85
	Stevensville Rd.		Niagara Region	116	3.67	38	3.34	1,164	33.64
	College Rd.		Town of Fort Erie	16	0.51	5	0.45	0	0.00
Total Assessments on Roads:				141	4.47	46	4.06	1,228	35.49
TOTAL ASSESSMENTS FOR STEVENSVILLE ROAD DRAIN:				3,155	100.00	1,120	100.00	3,460	100.00

Notes:

1. Section 21 of the Drainage Act, RSO 1990 requires that assessments be shown opposite each parcel of land and road affected. The affected parcels of land have been identified using the roll number from the last revised assessment roll for the Township. For convenience only, the owners' names as shown by the last revised assessment roll, has also been included.
2. The dollar amounts shown are not amounts to be paid at this time. These amounts are only to be used to create the percentages or portions that each property (parcel) and road will pay for any future maintenance repair or maintenance costs.
3. Grant eligibility to be determined at the time of maintenance cost levy.

SCHEDULE C - SCHEDULE FOR ACTUAL COST BYLAW
STEVENSVILLE ROAD DRAIN
TOWN OF FORT ERIE

	Con	Lot	Roll No.	Owner(s)	Estimated Assessment	1/3 Grant	Allowances	Net
	Town of Fort Erie (020-031-0) (Former Township of Bertie)							
				Lands				
	11NR	Pt 13	29-060-00	Bell Canada	63	0		63
	11NR	Pt 13	29-061-00	7292520 Canada Inc.	694	0		694
	11NR	Pt 13	29-062-00	Minor Bros. Farm Supply Ltd.	63	0		63
	11NR	Pt 13	29-063-00	Bertie Tire Centre Ltd.	253	0		253
	11NR	Pt 13	29-064-00	Alexson 1998 Inc.	379	0		379
	11NR	Pt 13	29-064-10	The TDL Group Corp.	253	0		253
	11NR	Pt 13	29-065-00	R. Trottier	126	0		126
	11NR	Pt 13	29-066-00	M. Gibbons	126	0		126
F	11NR	Pt 14	29-067-00	T. & T. Tykolis + M. Tykolis-Casey	211	70		141
	12NR	Pt 12	30-107-00	M. Plyley	23,333	0	22,600	733
	12NR	Pt 12 & 13	30-110-00	Town of Fort Erie	300	0		300
F	12NR	Pt 12 & 13	30-113-00	J. & S. Brunning	20,431	6,810	13,300	321
	12NR	Pt 13	30-114-00	Meridian Credit Union Ltd.	263	0		263
	12NR	Pts 12 & 13	30-116-00	Tykolis Holdings Ltd.	12,859	0		12,859
F	12NR	Pt 14	30-117-00	W. & S. Young	7,363	2,454		4,909
	12NR	Pt 14	30-117-10	S. Young	276	0		276
	12NR	Pt 15	30-118-00	R. & M. McLean	127	0		127
	12NR	Pt 12	30-181-00	M. Plyley	100	0		100
	12NR	Pt 12	30-183-00	Canadian Niagara Power Company Ltd.	50	0		50
	12NR	Pt 12	30-184-00	G. Kostyk	50	0		50
	12NR	Pt 12	30-185-00	G. Kostyk	200	0		200
	12NR	Pt 12	30-186-00	R. & C. Cahill	8,663	0	6,700	1,963
			996-00	CP Rail	15,300	0		15,300
			00-01-1900	Special Assessment to CP Rail	95,045	0		95,045
	Total Assessments on Lands:				186,528	9,334	42,600	134,594
				Roads				
		Eagle St.		Town of Fort Erie	168	0	0	168
		Stevensville Rd.		Niagara Region	17,106	0	0	17,106
		College Rd.		Town of Fort Erie	233	0	0	233
	Total Assessments on Roads:				17,507	-	-	17,507
	TOTAL ASSESSMENTS FOR STEVENSVILLE ROAD DRAIN:				204,035	9,334	42,600	152,101

Notes:

1. "F" denotes lands with current Farm Property Tax Class designation that may qualify for grant.
   Grant eligibility subject to Farm Property Tax Class at the time of actual cost levy.
2. Section 21 of the Drainage Act, RSO 1990 requires that assessments be shown opposite each parcel of land and road affected. The affected parcels of land have been identified using the roll number from the last revised assessment roll. For convenience only, the owner's names as shown by the last revised assessment roll, has also been included.
3. Net assessment is levied to the owner at the time of actual cost levy.

		INTERVAL 1			Interval 2			Total
		Sta -0+299	to	0+119	Sta 0+119	to	0+194	
	Allowances	29,200		626	13,400		368	42,600
	Construction	97,300			19,000			116,300
	Engineering	21,275			3,270			24,545
	Administration	16,000			1,800			17,800
	Net HST	2,365			425			2,790
	Total	166,140			37,895			204,035

Roll No.	Owner(s)	Total Ha Affected	Total Ha Adjusted	Benefit ($)	Adjusted (Ha)	Outlet ($)	%	Benefit ($)	Adjusted (Ha)	Outlet ($)	%	Total Benefits	Total Outlets	Gross Total
Town of Fort Erie (020-031-0) (Former Township of Bertie)														
	Lands													
29-060-00	Bell Canada	0.10	0.15		0.15	50	0.03		0.15	13	0.03	0	63	63
29-061-00	7292520 Canada Inc.	1.10	1.65		1.65	550	0.33		1.65	144	0.38	0	694	694
29-062-00	Minor Bros. Farm Supply Ltd.	0.10	0.15		0.15	50	0.03		0.15	13	0.03	0	63	63
29-063-00	Bertie Tire Centre Ltd.	0.40	0.60		0.60	200	0.12		0.60	53	0.14	0	253	253
29-064-00	Alexson 1998 Inc.	0.60	0.90		0.90	300	0.18		0.90	79	0.21	0	379	379
29-064-10	The TDL Group Corp.	0.40	0.60		0.60	200	0.12		0.60	53	0.14	0	253	253
29-065-00	R. Trottier	0.20	0.30		0.30	100	0.06		0.30	26	0.07	0	126	126
29-066-00	M. Gibbons	0.20	0.30		0.30	100	0.06		0.30	26	0.07	0	126	126
29-067-00	T. & T. Tykolis + M. Tykolis-Casey	0.50	0.50		0.50	167	0.10		0.50	44	0.12	0	211	211
30-107-00	M. Plyley	4.40	2.20	22,600	2.20	733	14.04		0.00	0	0.00	22,600	733	23,333
30-110-00	Town of Fort Erie	1.80	0.90		0.90	300	0.18		0.00	0	0.00	0	300	300
30-113-00	J. & S. Brunning	4.00	4.50	5,700	4.50	1,500	4.33	13,100	1.50	131	34.91	18,800	1,631	20,431
30-114-00	Meridian Credit Union Ltd.	0.50	0.75		0.75	250	0.15		0.15	13	0.03	0	263	263
30-116-00	Tykolis Holdings Ltd.	26.20	38.30		38.30	12,767	7.68		1.05	92	0.24	0	12,859	12,859
30-117-00	W. & S. Young	21.80	21.80		21.80	7,267	4.37		1.10	96	0.25	0	7,363	7,363
30-117-10	S. Young	0.50	0.75		0.75	250	0.15		0.30	26	0.07	0	276	276
30-118-00	R. & M. McLean	0.25	0.38		0.38	127	0.08		0.00	0	0.00	0	127	127
30-181-00	M. Plyley	0.20	0.30		0.30	100	0.06		0.00	0	0.00	0	100	100
30-183-00	Canadian Niagara Power Company Ltd.	0.10	0.15		0.15	50	0.03		0.00	0	0.00	0	50	50
30-184-00	G. Kostyk	0.10	0.15		0.15	50	0.03		0.00	0	0.00	0	50	50
30-185-00	G. Kostyk	0.40	0.60		0.60	200	0.12		0.00	0	0.00	0	200	200
30-186-00	R. & C. Cahill	0.30	0.45		0.45	150	0.09	8,500	0.15	13	22.46	8,500	163	8,663
996-00	CP Rail	1.80	0.90	15,000	0.90	300	9.21		0.00	0	0.00	15,000	300	15,300
00-01-1900	Special Assessment to CP Rail	0.00	0.00	95,045	0.00	0	57.21		0.00	0	0.00	95,045	0	95,045
	Roads					0				0				
Eagle St.	Town of Fort Erie	0.16	0.40		0.40	133	0.08		0.40	35	0.09	0	168	168
Stevensville Rd.	Niagara Region	2.00	5.00		5.00	1,668	1.02	15,000	5.00	438	40.76	15,000	2,106	17,106
College Rd.	Town of Fort Erie	0.35	0.70		0.70	233	0.14		0.00	0	0.00	0	233	233
													0	0
TOTAL ASSESSMENT FOR FORT ERIE:		68.46	83.38	138,345	83.38	27,795	100.00	36,600	14.80	1,295	100.00	174,945	29,090	204,035

Stevensville Road Drain - Filing of Engineer's Report, Pursuant to Secti...

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APPENDIX B - SCHEDULE OF ASSESSMENTS FOR FUTURE MAINTENANCE
STEVENSVILLE ROAD DRAIN
Town of Fort Erie

				INTERVAL 1				Interval 2				Interval 3				Total		
				Sta	-0+299	to	0+000	Sta	0+000	to	0+119	Sta	0+119	to	0+194			
	Construction				3,100				1,100				3,400					7,600
	Net HST				55				20				60					135
	Total				3,155				1,120				3,460					7,735
Roll No.	Owner(s)	Total Ha Affected	Total Ha Adjusted	Benefit ($)	Adjusted (Ha)	Outlet ($)	%	Benefit ($)	Adjusted (Ha)	Outlet ($)	%	Benefit ($)	Adjusted (Ha)	Outlet ($)	%	Total Benefits	Total Outlets	Gross Total
Town of Fort Erie (020-031-0) (Former Township of Bertie)																		
	Lands																	
29-060-00	Bell Canada	0.10	0.15		0.15	3	0.10		0.15	1	0.09		0.15	24	0.69	0	28	28
29-061-00	7292520 Canada Inc.	1.10	1.65		1.65	37	1.17		1.65	13	1.16		1.65	262	7.57	0	312	312
29-062-00	Minor Bros. Farm Supply Ltd.	0.10	0.15		0.15	3	0.10		0.15	1	0.09		0.15	24	0.69	0	28	28
29-063-00	Bertie Tire Centre Ltd.	0.40	0.60		0.60	14	0.44		0.60	5	0.45		0.60	95	2.75	0	114	114
29-064-00	Alexson 1998 Inc.	0.60	0.90		0.90	20	0.63		0.90	7	0.63		0.90	143	4.13	0	170	170
29-064-10	The TDL Group Corp.	0.40	0.60		0.60	14	0.44		0.60	5	0.45		0.60	95	2.75	0	114	114
29-065-00	R. Trottier	0.20	0.30		0.30	7	0.22		0.30	2	0.18		0.30	48	1.39	0	57	57
29-066-00	M. Gibbons	0.20	0.30		0.30	7	0.22		0.30	2	0.18		0.30	48	1.39	0	57	57
29-067-00	T. & T. Tykolis + M. Tykolis-Casey	0.50	0.50		0.50	11	0.35		0.50	4	0.36		0.50	79	2.28	0	94	94
30-107-00	M. Plyley	4.40	2.20	946	2.20	50	31.57		0.00	0	0.00		0.00	0	0.00	946	50	996
30-110-00	Town of Fort Erie	1.80	0.90		0.90	20	0.63		0.00	0	0.00		0.00	0	0.00	0	20	20
30-113-00	J. & S. Brunning	4.00	4.50		4.50	102	3.23	252	4.50	35	25.63	369	1.50	238	17.54	621	375	996
30-114-00	Meridian Credit Union Ltd.	0.50	0.75		0.75	17	0.54		0.75	6	0.54		0.15	24	0.69	0	47	47
30-116-00	Tykolis Holdings Ltd.	26.20	38.30		38.30	869	27.54		38.30	295	26.34		1.05	167	4.83	0	1,331	1,331
30-117-00	W. & S. Young	21.80	21.80		21.80	495	15.69		21.80	168	15.00		1.10	175	5.06	0	838	838
30-117-10	S. Young	0.50	0.75		0.75	17	0.54		0.75	6	0.54		0.30	48	1.39	0	71	71
30-118-00	R. & M. McLean	0.25	0.38		0.38	9	0.29		0.38	3	0.27		0.00	0	0.00	0	12	12
30-181-00	M. Plyley	0.20	0.30		0.30	7	0.22		0.00	0	0.00		0.00	0	0.00	0	7	7
30-183-00	Canadian Niagara Power Company Ltd.	0.10	0.15		0.15	3	0.10		0.15	1	0.09		0.00	0	0.00	0	4	4
30-184-00	G. Kostyk	0.10	0.15		0.15	3	0.10		0.15	1	0.09		0.00	0	0.00	0	4	4
30-185-00	G. Kostyk	0.40	0.60		0.60	14	0.44		0.60	5	0.45		0.00	0	0.00	0	19	19
30-186-00	R. & C. Cahill	0.30	0.45		0.45	10	0.32	126	0.45	3	11.52	369	0.15	24	11.36	495	37	532
996-00	CP Rail	1.80	0.90	316	0.90	20	10.65	126	0.90	7	11.88	0	0.00	0	0.00	442	27	469
	Roads																	
Eagle St.	Town of Fort Erie	0.16	0.40		0.40	9	0.29		0.40	3	0.27		0.40	64	1.85	0	76	76
Stevensville Rd.	Niagara Region	2.00	5.00		5.00	116	3.67		5.00	38	3.34	369	5.00	795	33.64	369	949	1,318
College Rd.	Town of Fort Erie	0.35	0.70		0.70	16	0.51		0.70	5	0.45		0.00	0	0.00	0	21	21
TOTAL ASSESSMENTS FOR FORT ERIE:		68.50	83.40	1,262	83.40	1,893	100.00	504	80.00	616	100.00	1,107	14.80	2,353	100.00	2,873	4,862	7,735

Stevensville Road Drain - Filing of Engineer's Report, Pursuant to Secti...

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CON 13
NIAGARA RIVER

CON 12
NIAGARA RIVER

CON 11
NIAGARA RIVER

"WINGER"

SNYDER DRAIN

CON 12 NR

BLACK CREEK
DRAIN 2014

LOT 15

UNOPENED

LOT 15

30–118

0.25

0.35

0.3

0.2

(UNOPENED) COLLEGE ROAD

COLLEGE ROAD

30–117–10

WINGER ROAD
DRAIN

30–117

20.7

1.1

29–067

LOT 14

(UNOPENED) OTT ROAD

STEVENSVILLE ROAD

0.5

29–066

BLACK CREEK
DRAIN 2014

LOT 14

0.7

0.2

0.2

29–065

29–064

0.6

29–064–10

LOT 13

30–116

24.5

30–114

0.4

0.2

0.4

29–063

0.4

LOT 13

30–186

0.1

1.0

0.4

29–062

29–061

0.1

30–113

3.1

BM#4

0+119

BM#5

BM#3

0+194

BM#6

0.1

0.1

0.2

29–060

EAGLE STREET

996–00

CANADIAN PACIFIC RAILWAY

30–185

0.4

0+029

0.25

0.1

30–184

30–183

CON 13
NIAGARA RIVER

30–110

1.8

0+000

0.2

CANADIAN PACIFIC RAILWAY

30–181

30–107

4.4

PAUL ALLEY

STEVENSVILLE ROAD

LOT 12

CON 12
NIAGARA RIVER

"STEVENSVILLE"

HAYSLIP STREET

LOT 12

BLACK CREEK DRAIN (1976)

-0+299

BLACK CREEK

NOTE: BASE MAPPING PROVIDED BY THE TOWN OF FORT ERIE

THE POSITION OF POLE LINES, CONDUITS, WATERMAINS, SEWERS AND OTHER UNDERGROUND AND OVERGROUND UTILITIES AND STRUCTURES IS NOT NECESSARILY SHOWN ON THE CONTRACT DRAWINGS, AND, WHERE SHOWN, THE ACCURACY IS NOT GUARANTEED. BEFORE STARTING WORK, THE CONTRACTOR SHALL INFORM HIMSELF OF THE EXACT LOCATION OF ALL SUCH UTILTIES AND STRUCTURES, AND SHALL ASSUME ALL LIABILITY FOR DAMAGE TO THEM.

BENCHMARKS
BM#5
TOP OF IRON BAR ELEV. 177.046

BM#6
TOP OF IRON BAR ELEV. 177.972

SEE DRAWINGS 3 AND 4 FOR BM'S 1 TO 4 DESCRIPTIONS AND ELEVATIONS

PLAN LEGEND

- — MAJOR WATERSHED
- — INTERMEDIATE WATERSHED
- — PROPOSED DRAIN
- — EXISTING DRAIN
- Z — DENOTES PROPERTY OWNERSHIP ON BOTH SIDES OF LOT LINE
- (0.1) — APPROXIMATE HECTARES IN WATERSHED
- 30–113 — ASSESSMENT ROLL NUMBER
- — BUSH
- BM#1 — BENCHMARK LOCATION AND NUMBER

NOTE:
ALL ROLL NUMBERS BEGIN WITH 020–031–0
I.e. 30–117 IN FULL IS 020–031–030–117

GEOGRAPHIC TOWNSHIP OF BERTIE

DESIGNED BY:	N.W.M.
CHECKED BY:	N.W.M.
DRAWN BY:	D.C.P.
CHECKED BY:	N.W.M.

REGISTERED PROFESSIONAL ENGINEER
N. W. MORRIS
100109137
PROVINCE OF ONTARIO

SCALE
0 75 150m
1:7,500
(ON 11"x17")

STEVENSVILLE ROAD DRAIN

NIAGARA REGION — TOWN OF FORT ERIE

WATERSHED PLAN

NOV. 15, 2019

K. SMART ASSOCIATES LIMITED
CONSULTING ENGINEERS AND PLANNERS
KITCHENER SUDBURY

REVISED:

JOB NUMBER: 09-141

DRAWING 1 OF 5

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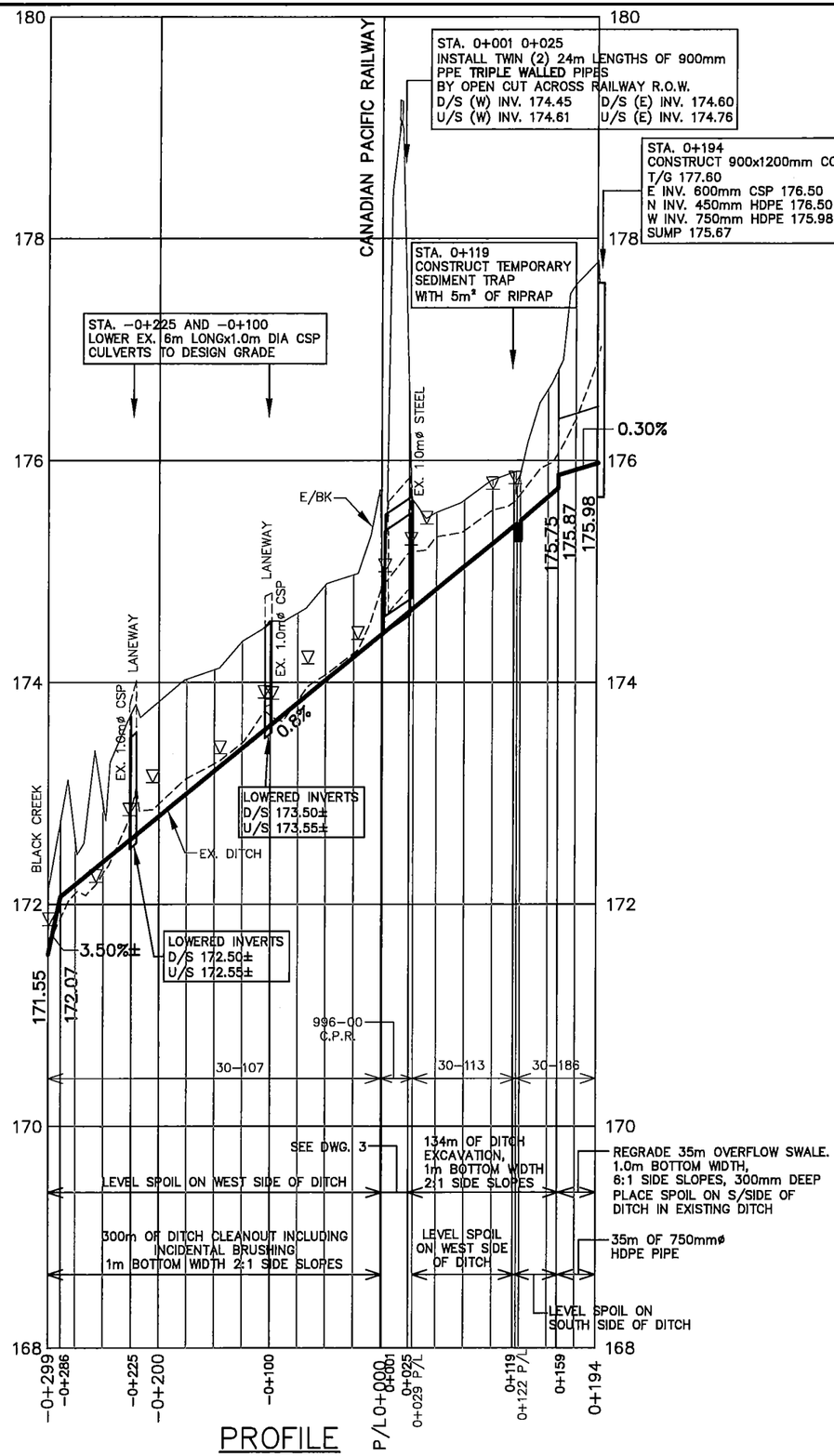

PROFILE

DESIGNED BY:	N.W.M.
CHECKED BY:	H.A.W.
DRAWN BY:	D.C.P.
CHECKED BY:	N.W.M.

REGISTERED PROFESSIONAL ENGINEER
N. W. MORRIS
100109137
PROVINCE OF ONTARIO

SCALE
0 50 100m
(SCALE 1 : 5000)
HORZ.
0 1m
(SCALE 1 : 50)
VERT.
(ON 11"x17")

STEVENSVILLE ROAD DRAIN

NIAGARA REGION — TOWN OF FORT ERIE

PROFILE — NOV. 15, 2019

REVISED:

K. SMART ASSOCIATES LIMITED
CONSULTING ENGINEERS AND PLANNERS
KITCHENER SUDBURY

JOB NUMBER: 09-141

DRAWING 2 OF 5

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Project No: SM 167076-G

Project: Proposed Culvert Replacement

Location: Stevensville, Fort Erie

Client: K. Smart Associates Limited

Log of Borehole No. 1

Project Manager: Steve Sears, P.Eng.

Borehole Location: See Drawing No. 1

Soil-Mat

SUBSURFACE PROFILE

Depth (m)	Elevation (m)	Description	Well Data
0	0.00	Ground Surface	
	-0.60	***Track Ballast*** Approximately 600 millimetres of track ballast stone.	
	-1.40	***Sand and Gravel Fill*** Brown, compact.	
2		***Silty Clay*** Brown, trace gravel, stiff to very stiff.	
4			
6			
8			
10			
12			
14			
16	-5.00	End of Borehole	
18			
20			
22			
24			
26			
28			
30			
32			

SAMPLE

Type	Number	Blow Counts	Blows/300mm	Recovery	PP (kgf/cm2)	U.Wt.(kN/m3)
SS	1	12 9 7	16			
SS	2	4 4 4 6	8			
SS	3	4 4 6 10	10			
SS	4	4 5 7 10	12			
SS	5	7 10 13 14	23			

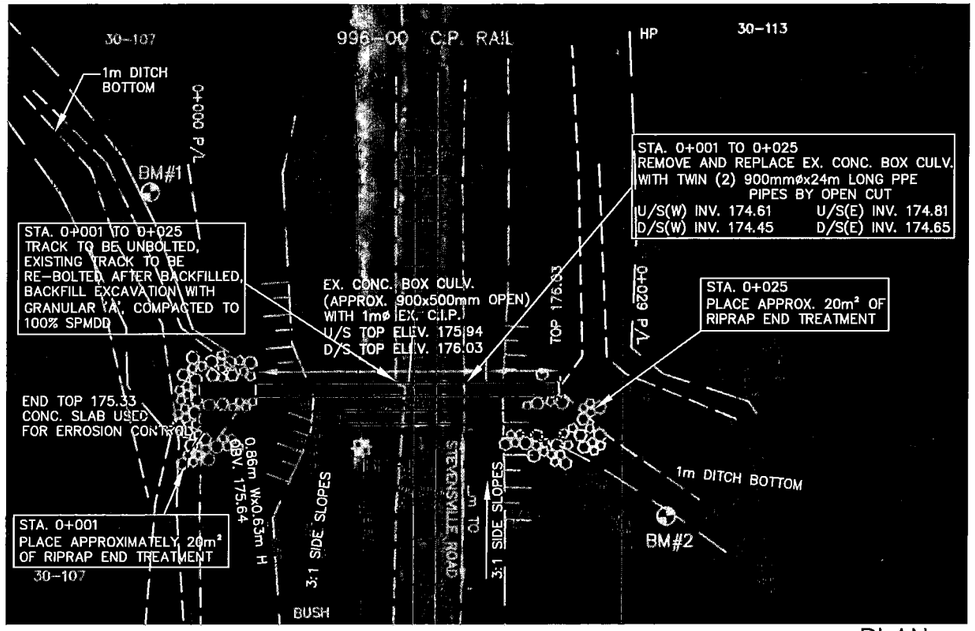
Moisture Content w% 10 20 30 40

Standard Penetration Test blows/300mm 20 40 60 80

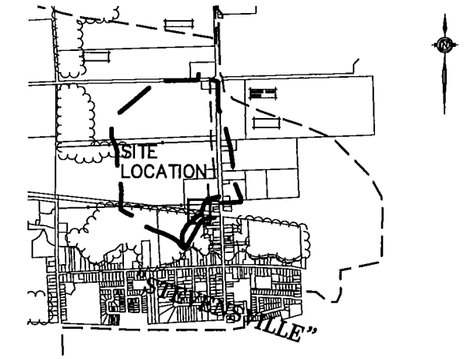
NOTES:

1. Borehole was advanced using solid stem auger equipment on November 29, 2016 to termination at a depth of approximately 5.0 metres.
2. Borehole was recorded as open and 'dry' upon completion of drilling and backfilled as per Ontario Regulation 903.
3. Soil samples will be discarded after 3 months unless otherwise directed by our client.

Drill Method: Solid Stem Augers	SOIL-MAT ENGINEERS & CONSULTANTS LTD.	Datum: Existing Surface
Drill Date: November 29, 2016	130 Lancing Drive, Hamilton, ON L8W 3A1	Field Logged by: MB
Hole Size: 150mm	Phone: (905) 318-7440 Fax: (905) 318-7455	Checked by: KR
Drill Contractor: Elite Drilling	e-mail: info@soil-mat.on.ca	Sheet: 1 of 1



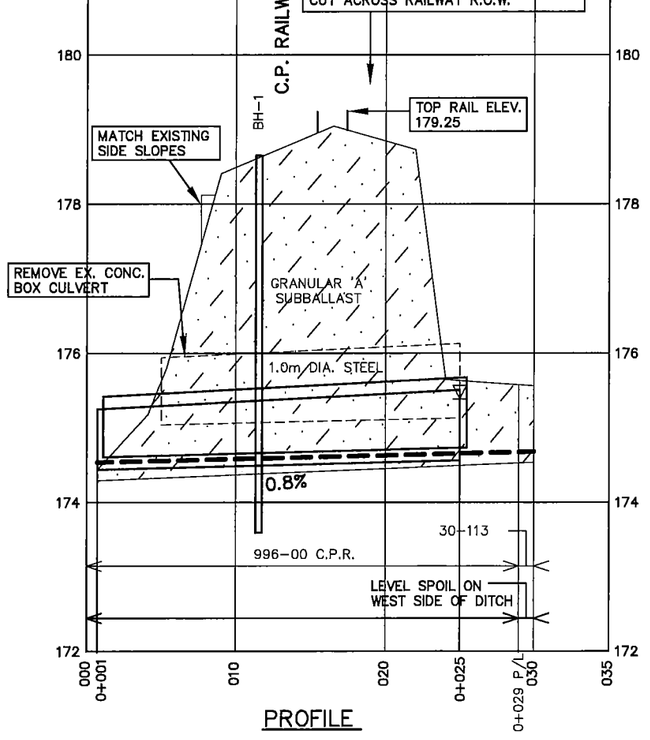
PLAN
SCALE : 400



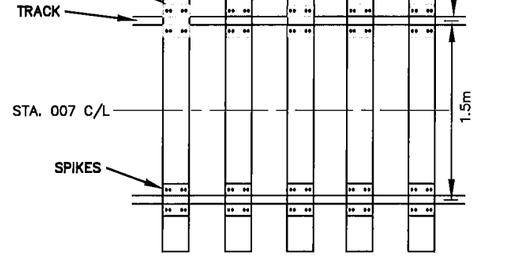
BENCHMARKS

BM#1
TOP NAIL IN 2x2 STAKE ON WEST BANK, D/S OF RAILWAY (5m SOUTH OF TOE FOR RAIL)
ELEV. 175.451

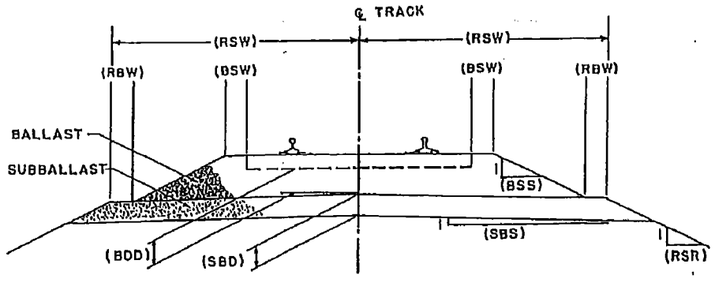
BM#2
TOP NAIL ON 2x2 STAKE NORTH SIDE RAILWAY ON EAST BANK
13m± OF U/S END 900mm DIA STEEL
ELEV. 176.402



PROFILE



RAIL LINE DETAIL
N.T.S.



Ballast:
BDD = Depth of Ballast 300mm
BSW = Ballast Shoulder Width 300mm
BSS = Ballast Side Slope Run MATCH EXISTING

Subballast:
SBD = Subballast Depth GRANULAR A TO PROPOSED PIPE
SBS = Subballast Side Slope Run MATCH EXISTING

Roadbed:
RSW = Roadbed Shoulder Width MATCH EXISTING
RSR = Roadbed Side Slope Run MATCH EXISTING
RBW = Roadbed Berm Width 300mm

TYPICAL SECTION TRACK SUBSTRUCTURE – AREMA
N.T.S.

DESIGNED BY: N.W.M.	
CHECKED BY: H.A.W.	
DRAWN BY: N.M.B.	
CHECKED BY: N.W.M.	

REGISTERED PROFESSIONAL ENGINEER N. W. MORRIS 100109137 PROVINCE OF ONTARIO

SCALE
0 50 100m
(SCALE 1 : 400) HORZ.
0 1m
(SCALE 1 : 50) VERT.
(ON 11"x17")

STEVENSVILLE ROAD DRAIN

NIAGARA REGION — TOWN OF FORT ERIE

RAILWAY CROSSING DETAIL — NOV. 15, 2019

K. SMART ASSOCIATES LIMITED
CONSULTING ENGINEERS AND PLANNERS
KITCHENER SUDBURY

REVISED:
JOB NUMBER: 09-141
DRAWING 3 OF 5

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BM#4
TOP OF IRON BAR
ELEV. 176.714

STA. 0+119
PLACE 5m² OF RIPRAP
5m TAPER EXISTING DITCH

STA. 0+122 P/L
REMOVE AND RE-ERECT
20m OF WIRE FENCE

STA. 0+119
CONSTRUCT TEMPORARY SEDIMENT
TRAP WITH 5m² OF RIPRAP

STA. 0+122 TO 0+194
SEED DISTURBED
WORK AREAS

STA. 0+025 TO 0+119
EXCAVATE 94m OF DITCH,
(1.0m BOTTOM WIDTH, 2:1 SIDE SLOPES)
PLACE LEVEL SPOIL ON W/SIDE OF EX. DITCH

STA. 0+119 TO 0+159
EXCAVATE 40m OF DITCH,
(1.0m BOTTOM WIDTH, 2:1 SIDE SLOPES)
PLACE AND LEVEL SPOIL ON S/SIDE OF DITCH

STA. 0+150 TO 0+194
CLEAN/BRUSH 44m OF EX. DITCH AND
FILL/REGRADE TO OVERFLOW SWALE
(1m BOTTOM, 6:1 SIDE SLOPES)
300mm DEEP

STA. 0+159 TO 0+194
INSTALL 35m OF 750mmø HDPE
PIPE WITH RODENT GATE AND
5m² OF RIPRAP AT OUTLET

STA. 0+159
PIPE OUTLET
INV. 175.87

STA. 0+194
CONSTRUCT 900x1200mm CONC. CB
T/G 177.60
E INV. 600mm CSP 176.50
N INV. 450mm HDPE 176.50
W INV. 750mm HDPE 175.98
SUMP 175.67

2m O/S FOR CORNERS
HOUSE #2709 OUTLINE

BM#3
TOP OF IRON BAR
ELEV. 177.577

TOP. 177.75
600mm CSP
BOTTOM RUSTED OUT

TOP. 177.44
450mm CSP
BOTTOM RUSTED OUT

TOP 4" ACCESS
PIPE FOR SANITARY

SAN MH
ELEV. 178.50

APPROX. PROPERTY LINE

PROPERTY LINE

E.P. STEVENSVILLE ROAD

EXISTING HOUSE

HSE # 2709

200mmø DECIDUOUS

200mmø SPRUCE

900mmø WILLOW

300mmø BLUE SPRUCE

300mmø DEC

200mmø DEC

DITCH BOTTOM
ON PATIO STONE

DITCH BOTTOM
END OF PATIO
STONE

HP w/ TRANS.

0+150

175.75

175.45

30-113

30-186

DESIGNED BY:	N.W.M.
CHECKED BY:	H.A.W.
DRAWN BY:	D.C.P.
CHECKED BY:	N.W.M.

REGISTERED PROFESSIONAL ENGINEER
N. W. MORRIS
100109137
PROVINCE OF ONTARIO

SCALE
0 2.5 5m
1:250
(ON 11"x17")

STEVENSVILLE ROAD DRAIN

NIAGARA REGION — TOWN OF FORT ERIE

DETAIL

NOV. 15, 2019

REVISED:

JOB NUMBER: 09-141

DRAWING
4 OF 5

K. SMART ASSOCIATES LIMITED
CONSULTING ENGINEERS AND PLANNERS
KITCHENER SUDBURY

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Stevensville Road Drain - Filing of Engineer's Report, Pursuant to Secti...

300) CONSTRUCTION NOTES (SPECIAL PROVISIONS)

300.1) SPECIFIC NOTES

Sta.	Description
M. Plyley (Roll No. 30-107)	
-0+299 to 0+001	- 300m of ditch cleanout (1m wide bottom, 2:1 side slopes) including incidental brushing. - Place and level spoil on west side of ditch.
-0+225 & -0+100	- Remove and reset (lower) existing 6m long x 1.0m dia. CSP culverts.
C.P.R. (Roll No. 996-00)	
0+001 to 0+025	- Remove and dispose of the existing 24m long railway crossing culvert. - Place twin (2) 24m lengths of 900mm dia. PPE **triple walled** pipes by open cut.
0+001 to 0+025	- Place 20m² of riprap at each end (24m² riprap total) *(See Detail on Drawing 3)*.
0+025 to 0+029	- 4m of ditch cleanout (1m wide bottom, 2:1 side slopes). Place and level spoil to north on Brunning property.
J. & S. Brunning (Roll No. 30-113)	
0+029 to 0+122	- 93m of ditch cleanout (1m wide bottom, 2:1 side slopes). Place and level spoil on west side of ditch.
0+119	- Construct temporary rock sediment trap including 5m² of riprap.
0+119	- Place 5m² of riprap at existing ditch from the north. Taper ditch for 5m.
R. & C. Cahill (Roll No. 30-186) / J. & S. Brunning (Roll No. 30-113) / Stevensville Road (Region of Niagara) *(See Detail on Drawing 4)*	
0+122	- Remove and re-erect 20m of wire fence.
0+122 to 0+159	- 37m of ditch cleanout (1.0m wide bottom, 2:1 side slopes). 8m of this ditch is new excavation.
0+150 to 0+194	- Fill in 44m of existing ditch and grade as a saucer-shaped overflow swale (1.0m bottom, 6:1 side slopes).
0+122 to 0+194	- Brush existing ditch (incidental light brushing 4m width).
0+159	- Place 5m² of riprap at new pipe outlet.
0+159 to 0+194	- 35m of 750mm dia. HDPE plastic pipe with rodent gate at outlet
0+122 to 0+194	- Restoration and hydro-seeding of disturbed areas.
0+194	- Construct 900 x 1200mm concrete catchbasin with birdcage grate.

300.2) PROJECT NOTES

300.2.1 Working Area

- For work on the open ditch, the average width is to be 20m
- For work on the closed drain, the average width is to be 20m.
- A 10m x 10m area is required at the catchbasin location.

Refer to Section 400.4 of Standard Specifications for Construction of Drains for exceptions.

300.2.2 Access

The Contractor shall have access to the drain along the routes, if any, shown on the plan. The access routes shall be along existing laneways or paths or where none exist, along a 6m wide (maximum) path. All specifications governing fences, livestock and crops during drain construction shall apply to access routes except where superseded by notes on the drawings. No other access routes shall be used unless first approved by the Engineer and affected landowners. The Contractor shall also contact each owner prior to using designated accesses. Refer to Section 400.5 of the Standard Specifications for Construction of Drains.

Telephone numbers for contact are:

30-107 M. Plyley	(To be Supplied
30-113 J. & S. Brunning	When Tenders
30-186 R. & C. Cahill	are Done)
Engineer (Neal Morris, P. Eng.)	519-748-1199 ext 240
Town of Fort Erie (Dave Maiden, Drainage Supt.)	905-871-1600
One Call Centre	1-800-400-2055

300.2.3 Soil Conditions

The soils along the drain are primarily Welland reddish-hued lacustrine heavy clay loam with pockets of Niagara loamy textures over reddish-hued lacustrine heavy clay.

This material should be easier to dig, with few stones and the proposed 2:1 side slopes for the ditch should be stable. The material at the railway appears to be poor in nature. A number of sinkholes around the existing culvert were observed. This and the poor state and multi material types of the existing culverts suggest that the Contractor may experience deleterious material in the railway line crossing.

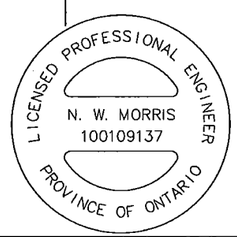
300.2.4 Railway Crossing Specifications and Utilities

1) CPR must be given 72 hours' notice when the crossing will be done. (Jack Carello, 905-803-3417, 1290 Central Parkway West, Mississauga ON, L5C 4R3)
2) Remove tracks at existing joints, done by railway staff
3) Remove and reinstate railway ties, done by railway staff
4) 75mm minus ballast backfill along top and banks of railway 800mm thick.
5) Backfill excavation with granular A.
6) Match existing railway bank side slopes.
7) Compact to 100% SPMD
8) The track must be a continuous grade between points where rail is removed.
9) Use "Storm HP" PPE **triple walled** High-Performance Polypropylene (PPE pipe) from ADS or equivalent for the pipe with 411 kN/m² or greater stiffness fabricated per AASHTO M330, with bell and spigot connections.
10) CPR must inspect crossing before opening the railway to live traffic. The contractor shall follow any CPR staff recommendation at this time to open the railway to live traffic.

300.2.5 Environmental

The NPCA, MNRF and DFO have been notified of the project.

The requirement of the Ministry of Natural Resources and Forestry (MNRF) (now the Ministry of Environment, Conservation and Parks (MECP)) and DFO with respect to the Endangered Species Act were considered and it was determined that only grass pickerel may be present in the Black Creek Drain. Since the existing ditch is an intermediate watercourse and is dry most of the year. It is anticipated that construction occurs in the dry or winter. A letter of advice was received from the DFO dated May 28, 2015.



Stevensville Road Drain - Filing of Engineer's Report, Pursuant to Secti...

300) CONSTRUCTION NOTES (SPECIAL PROVISIONS)

300.1) SPECIFIC NOTES

Sta.	Description
M. Plyley (Roll No. 30-107)	
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0+001 to 0+025	- Place 20m² of riprap at each end (24m² riprap total) *(See Detail on Drawing 3).*
0+025 to 0+029	- 4m of ditch cleanout (1m wide bottom, 2:1 side slopes). Place and level spoil to north on Brunning property.
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0+122	- Remove and re-erect 20m of wire fence.
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200 **GENERAL CONDITIONS**

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200 GENERAL CONDITIONS

200.1 SCOPE

The work to be done under this contract consists of supplying all labour, equipment and materials to construct the drainage work as outlined in the Instructions to Tenderers, the Form of Tender and Agreement, the Schedule of Tender Prices, the Drawings, the General Conditions, Special Provisions and the Standard Specifications.

200.2 ORDER OF PRECEDENCE

In case of any inconsistency or conflict between the drawings and specifications, the following order of precedence shall apply: Addenda, Form of Tender and Agreement, Schedule of Tender Prices, Special Provisions, Contract Drawings, Standard Specifications, General Conditions.

200.3 MUNICIPALITY

Municipality refers to a municipal corporation in the Province of Ontario. Where reference to Township, County, Region, Town, City or Owner appears it shall be deemed to be the same as the word Municipality. Where reference to owner appears in the specifications it is usually in reference to the owner of the property on which the drain is being constructed.

200.4 TENDERS

Tenders are to be submitted on a lump sum basis for the complete works or a portion thereof, as instructed by the Municipality. The Schedule of Tender Prices must be completed and submitted with the Form of Tender and Agreement even though the Contract will be a lump sum. As outlined in the Instructions to Tenders a deposit in the form of a certified cheque, bank draft, bonding or irrevocable letter of credit must accompany each tender as a guarantee of good faith. The deposit shall name the Municipality as the payee. All deposits, except that of the Tenderer to whom the work is awarded, will be returned within 10 days of the time the contract is awarded. The certified cheque of the Tenderer awarded the work will be retained as Contract Security and returned with the Completion Certificate for the work. A Performance Bond may also be required to ensure maintenance of the work for a period of one year after the date of the Completion Certificate.

200.5 EXAMINATION OF SITE, PLANS AND SPECIFICATIONS

Prior to the submission of the Tender, the Tenderer must examine the premises and site to compare them with the Drawings and Specifications in order to be satisfied with the existing conditions and the extent of the work to be done. The Tenderer must ensure that the meaning and intent of the drawings, estimated quantities and specifications is clearly understood before submission of the Tender. No allowances shall be made on behalf of the Contractor by reason of any error made in the preparation of the tender submission.

Any estimates of quantities shown or indicated on the drawings or elsewhere in the tender document are provided for the convenience of the Tenderer. The Tenderer should check the estimate of quantities for accuracy. Any use made of the estimated quantities by the Tenderer in calculating the tendered amounts is done at the Tenderers risk.

200.6 COMMENCEMENT AND COMPLETION OF WORK

The work must commence immediately after the Tenderer is notified of the contract award or at a later date, if set out as a condition in the Form of Tender and Agreement. If weather and ground conditions are unsuitable, work may be started at a later date from either of the above two dates if such delay is approved by the Engineer. The Contractor shall provide a minimum of 48 hours advance notice to the Engineer and the Municipality before commencement of any work. The work must proceed in such manner as to ensure its completion at the earliest possible date consistent with first class workmanship and within the time limit set out in the tender/contract document. Failure to commence or complete the work as set out in the tender/contract document may result in a forfeiture of all or part of the Contract Security if the Engineer deems that damages have been sustained to the Municipality or to any landowner because of the non-commencement or non-completion of the contract as awarded and that the failure to meet the specified dates has been the fault of the Contractor.

200.7 NOTICES RE COMMENCEMENT OF WORK

If the Contractor leaves the job site for a period of time after initiation of work, a minimum of 48 hours advance notice shall be given to the Engineer and the Municipality before commencement of any further work. If any work is commenced without the advance notice the Contractor shall be fully responsible for all such work undertaken prior to such notification and shall make good any works or materials judged to be inadequate or constructed in any manner that may have been subject to alteration if made known to the Engineer prior to commencement of construction.

200.8 PERMITS, NOTICES, LAWS AND RULES

The Contractor shall apply and pay for all necessary permits or licenses required for the execution of the work. This shall not include the obtaining of permanent easements or rights or servitude. The Contractor shall give all necessary notices and pay all fees required by the law and comply with all laws, ordinances, rules and regulations relating to the work and to the preservation of the public's health and safety and if the specifications and drawings are at variance therewith, any resulting additional expense incurred by the Contractor shall constitute an addition to the contract price.

200.9 HEALTH AND SAFETY

Contractor must comply with the Occupational Health and Safety Act (OHSA) and the associated Regulations for Construction Projects. Contractor will also follow any site-specific safety and training requirements of the Municipality, agencies, utility companies or other authorities.

Communication about site-specific hazards and safety requirements shall occur at the pre-construction meeting. If no pre-construction meeting is conducted, Contractor will communicate site-specific hazards and safety requirements before beginning work.

Contractor shall immediately report any workplace incidents, near misses, injuries and occupational illnesses to the Engineer.

200.10 LIMITATIONS OF OPERATIONS

Except for such work as may be required by the Engineer to maintain the works in a safe and satisfactory condition, the Contractor shall not carry out operations under the contract on Sundays or Statutory Holidays without permission in writing from the Engineer. The Engineer may direct in writing to the Contractor to cease or limit operations under the contract on any day or days if the operations are of such a nature, or if the work is so located, or if the traffic is of such a volume, that the Engineer deems it necessary or expedient to do so.

200.11 SUPERVISION

The Contractor shall provide constant supervision of the construction work and shall keep a competent foreman in charge at the site.

200.12 CHARACTER AND EMPLOYMENT OF WORKERS

The Contractor shall employ only orderly, competent and skillful workers to do the work and shall give preference to available qualified residents in the area of the contract. Whenever the Engineer informs the Contractor in writing that any workers are, in the opinion of the Engineer, disorderly, incompetent, or breaking the law, such workers shall be discharged from the job site and shall not again be employed on the job site without the written consent of the Engineer.

200.13 SUB-CONTRACTORS

If the Municipality so directs, the Contractor shall not sublet the whole or any part of this contract without the approval of the Engineer.

200.14 PAYMENT

Progress payments in cash equal to about 90% of the value of the work done and materials incorporated in the work will be made to the Contractor monthly. If directed by the Engineer the Contractor may be required to provide a written request for the progress payment amount. An additional 7% will be paid 45 days after the date of the Completion Certificate by the Engineer and 3% of the contract price may be reserved by the Municipality as a maintenance holdback for one year from the date of the Completion Certificate.

The holdbacks noted above may be increased by the Municipality if, in the written opinion of the Engineer, particular conditions of the contract require such greater holdback.

After the completion of the work any part of maintenance holdback may be used to correct defects from faulty construction and/or materials provided that notice shall first be given by the Engineer in writing to the Contractor stating that the Contractor has seven (7) days in which to remedy the defect in construction and/or materials.

200.15 TERMINATION OF CONTRACT BY THE MUNICIPALITY

Termination of the contract by the Municipality may be considered if the Contractor:

1. should be adjudged bankrupt or make a general assignment for the benefit of creditors or if a receiver should be appointed on account of insolvency;
2. should refuse or fail to supply enough properly skilled workmen or proper materials after having received seven (7) days' notice in writing from the Engineer to supply such additional workmen or materials in order to commence or complete the works;
3. should fail to make prompt payment to sub-contractors or for materials or labour;
4. should persistently disregard laws, ordinances, or instructions from the Engineer, or otherwise be guilty of a substantial violation of the provisions of the contract;

then the Municipality, upon Certificate of the Engineer that sufficient cause exists to justify such action, may without prejudice to any other right or remedy, give written notice to the Contractor to terminate the employment of the Contractor and take possession of the premises, and of all materials, tools and appliances thereon, and may finish the work by whatever method the Municipality may deem expedient, but without undue delay or expense. In such case, the Contractor shall not be entitled to receive any further payment until the work is finished. If the unpaid balance of the contract price will exceed the expense of finishing the work including compensation to the Engineer for additional

services and including other damages of every name and nature, such excess shall be paid to the Contractor. If such expense will exceed such unpaid balance including the Contract Security, the Contractor shall pay the difference to the Municipality. The expense incurred by the Municipality, as herein provided, shall be certified by the Engineer. If the contract is terminated by the Municipality due to the Contractor's failure to properly commence the works, the Contractor shall forfeit the Contract Security and furthermore shall pay to the Municipality an amount to cover the increased costs, if any, associated with a new tender for the contract being terminated.

If any unpaid balance and the Contract Security do not equal the monies owed by the Contractor upon the termination of the contract, the Municipality may also charge such expenses against any money which is or may thereafter be due to the Contractor from the Municipality.

200.16 LIQUIDATED DAMAGES

It is agreed by the parties to the Contract that in case all the work called for under the Contract is not finished or complete within the period of time as set forth in the Tender/Contract Document, damage will be sustained by the Municipality. It is understood by the parties that it will be impracticable and extremely difficult to ascertain and determine the actual damage which the Municipality will sustain in the event of and by reason of such delay. The parties hereto agree that the Contractor will pay to the Municipality a sum as set out in the Form of Tender and Agreement for liquidated damages for each and every calendar day delay, including Saturdays, Sundays and Statutory Holidays, in finishing the work in excess of the number of working days prescribed. It is agreed that the liquidated damages amount is an estimate of the actual damage to the Municipality which will accrue during the period in excess of the prescribed number of working days.

The Municipality may deduct any amount due under this section from any monies that may be due or payable to the Contractor on any account whatsoever. The liquidated damages payable under this section are in addition to and without prejudice to any other remedy, action or other alternative that may be available to the Municipality.

The Contractor shall not be assessed with liquidated damages for any delay caused by acts of nature, or of the Public Enemy, Acts of the Province or of any Foreign State, Fire, Flood, Epidemics, Quarantine Restrictions, Embargoes or any delays of Sub-Contractors due to such causes.

If the time available for the completion of the work is increased or decreased by reason of alterations or changes made under the provisions of the Contract, the number of working days shall be increased or decreased as determined by the Engineer.

If the Form of Tender and Agreement does not show an amount for Liquidated Damages then Liquidated Damages do not apply for this contract.

200.17 CONTRACTOR'S LIABILITY

The Contractor and all workers, agents or any party under the Contractor's control, including Sub-Contractors, shall use due care that no person or property is injured and that no rights are infringed during the construction work outlined in the contract. The Contractor shall be solely responsible for all damages by whomsoever claimable in respect of any injury to persons or to lands, buildings, structures, fences, livestock, trees, crops, roadways, ditches, drains and watercourses, whether natural or artificial, or property of whatever description and in respect of any infringement of any right, privilege or easement wherever occasioned in the carrying on of the work or any part thereof, or by any neglect, misfeasance or non-feasance on the Contractor's part or on the part of any workers, agents or parties under the Contractor's control including Sub-Contractors, and shall bear the full cost thereof. The Contractor shall be fully responsible to make such temporary provisions as may be necessary to ensure the avoidance of any such damage, injury or infringement and to prevent the interruption of or danger or menace to the traffic in any railway or any public or private road entrance or sidewalk and to secure to all persons and corporations the uninterrupted enjoyment of all their

rights, in and during the performance of the work. The Contractor shall indemnify and save harmless the Municipality and the Engineer from and against all claims, demands, losses, costs, damages, actions, suits or other proceedings by whomsoever made, brought or prosecuted in any manner based upon, occasioned by, or attributed to any such damage, injury or infringement.

Wherever any work is of such an extent and nature that it must necessarily be confined to particular areas of a roadway, a working area, or private property, the Contractor shall use reasonable care not to damage or deface the remaining portions of the property, and if any damage is occasioned as a result of the Contractor's operations, it shall be rectified by and at the expense of the Contractor, to the satisfaction of the Engineer. Notwithstanding the indemnity provisions contained in this section, where in the opinion of the Engineer the Contractor has failed to rectify any damage, injury or infringement or has failed to adequately compensate any person for any damage, injury or infringement for which the Contractor is responsible under the contract, the Engineer, following notice in writing to the Contractor of an intention so to do, may withhold payment of any monies due the Contractor under this or any other contract until the Contractor has rectified such damage, injury or infringement or has paid adequate compensation for such damage, injury or infringement, provided however, that the Municipality will not withhold such monies where in the opinion of the Engineer there are reasonable grounds upon which the Contractor denies liability for such damage, injury or infringement and the Contractor has given the claimant a reasonable time in which to establish the validity of the claim, and provided further that the amount withheld under this section shall not exceed the amount of such claims against the Contractor.

Where the Contractor uses privately owned lands for pits or waste disposal areas, the Contractor shall comply with applicable laws and provide the Engineer with a release signed by or on behalf of the owner of each pit or waste disposal area used by the Contractor. If the said release is not obtained, then sufficient monies will be withheld from the Contractor except, however, where the owner's signature is withheld solely on the basis of damage, injury, or infringement it will be dealt with as provided elsewhere in this subsection.

Nothing herein contained shall be construed as in any way restricting or limiting the liability of the Contractor under the laws of the country, province or locality in which the work is being done. Neither the Completion Certificate nor final payment thereunder, nor any provision in the Contract Document shall relieve the Contractor from this liability.

200.18 LIABILITY INSURANCE

The Contractor shall take out and keep in force until the date of acceptance of the entire work by the Engineer, a comprehensive policy of public liability and property damage insurance providing insurance coverage of at least $3,000,000 for each and every accident, exclusive of interest and cost, against loss or damage resulting from bodily injury to or death of one or more persons and loss of or damage to property and such policy shall where, and as requested by the Municipality, name the Municipality and the Engineer as an additional insured thereunder and shall protect the Municipality against all claims for all damage or injury including death to any person or persons and for damage to any property of the Municipality or any other public or private property resulting from or arising out of any act or omission on part of the Contractor or any of his servants or agents during the execution of the Contract.

200.19 LOSSES DUE TO ACTS OF NATURE, ETC.

All damage, loss, expense and delay incurred or experienced by the Contractor in the prosecution of the work, by reason of unanticipated difficulties, bad weather, strikes, wars, acts of nature, or other mischances, shall be borne by the Contractor and shall not be the subject of a claim for additional compensation.

400 STANDARD SPECIFICATIONS FOR CONSTRUCTION OF DRAINS

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400 STANDARD SPECIFICATIONS FOR CONSTRUCTION OF DRAINS

400.1 ABBREVIATIONS

i) M.T.O. means the Ministry of Transportation of Ontario.
ii) A.S.T.M. means the American Society for Testing Materials.
iii) C.S.A. means the Canadian Standard Association.
iv) O.P.S.D. means Ontario Provincial Standard Drawings
v) O.P.S.S. means Ontario Provincial Standard Specifications
vi) DFO means Fisheries and Oceans Canada
vii) MNRF means Ministry of Natural Resources and Forestry
viii) MECP means Ministry of Environment, Conservation and Parks

400.2 PRE CONSTRUCTION MEETING

The Contractor should arrange a pre-construction meeting with the Engineer, Municipality, affected landowners prior to commencement of construction.

If there is no pre-construction meeting or if a landowner is not present at the pre-construction meeting, the following shall apply. The drain is to be walked by the Contractor and each landowner prior to construction to ensure that both agree on the work to be done. Any difference of opinion shall be referred to the Engineer for decision. If the landowner is not contacted for such review, they are to advise the Engineer and/or Municipality.

400.3 COLD WEATHER

When working in cold weather is approved by the Engineer, the Contractor shall provide suitable means for heating, protection, and snow and ice removal. All work completed in cold weather conditions shall be to the satisfaction of the Engineer and any additional cost to remedy unsatisfactory work, or protect the work shall be borne by the Contactor. All backfilling operations shall be done as soon as possible to avoid backfilling with ground containing frozen particles. The Contractor will assume all responsibility for damages to any tile drains and for settlements or bank slippages that may result from work in cold weather.

400.4 WORKING AREA

Where any part of the drain is on a road allowance, the road allowance shall be the working area. For a closed drain the working area shall be a 10 metre width on either side of the trench or any combination not exceeding 20 metres. A 10m x 10m working area shall exist around any catchbasin, junction box or access point. For an open drain the working area shall be 17 metres on the side for leveling and 3 metres on the opposite side. A 10m working area shall exist for any overflow swale or grassed waterway. If any part of the drain is close to a property line then the fence line shall be one of the limits of the work area. Reduced or increased working areas will be described in detail on the Drawings.

400.5 ACCESS

The Contractor shall have access to the drain by entering the working area directly from road allowances or along access routes shown on the Drawings. All specifications governing fences, livestock and crops during drain construction apply to access routes. No other access routes shall be used unless first approved by the Engineer and the affected landowner. The Contractor shall contact each landowner prior to using the designated access routes. Contractor shall make good any damages caused by using the designated access routes.

400.6 ACCESS TO PROPERTIES ADJOINING THE WORK

The Contractor shall provide at all times and at no additional cost, adequate pedestrian access to private homes and commercial establishments unless otherwise authorized by the Engineer. Where interruptions to access have been authorized by the Engineer, reasonable notice shall be given by the Contractor to the affected landowners and such interruptions shall be arranged to minimize interference to those affected.

400.7 DRAINAGE SUPERINTENDENT

Where a Drainage Superintendent (Superintendent) is appointed by the Municipality, the Engineer may designate the Superintendent to act as the Engineer's representative. If so designated, the Superintendent will have the power to inspect and direct the execution of the work.

Any instructions given by the Superintendent which change the proposed work or with which the Contractor does not agree shall be referred to the Engineer for final decision.

400.8 ALTERATIONS TO WORK

The Engineer shall have the power to make alterations, additions and/or deletions in the work as shown or described in the Drawings or Specifications and the Contractor shall proceed to implement such changes without delay. Alterations ordered by the Engineer shall in no way render the contract void.

If a landowner desires deviations from the work described on the Drawings, the landowner shall submit a written request to the Engineer, at least 48 hours in advance of the work in question.

In every such case, the contract amount shall be increased or decreased as required according to a fair evaluation of the work completed. Where such changes involve additional work similar to items in the contract, the price for additional work shall be determined after consideration is given to the tendered price for similar items.

In no case shall the Contractor commence work considered to be extra work without the Engineer's approval. Payment for extra work is contingent on receipt of documentation to the satisfaction of the Engineer. Refer to the Extra Work Summary included in the Special Provisions.

400.9 ERRORS AND UNUSUAL CONDITIONS

The Contractor shall notify the Engineer immediately of any error or unusual conditions which may be found. Any attempt by the Contractor to correct the error without notice shall be done at the Contractor's risk. Any additional cost incurred by the Contractor to remedy an error or unusual condition without notice shall be borne by the Contractor. The Engineer shall direct the alteration necessary to correct errors or unusual conditions. The contract amount shall be adjusted in accordance with a fair evaluation of documentation for the work added, deleted or adjusted.

400.10 TESTS

The Engineer reserves the right to subject any materials to a competent testing laboratory for compliance with the standard. If any materials supplied by the Contractor are determined to be inadequate to meet the applicable standards, the Contractor shall bear full responsibility to remove and/or replace all such inadequate materials with materials capable of meeting the standards.

The cost of testing the materials supplied by the Contractor shall be borne by the Contractor.

400.11 BENCHMARKS AND STAKES

Prior to construction, the Engineer will confirm the benchmarks. The Contractor shall be held liable for the cost of replacing any benchmarks destroyed during construction.

If the Engineer provides layout stakes, the Contractor shall be held liable for the cost of replacing any layout stakes destroyed during construction.

Where property bars are shown on the Drawings, they are to be protected and if damaged by the Contractor, they will be reinstated by an Ontario Land Surveyor at the expense of the Contractor. Where property bars not shown on the Drawings are damaged, they will be reinstated by an Ontario Land Surveyor at the expense of the project.

400.12 OPENING UP OF FINISHED WORK

If ordered by the Engineer, the Contractor shall make such openings in the work as are needed to re-examine the work, and shall forthwith make the work good again. Should the Engineer find the work so opened up to be faulty in any respect, the whole of the expense of opening, inspecting and making the work good shall be borne by the Contractor. Should the Engineer find the work opened up to be in an acceptable condition the Contractor shall be paid for the expense of opening and making the work good, unless the Contractor has been obligated by any specification or by the direction of the Engineer to the leave the work open for the Engineer's inspection.

400.13 FINAL INSPECTION

Final inspection by the Engineer will be made within twenty (20) days after receiving notice in writing from the Contractor that work is complete, or as soon thereafter as weather conditions permit. All the work included in the contract must at the time of final inspection have the full dimensions and cross-sections.

Prior to commencing the final inspection an on-site meeting may be held by the Engineer and landowners directly affected by the construction of the drain. The Contractor will attend this meeting upon notice by the Engineer.

If there is no on-site meeting with the Engineer and landowners, the Contractor shall obtain from each landowner a written statement indicating that the work has been performed to the owner's satisfaction. If the Contractor is unable to obtain a written statement from the landowner, the Engineer will determine if further work is required prior to issuing the Completion Certificate.

400.14 WARRANTY

There shall be a one-year warranty period on all completed work. The warranty period will commence on the date of the Completion Certificate.

When directed by the Engineer, the Contractor shall repair and make good any deficiencies in the work that may appear during the warranty period.

Before the work shall be finally accepted by the Municipality, the Contractor shall complete all work as directed by the Engineer and remove all debris and surplus materials and leave the work neat and presentable.

400.15 MATERIALS

400.15.1 Concrete Drain Tile

Concrete drain tile shall conform to the requirements of the most recent ASTM C412 specifications for heavy duty extra quality, unless a stronger concrete tile is required by the Special Provisions or Drawings. All tile furnished shall be subject to the approval of the Engineer.

The minimum nominal lengths of the tile shall be 750mm for 150 to 350mm diameter tile and 1200mm for 400 to 900mm diameter tile.

All tile should be of good quality, free from distortions and cracks and shall meet the standards specified. The ends should be smooth and free from cracks or checks. All rejected tile are to be immediately removed from the site.

Granular backfill, where required, shall consist of approved sand or gravel having no particles retained on a screen having 50mm square openings.

Earth backfill shall consist of approved material having no large lumps or boulders.

400.15.2 Corrugated Plastic Tubing

Corrugated plastic tubing shall conform to the *Land Improvement Contractors of Ontario Standard Specification for Corrugated Plastic Drainage Tubing, 2006*. Type of material (solid or perforated) and need for filter sock will be specified on the Drawings or in the description of the work in the Special Provisions. Filter sock where specified shall be a standard synthetic filter material as provided by a recognized plastic tubing manufacturer unless noted differently on the contract drawings or elsewhere in the contract document. Protect coils of plastic tubing from damage and deformation.

400.15.3 Corrugated Steel Pipe

Corrugated Steel Pipe (CSP) shall be according to OPSS 1801 (CSA G401). Unless stated otherwise in the Special Provisions the pipe shall be:

- galvanized
- helical corrugation with lock seam and re-rolled annular ends
- 68mm x 13mm corrugation profile for diameters up to 1200mm
- 125mm x 25mm corrugation profile for diameters 1200mm and larger
- minimum wall thickness of 1.6mm for diameters up to 500mm
- minimum wall thickness of 2.0mm for diameters 600mm and larger
- joined using standard couplers matching the pipe diameter and material

Other coatings that may be specified include aluminized Type 2 or polymer. Polymer coating shall be a 254mm polymer film laminated to both sides of the pipe.

400.15.4 Plastic Pipe

Plastic Pipe shall be a high density polyethylene (HDPE) double wall corrugated pipe with smooth inner wall, solid with no perforations in accordance with OPSS 1840.

A minimum stiffness of 320 KPa at 5% deflection

The pipe shall be joined with snap-on or split couplers.

400.15.5 Concrete Sewer Pipe

Concrete sewer pipe shall be in accordance with OPSS 1820.

Non-reinforced concrete sewer pipe shall be used for pipe 375mm in diameter and smaller and reinforced concrete sewer pipe shall be used for pipe over 375mm.

Classes shall be as shown on the Contract Drawings or as described in the Form of Tender.

All new concrete sewer pipe shall have rubber-type gasket joints.

Where concrete sewer pipe “seconds” are specified, the pipe should exhibit no damage or cracks on the barrel section and shall be capable of satisfying the crushing strength requirements of OPSS 1820. The pipe may contain cracks or chips in the bell or spigot which prevent the use of rubber gaskets but the joints must be protected with filter cloth.

400.16 RIPRAP

All riprap is to be placed on a geotextile underlay (Terrafix 360R or equal) unless directed otherwise in the specific construction notes. The riprap is to be graded heavy angular stone (quarry stone is recommended) with particles averaging in size from 225mm to 300mm and is to be placed at 300mm thickness. Fine particles may be included to fill voids. Along upstream edges of riprap, where surface water will enter, underlay is to extend a minimum of 300mm upstream from riprap and then be keyed down a minimum of 300mm. Wherever riprap is placed, the area is to be over-dug so that finished top of riprap is at design cross-section, at design elevation or flush with existing ground.

400.17 GEOTEXTILE

To be non-woven fabric that is rot proof, non-biodegradable, chemically resistant to acidic or alkaline soils and is dimensionally stable under different hydraulic conditions. The filter fabric is to be a material whose primary function is to act as a highly permeable, non-clogging soil separator for fine soils (Terrafix 360R or equal). Contractor is to avail himself of manufacturer's recommendations for cutting, installation and precautions necessary to avoid damage to fabric. Other approved equals will be considered by the Engineer prior to construction.

400.18 DISPOSAL OF MATERIALS

The Contractor shall remove all surplus materials from the job site at the end of the project. The Contractor shall locate the disposal site for all materials to be disposed of. Disposal of materials shall comply with applicable regulations.

400.19 NOTIFICATION OF RAILROADS, ROAD AUTHORITIES AND UTILITIES

Contractor will notify any Railroad, Road Authority or Utility at least 48 hours in advance regarding work to be performed on their property or affecting their infrastructure. The notice will be in writing and is exclusive of Saturdays, Sundays and Holidays.

A utility includes any entity supplying the general public with necessaries or conveniences.

400.20 WORKING IN ROAD ALLOWANCES

400.20.1 General

Work within public road allowances shall be done in accordance with the Ontario Traffic Manual Book 7, latest edition.

400.20.2 Road Crossings

If no specific detail is provided for road crossings on the drawings or in the specifications the following shall apply:

- A Road Authority will supply no labour, equipment or materials for the construction of the road crossing.
- Contractor will not commence road crossing work until any required permits have been obtained. The Engineer may apply for any required permits prior to construction.
- Contractor will notify the Road Authority at least 72 hours in advance of any construction in the road allowance.
- Road crossings may be made with an open cut unless otherwise noted.
- Exact location of crossing shall be verified with the Road Authority and the Engineer.
- Pipe shall be placed on a minimum 150mm depth of Granular A shaped for the pipe.
- Pipe backfill shall be compacted Granular A and extend 300mm above the top of the pipe.
- Trench shall be backfilled with acceptable native material for the base width of the road bed.
- The material shall be placed in lifts not exceeding 300mm in depth and shall be thoroughly compacted with an approved mechanical vibrating compactor.
- Top 600mm of the road bed backfill shall consist of 450mm Granular B and 150mm of Granular A placed in lifts and fully compacted.
- Any surplus excavated material within the road allowance may be spread on the right-of-way with consent of the Road Superintendent otherwise the surplus material shall be hauled away.
- Existing asphalt or concrete pavement or surface treatment shall be replaced by the Contractor to the satisfaction of the Engineer and Road Authority.
- Contractor shall be responsible for correcting any backfill settlement during construction and during the warranty period. Upon approval of the road authority, surplus gravel shall be stockpiled near gravel road crossings to provide backfill for future trench settlement.
- All road crossings shall meet the approval of the Road Authority.
- If any road crossing is not left in a safe manner at the end of the working day barricades and warning signs shall be erected to guarantee the safety of the travelling public.
- If the Engineer deems a road to surface to have been damaged by the construction of a drain, either across or along the road, the Engineer may direct the Contractor to restore the road surface to existing or better condition at no additional cost.

400.20.3 Maintenance of Traffic

Unless directed otherwise on the drawings or in the specifications the Contractor shall keep the road open to traffic at all times. The Contractor shall provide suitable warning signs and/or flagging to the satisfaction of the Road Authority to notify of the construction work.

If a detour is required, the Contractor shall submit a proposal as to the details of the detour for approval by the Road Authority. If necessary to close the road to through traffic, the Contractor shall provide for and adequately sign the detour route. Contractor shall undertake all notifications required for a road closure in consultation with the Municipality.

400.21 LOCATIONS OF EXISTING UTILITIES

The position of pole lines, conduits, watermains, sewers and other underground and overhead utilities are not necessarily shown on the Contract Drawings, and, where shown, the accuracy of the position of such utilities and structures is not guaranteed. Before starting work, the Contractor shall have all utilities located in accordance with the Ontario Underground Infrastructure Notification System Act.

All utilities shall be exposed to the satisfaction of the utility company to verify that the construction proposed will not conflict with the utility structure. Additional payment will be allowed for relocation of utilities if conflicts should occur.

The Contractor is responsible for protecting all located and exposed utilities from damage during construction. The Contractor shall assume liability for damage caused to all properly located utilities.

400.22 LANEWAYS

If no specific detail is provided for laneway crossings on the Drawings or in the Specifications the following shall apply:

- Pipe backfill shall be acceptable native material that can be compacted in place.
- Top 450mm of laneway backfill shall consist of 300mm Granular B and 150mm of Granular A placed in lifts and fully compacted.
- Minimum cover on laneway culverts shall be 300mm.
- Existing asphalt or concrete pavement or surface treatment shall be replaced by the Contractor.
- The width of surface restoration shall match the existing laneway.
- Contractor shall be responsible for correcting any backfill settlement during construction and during the warranty period.

The timing of laneway closures will be coordinated by the Contractor to the satisfaction of the landowner.

400.23 EXISTING CROSSING CLEANOUT

Where the Special Provisions require an existing crossing to be cleaned, the Contractor shall provide a bottom width and depth that provides capacity equivalent to the capacity of the channel on either side. Excavated materials shall be hauled away unless adjacent landowners give permission for leveling. Care shall be taken to ensure that existing abutments or any portion of the structure are not damaged or undercut. The method of removing the material is to be pre-approved by the Engineer.

400.24 FENCES

If the Contractor is responsible to remove and install fences, the following shall apply:

- All fences removed by a Contractor are to be re-erected in as good a condition as existing materials permit.
- All fences shall be properly stretched and fastened. Where directed by the Engineer, additional steel posts shall be placed to adequately support a fence upon re-erection.
- Where practical and where required by the landowner, the Contractor shall take down an existing fence at the nearest anchor post and roll the fence back rather than cutting the fence and attempting to patch it.
- Where fence materials are in such poor condition that re-erection is not possible, the Contractor shall replace the fence using equivalent materials. Such fence material shall be approved by the Engineer and the landowner. Where the Engineer approves new fence material, additional payment will be provided.

Any fences paralleling an open drain, that are not line fences, that hinder the proper working of the excavating machinery for drain construction or maintenance shall be removed and rebuilt by the landowner at their own expense. If such parallel fences are line fences they shall be removed and reinstalled by the Contractor.

No excavated or cleared material shall be placed against fences.

The installation of all fences shall be done to the satisfaction of the Engineer and the landowner.

400.25 LIVESTOCK

If any construction will be within a fenced field containing livestock that are evident or have been made known to the Contractor, the Contractor shall notify the owner of the livestock 48 hours in advance of access into the field. Thereafter, the owner shall be responsible for the protection of the livestock in the field during construction and shall also be liable for any damage to or by the livestock.

Where the owner so directs or where the Contractor has failed to reach the owner, the Contractor shall adequately re-erect all fences at the end of each working day. No field containing livestock shall have a trench left open at the end of the working day, unless the trench has been adequately backfilled or protected. Failure of the Contractor to comply with this paragraph shall render the Contractor liable for any damage to or by the livestock.

Where livestock may be encountered on any property the Contractor shall notify the Engineer to arrange for inspection of the work prior to backfilling.

400.26 STANDING CROPS

The Contractor shall not be held responsible for damages to standing crops within the working area for the drain. However, the Contractor shall notify the owner of the crops 48 hours prior to commencement of construction so as to allow the owner an opportunity to harvest or salvage the crop within the drain working area. If this advance notice is not given the Contractor may be liable for the loss of the standing crops.

400.27 CLEARING VEGETATION

400.27.1 General
The area for clearing, if not defined elsewhere, shall be 15m on each side of the drain.

400.27.2 Trees to Remain
Where it is feasible to work around existing trees that do not impede the function of the drainage works, the Contractor shall not remove any deciduous tree larger than 300mm and any coniferous tree larger than 200mm, unless authorized by the Engineer.

400.27.3 Incidental Clearing
Incidental clearing includes removal of trees, brush or other vegetation with an excavator during construction activities, and the cost is to be included in the price for the related construction activity.

400.27.4 Power Brushing
Power brushing includes removal of above-ground vegetation with a rotary brush cutter or other mechanical means. Stump and root removal is not required. Power brushed vegetation in a channel cross-section shall be removed and leveled in the working area. Excavated material may be placed and leveled on power brushed vegetation.

400.27.5 Close-Cut Clearing
Close-cut clearing includes removal of above-ground vegetation cut flush with the ground. Stump and root removal is not required.

400.27.6 Clearing And Grubbing
Clearing and grubbing includes removal of vegetation, including stumps and roots. Removal of earth from the grubbed area into the windrows or piles is to be minimized.

400.27.7 Disposal of Cleared Vegetation

400.27.7.1 *In Bush Areas*

Cleared vegetation is to be pushed into windrows or piles at the edge of the cleared area. Stumps and roots are to be piled first at the edge of the cleared area, followed by other vegetation (trunks, branches, etc.). Provisions for lateral drainage are required through all windrows. Windrows are not to block any laneways or trails. After removing cleared vegetation, the working area shall be leveled to the satisfaction of the Engineer.

400.27.7.2 *In Field Areas*

Cleared vegetation resulting from incidental clearing or power brushing may be hauled away, mulched in place or reduced to a size that permits cultivation using conventional equipment without causing undue hardship on farm machinery.

Cleared vegetation resulting from close-cut clearing or clearing and grubbing is to be hauled away to an approved location. Disposal sites may be in bush areas or other approved locations on the same farm. No excavated material shall be levelled over any logs, brush or rubbish of any kind.

400.27.8 Landowner Requested Salvage

A landowner may request that wood be separated from the windrows for the landowner's future use. This additional work would be eligible for extra payment, subject to the approval of the Engineer. The cost of the additional work would be assessed to the landowner.

400.27.9 Clearing by Landowner

Wherever the Special Provisions indicate that clearing may be undertaken by the landowner, work by the landowner shall be in accordance with the Clearing Vegetation requirements of this specification and must be completed so as not to cause delay for the Contractor. If the landowner does not complete clearing in accordance with these requirements, the Contractor will undertake the clearing at a price approved by the Engineer.

400.28 ROCK REMOVAL

400.28.1 General

Rock shall be defined as bedrock and boulders that are greater than one-half cubic metre in size and that require blasting or hoe-ram removal. Bedrock or boulders that can be removed with a standard excavator bucket are not considered rock removal.

400.28.2 Blasting Requirements

All blasting shall be performed by a competent, qualified blaster in accordance with OPSS 120. Blasting mats are required. A pre-blast survey meeting the requirements of OPSS 120 must be completed for any structure within 200m of any blasting. The cost for pre-blast survey shall be included in the tender price for rock removal.

400.28.3 Typical Sections and Pay Limits

For tile drains and road culverts, rock shall be removed to 150mm below the proposed grade shown on the profile so that pipes are not in direct contact with rock. The width of rock removal shall be 1m minimum or the diameter of the pipe plus 600mm.

For open drains, rock removal shall match the proposed grade and bottom width shown on the Drawings. Side slopes shall be vertical or sloped outward. Side slopes shall be free of loose rock when excavation is completed.

Payment for the quantity of rock removed will be based on the typical sections described in these specifications and confirmed by field measurements. There will be no payment for overbreak.

400.28.4 Disposal of Rock
Excavated rock shall be piled at the edge of the working area at locations designated by the landowner. The cost to pile excavated rock shall be included in the tender price for rock removal. If the Special Provisions or the landowner require excavated rock to be hauled away, additional payment will be considered.

Where approved by the Engineer, excavated rock may be used in place of imported riprap.

400.29 SEEDING

400.29.1 General
Contractor responsible for re-seeding as necessary for uniform catch during warranty period.
Areas that remain grassed after construction may not need to be seeded unless directed otherwise by the Engineer.

400.29.2 Drainage Works and Road Allowances
All disturbed ditch banks, berms and road allowances are to be seeded at the end of the day.

The following seed mixture shall be applied at 60kg/ha using a mechanical (cyclone) spreader:

- 35% Creeping Red Fescue
- 25% Birdsfoot Trefoil
- 25% Kentucky Bluegrass
- 10% Cover Crop (Oats, Rye, Barley, Wheat)
- 5% White Clover

Provide temporary cover for late fall planting by adding an additional 10 kg/ha of rye or winter wheat.

400.29.3 Hydroseeding
Where hydroseeding is specified, disturbed areas will be restored by the uniform application of a standard roadside mix, fertilizer, mulch and water at a rate of 2,000 kg/ha and be in accordance with OPSS 804.

400.29.4 Seeding Lawns
Unless specified otherwise, lawn areas shall be seeded with Canada No. 1 lawn grass mixture applied at 300 kg/ha using a mechanical (cyclone) spreader on 100mm of topsoil. Fertilizer shall be 5:20:20 or 10:10:10 applied at 300 kg/ha. Seed and fertilizer shall be applied together. Contractor shall arrange for watering with landowners.

400.29.5 Sod
Where sod is specified, sod is to be commercial grade turfgrass nursery sod, Kentucky Bluegrass placed on 50mm of topsoil. Fertilizer shall be 5-20-20 applied at 10kg/ha. Place sod in accordance with supplier instructions. Contractor is responsible for saturating the sod with water on the day of sod placement. Subsequent watering is the responsibility of the landowner.

400.30 EROSION CONTROL BLANKETS

Erosion Control Blankets (ECB) shall be biodegradable and made of straw/coconut (Terrafix SC200, Nilex SC32 or equal) or coconut (Terrafix C200, Nilex C32 or equal) with photodegradable, double net construction. The blanket and the staples shall be supplied and installed as per OPSS 804.

Erosion control blanket shall be placed and stapled into position as per the manufacturer's installation instructions on slopes as directed by the Engineer. Blankets shall be installed in direct contact with the ground surface to form a uniform, cohesive mat over the seeded earth area. The blankets are to be single course with 150mm overlap between blankets and joints are to be staggered. The Contractor shall ensure that the ECB is anchored to the soil and that tenting of the ECB does not occur.

On slopes, when the ECB cannot be extended 1m beyond the crest of the slope, the uppermost edge of the ECB shall be anchored in a 150mm wide by 150mm deep trench. The trench shall be backfilled with earth and compacted.

400.31 SEDIMENT CONTROL

400.31.1 General

Contractor shall install sediment control features at the downstream limits of the project and at other locations as shown on the drawings or directed by the Engineer.

Sediment control features shall be installed prior to any excavation taking place upstream of that location. The Contractor shall maintain all sediment control features throughout construction and the warranty period.

Sediment that accumulates during construction shall be removed and levelled as required.

400.31.2 Flow Check Dams

400.31.2.1 *Temporary Straw Bale Flow Check Dam*

The straw bale flow check dam shall consist of a minimum of 3 bales. Each bale is to be embedded at least 150mm into the channel bottom and shall be anchored in place with 2 T-bar fence posts or 1.2m wooden stakes driven through the bale.

Straw bales shall be hauled away at the end of the warranty period. Accumulated sediments shall be excavated and levelled when the temporary straw bale flow check dam is removed.

400.31.2.2 *Temporary Rock Flow Check Dam*

The temporary rock flow check dam shall extend to the top of the banks so that dam overtopping does not cause bank erosion. Rock shall be embedded a minimum of 150mm into the ditch bottom and banks. No geotextile is required for temporary rock flow check dams.

Accumulated sediments shall be excavated and levelled when the temporary rock flow check dam is removed at the conclusion of the warranty period.

400.31.2.3 *Permanent Rock Flow Check Dam*

The requirements of temporary rock flow check dams shall apply except rock shall be placed on geotextile and the dam shall remain in place permanently.

400.31.3 Sediment Traps

400.31.3.1 *General*
The channel bottom shall be deepened in accordance with the dimensions provided in the Drawings or Special Provisions. If dimensions are not specified on the Drawings, the sediment trap shall be excavated within the channel cross-section at least 0.3m below the design grade.

The Contractor will monitor the sediment trap during construction and cleanout accumulated sediments as required to maintain the function of the sediment trap.

If specified to be temporary, no sediment trap maintenance is required after construction is complete.

If specified to be permanent, the contractor will clean out the sediment trap at the conclusion of the warranty period, unless directed otherwise by the Engineer.

400.31.3.2 *Sediment Trap with Flow Check Dam*
A permanent rock sediment trap shall include a permanent sediment trap and a rock flow check dam.

A temporary rock/straw sediment trap shall include a temporary sediment trap and a rock/straw flow check dam.

400.31.4 Turbidity Curtains
A turbidity curtain is required when there is permanent water level/flow and a sediment trap is not feasible.

Turbidity curtains shall be in accordance with OPSS 805 and installed per manufacturer's instructions.

Turbidity curtains shall be sized and anchored to ensure the bottom edge of the curtain is continuously in contact with the waterbody bed so that sediment passage from the enclosed area is prevented. The curtain must be free of tears and capable of passing the base flow from the drainage works. Turbidity curtain locations may be approved by the Engineer.

Turbidity curtains are to remain functional until work in the enclosed area is completed. Prior to relocating or removing turbidity curtains, accumulated sediment is to be removed from the drain and levelled.

Where a turbidity curtain remains in place for more than two weeks it shall be inspected for damage or clogging and replaced, repaired or cleaned as required.

400.31.5 Silt Fence
Silt fence shall be in accordance with OPSS 805.07.02.02 and OPSD 219.110 (light-duty).

400.32 GRASSED WATERWAYS AND OVERFLOW SWALES

Grassed waterways and overflow swales typically follow low ground along the historic flow route. The cross-section shall be saucer shaped with a nominal 1m bottom width, 8:1 side slopes and 300mm depth unless stated otherwise in the Special Provisions.

All grassed waterways are to be permanently vegetated. Grassed waterways shall be seeded with the following permanent seed mixture: 50% red fescue, 45% perennial ryegrass and 5% white clover, broadcast at 80 kg/ha. Fertilizer to be 7-7-7 applied at 80 kg/ha.
Provide temporary cover for late fall planting by adding an additional 10 kg/ha of rye or winter wheat.

Overflow swales may be cropped using conventional farming practice.

400.33 BUFFER STRIPS

Open drains shall include minimum 3m wide, permanently vegetated buffer strips on each side of the drain. Catchbasins shall include a minimum 1m radius, vegetated buffer strip around the catchbasin.

Cultivation of buffer strips using conventional farming practice may be undertaken, provided sediment transport into the drain is minimized.

400.34 MAINTENANCE CORRIDOR

The maintenance corridor along the route of the drain, as established in the report, shall be kept free of obstructions, ornamental vegetation and structures. When future maintenance is undertaken, the cost of removing such items from the corridor shall be assessed to the landowner.

400.35 POLLUTION

The Contractor shall keep their equipment in good repair. The Contractor or any landowner shall not spill or cause to flow any polluted material into the drain that is not acceptable to the MECP. The local MECP office and the Engineer shall be contacted if a polluted material enters the drain. The Contractor shall refill or repair equipment away from open water. If the Contractor causes a spill, the Contractor is responsible to clean-up the spill in accordance with MECP clean-up protocols.

400.36 SPECIES AT RISK

If a Contractor encounters a known Species At Risk designated by the MECP, MNRF or DFO, the Contractor shall notify the Engineer immediately and follow the Ministry’s guidelines for work around the species.

410 **STANDARD SPECIFICATIONS**

FOR

OPEN DRAINS

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410.1 DESCRIPTION

Work under this item shall include the supply of labour, equipment and materials required for: channel excavation to the cross-section specified, leveling or disposal of all excavated material (spoil) as directed, reconstruction of all intercepted drains as required and any other items related to open drain construction as required by the Schedule of Tender Prices, Special Provisions or the Drawings.

410.2 MATERIALS

Refer to Section 400, Standard Specifications for Drain Construction for any materials required for open drain construction.

410.3 CONSTRUCTION

410.3.1 Excavation

The bottom width and the side slopes of the ditch shall be as shown on the profile drawing. If the channel cross-section is not specified in the Special Provisions it shall be a 1m bottom width with 1.5m horizontal to 1m vertical (1.5:1) bank slope. At locations along the drain where the specified side slopes change there shall be a transitional length of not less than 5m between the varying side slopes. At locations along the drain where the specified bottom width changes there shall be a transitional length of not less than 5m. In all cases there shall be a smooth transition between changes in any part of the channel cross-section. Where the bottom width of the existing ditch matches the specified bottom width, ditch excavation shall be completed without disturbing existing banks.

410.3.2 Low Flow Channels

Unless specified otherwise in the Special Provisions, all intermittent open drains with a bottom width greater than 1.8m and a grade less than 0.07%, shall have a low flow channel. The bottom of the low flow channel shall be the grade shown on the profiles.

The low flow channel shall have a U-shaped cross-section with an average top width of 0.5m and a minimum depth of 0.3m. The low flow channel will not be seeded and may meander along the main channel bottom provided it remains at least .3m from the toe of main channel bank slope.

410.3.3 Line

The drain shall be constructed according to the alignment shown on the drawings or shall follow the course of the existing ditch. All bends shall have a minimum inside radius of 2m. There shall be a smooth transition between changes in the channel alignment. The Contractor shall contact the Engineer before removing any bends or irregularities in an existing ditch.

410.3.4 Grade Control

The profile shows the grade line for the bottom of the ditch. Cuts may be shown on the profile from the existing top of bank and/or from the existing ditch bottom to the new ditch bottom. These cuts are shown for the convenience of the Contractor and are not recommended for quantity estimate or grade control. Accurate grade control must be maintained by the Contractor during ditch excavation. The ditch bottom elevation should be checked every 50 metres and compared to the elevation on the profile.

Benchmarks are identified on the Contract Drawings. The Engineer will confirm all benchmark elevations prior to construction.

410.3.5 Variation from Design Grade

A variation of greater than 25mm above the design grade line may require re-excavation. Excavation below design grade up to 150mm is recommended so that sediment accumulation during or following excavation will not place the ditch bottom above the design grade at completion. Under some circumstances the Engineer may direct that over excavation greater than 200mm will have to be backfilled. No additional payment will be made if backfilling is required to remedy over excavation.

410.3.6 Excavated Material

Excavated material (spoil) shall be deposited on either or both sides of the drain within the specified working area as directed in the Special Provisions. The Contractor shall verify the location for the spoil with each landowner before commencing work on their property. If not specified, spoil shall be placed on the low side of the ditch or opposite trees and fences. The spoil shall be placed a minimum 1m from the top of the bank. No excavated material shall be placed in tributary drains, depressions, or low areas such that water is trapped behind the spoil bank. Swales shall be provided through the leveled or piled spoil at approximately 60m intervals to prevent trapping water behind the spoil bank.

The excavated material shall be placed and leveled to a maximum depth of 250mm; unless otherwise instructed. If excavating more than 450mm topsoil shall be stripped, stockpiled separately and replaced over the leveled spoil, unless stated otherwise in the Special Provisions. The edge of the spoil bank furthest from the ditch shall be feathered down to existing ground. The edge of the spoil bank nearest the ditch shall have a maximum slope of 2:1. The material shall be leveled such that it may be cultivated with conventional equipment without causing undue hardship on farm machinery.

Wherever clearing is necessary prior to leveling, the Contractor shall remove all stumps and roots from the working area. No excavated material shall cover any logs, brush or rubbish of any kind. Large stones in the leveled spoil that are greater than 300mm in diameter shall be moved to the edge of the spoil bank nearest to the ditch but in general no closer than 1m to the top of bank.

Lateral channels that outlet into the drain shall be tapered over a distance of 10m to match the grade of drain excavation. No additional payment will be made for this work.

Where the elevation difference between the lateral channel and the drain is greater than 450mm, a rock chute or similar bank protection approved by the Engineer shall be provided. Additional payment may be allowed for this work.

Where it is specified to straighten any bends or irregularities in the alignment of the ditch or to relocate any portion of an existing ditch, the excavation from the new cut shall be used for backfilling the original ditch. Regardless of the distance between the new ditch and old ditch, no additional payment will be allowed for backfilling the existing ditch.

The Contractor shall contact the Engineer if a landowner indicates in writing that spoil on the owner's property does not need to be leveled. The Engineer may release the Contractor from the obligation to level the spoil and the Engineer shall determine the credit to be applied to the Contractor's payment. No additional compensation is provided to the owner if the spoil is not leveled.

The Engineer may require the Contractor to obtain written statements from any or all of the landowners affected by the leveling of the spoil. Final determination on whether or not the leveling of spoil meets the specification shall be made by the Engineer.

410.3.7 Excavation at Existing Bridge and Culvert Sites

The Contractor shall excavate the drain to the specified depth under all bridges and to the full width of the structure unless specified otherwise in the Special Provisions. All necessary care and precautions shall be taken to protect permanent structures. Temporary bridges may be removed and left on the bank of the drain. In cases where the design grade line falls below the top of footings, the Contractor shall take care to not over-excavate below the grade line. The Contractor shall notify the Engineer if excavation of the channel exposes the footings of the bridge or culvert, so the Engineer can make an evaluation.

The Contractor shall clean through all pipe culverts to the grade line and width specified on the profile. The Contractor shall immediately contact the Engineer after a culvert cleanout if it is found that the culvert bottom is above the grade line or where the structural integrity of the culvert is questionable.

Material resulting from cleanout through bridges or culverts shall be levelled on the adjacent private lands or hauled offsite at the expense of the bridge/culvert owner.

410.3.8 Bridges and Culverts

The size and material for any new ditch crossings shall be as outlined in the Special Provisions.

For culvert installation instructions, refer to the General Specifications for Drain Construction and the Drawings.

Any crossings assembled on-site shall be assembled in accordance with the manufacturer's specifications.

If directed on the drawings that the existing crossing is to be salvaged for the owner, the Contractor shall carefully remove the existing crossing and place it beside the ditch or haul to a location as specified by the owner. If the existing crossing is not to be saved then the Contractor shall remove and dispose of the existing crossing. Disposal by burying on-site must be approved by the Engineer and the owner.

All new pipe crossings shall be installed at the invert elevations as specified on the Drawings, usually a minimum of 50mm below design grade. If the ditch is over excavated greater than 200mm below design grade the Contractor shall confirm with the Engineer the elevations for installation of the new pipe crossing.

For backfill and surface restoration, refer to the General Specifications for Drain Construction and the Drawings.

Installation of private crossings during construction must be approved by the Engineer.

410.3.9 Obstructions

All trees, brush, fallen timber and debris shall be removed from the ditch cross-section and as required for spreading of the spoil. The roots shall be left in the banks if no bank excavation is required as part of the new channel excavation. In wooded or heavily overgrown areas all cleared material may be pushed into piles or rows along the edge of the cleared path and away from leveled spoil. All dead trees along either side of the drain that may impede the performance of the drain if allowed to remain and fall into the ditch, shall be removed and put in piles, unless directed otherwise by the Engineer.

410.3.10 Tile Outlets

The location of all existing tile outlets may not be shown on the profile for the drain. The Contractor shall contact each owner and ensure that all tile outlets are marked prior to commencing excavation on the owner's property. If a marked tile outlet or the tile upstream is damaged due to construction, it shall be replaced at the Contractor's expense. Additional payment will be allowed for the repair or replacement of any unmarked tile outlets encountered during excavation. In all cases, if an existing tile outlet requires replacement the Contractor shall confirm the replacement tile outlet with the Engineer. Where riprap protection exists at any existing tile outlet such protection shall be removed and replaced as necessary to protect the outlet after reconstruction of the channel.

If any tile outlet becomes plugged as a result of construction, the Contractor shall remove the obstruction.

410.3.11 Completion

At the time of final inspection, all work in the contract shall have the full dimensions and cross-sections specified.

420 **STANDARD SPECIFICATIONS**

FOR

TILE DRAINS

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420 STANDARD SPECIFICATIONS FOR TILE DRAINS

420.1 DESCRIPTION

Work under this specification will consist of supplying, hauling, laying and backfilling subsurface drainage conduit with the conduit materials as described on the Drawings and in the location, depth and invert grade as shown on the Drawings. In this specification the word "tile" will apply to all described conduit materials. Lengths are in millimeters (mm) and meters (m).

The work shall include the supplying of all labour, tools, equipment and extra materials required for the installation of the tile; the excavation and backfilling of the trenches; the hauling, handling, placing and compaction of the excavated material for backfill, the loading, hauling, handling and disposal of surplus excavation material; the removal and replacing of topsoil and sod where required by the Engineer.

All existing laterals crossed by the new line shall be reconnected in an approved manner. Either special manufactured connections shall be used or another method of sealing connections as approved by the Engineer. The Contractor shall also construct catchbasins, junction boxes and other structures where directed by the Engineer.

Except where complete removal of an existing pipe is required by new construction, existing pipes to be abandoned shall be sealed with a concrete or mortar plug with a minimum length of 300mm to the satisfaction of the Engineer.

Sections 6 and 7 of the current version of the *Drainage Guide for Ontario*, OMAFRA Publication 29 shall provide a general guide to all methods and materials to be used in the construction of tile drains except where superseded by this Contract.

The licensing requirements of the *Agricultural Tile Drainage Installation Act, 1990* will not be applicable to this Contract unless specified otherwise by this Contract.

420.2 MATERIALS

Refer to Section 400, Standard Specifications for Drain Construction for any materials required for tile drain construction.

420.3 CONSTRUCTION

420.3.1 Outlet

A tile drain outlet into a ditch or creek shall be protected using a 6m length of rigid pipe with a hinged grate for rodent protection. Maximum spacing between bars on the rodent grate shall be 50mm. Material for rigid pipe will be specified in the Special Provisions, plastic pipe is preferred. The joint between the rigid pipe and the tile drain shall be wrapped with filter fabric. All outlets will be protected with rock riprap to protect the bank cut and as a splash apron. In some locations riprap may also be required on the bank opposite the outlet. The quantity of riprap required will be specified in the Special Provisions. A marker stake as approved by the Engineer shall be placed at each tile outlet.

420.3.2 Line

The Engineer will designate the general location of the new drain. A landowner may indicate a revised location for the drain which must be approved by the Engineer. Where a change in alignment is required that is not accommodated in a catchbasin, junction box or similar structure the alignment change shall run on a curve with a radius not less than the minimum installation radius specified for the tile material.

The Contractor shall exercise care to not disturb any existing tile drains which parallel the course of the new drain, particularly where the new and existing tile act together to provide the necessary capacity. Where an existing tile is disturbed or damaged the Contractor shall perform the necessary correction or repair with no additional compensation.

NOTE: It is the Contractor's responsibility to ascertain the location of, and to contact the owners of all utility lines, pipes and cables in the vicinity of drain excavations. The Contractor shall be completely responsible for all damages incurred.

420.3.3 Grade Control

Tile is to be installed to the elevation and grade shown on the profiles. Accurate grade control must be maintained by the Contractor at all times during tile installation. The tile invert elevation should be checked every 50m and compared to the elevation on the profile.

Benchmarks are identified on the Contract Drawings. The Engineer will confirm all benchmark elevations prior to construction.

420.3.4 Variation from Design Grade

No reverse grade will be allowed. A small variation in grade can be tolerated where the actual capacity of the drain exceeds the required capacity. The constructed grade should be such that the drain will provide the capacity required for the drainage area. Constructed grade should not deviate from design grade by more than 10% of the internal diameter for more than 25m. Grade corrections shall be made gradually over a distance not less than 10m.

420.3.5 Installation

At each work stoppage, the exposed end of the tile shall be covered by a tight fitting board or metal plate. No installed tile shall be left exposed overnight. Any tile damaged or plugged during construction shall be replaced or repaired at the Contractor's expense.

Topsoil over the trench shall be stripped, stockpiled separately and replaced after the trench is backfilled. Where installation is across a residential lawn, existing sod over the trench shall be cut, lifted and replaced in a workmanlike manner or new sod laid to match pre-construction conditions.

420.3.5.1 Installation of Concrete Tile

Concrete tile shall be installed by a wheel trencher unless an alternate method of construction is noted on the Drawings.

Digging of the trench shall start at the outlet end and proceed upstream. The location and grade shall be as shown on Drawings but shall be liable to adjustment or change by the Engineer on site with no additional payment allowed except where the change involves increased depth of cut beyond the limitation of the wheel trencher in use at the time of the change. The trench width measured at the top of the tile should be at least 150mm greater than the tile diameter.

The bottom of the trench is to be cut accurately to grade and shaped so that the tile will be embedded in undisturbed soil or in a compacted bed at least for 10% of its overall height. Where hard shale, boulders or other unsuitable bedding material is encountered, the trench shall be excavated to 75mm below grade and backfilled with granular material compacted to a shaped, firm foundation. If the trench is overcut below the proposed grade, it is to be backfilled with granular material to the correct grade and compacted to a shaped, firm foundation.

Where the depth for the tile installation exceeds the depth capacity of the wheel trencher the Contractor shall excavate a trench of sufficient depth so that the wheel trencher can install the tile at the correct depth

and grade. The tender price shall include the cost of the additional excavation and backfilling and stripping and replacing topsoil over the trench.

The inside of the tile is to be kept clean during installation. All soil and debris should be removed before the next tile is laid. Maximum spacing at joints between tiles should be about 3mm. Directional changes can be made without fittings or structures provided the centre-line radius of the bend is not less than 15m radius. The tiles are to be beveled, if necessary, to ensure close joints on all bends.

All tile joints and connections with other pipe materials are to be fully and tightly wrapped with a minimum 300mm width of geotextile drain wrap. A 150mm overlap on top is required. No additional payment will be made for joint wrapping.

420.3.5.2 Installation of Corrugated Plastic Tubing

Corrugated plastic tubing shall be installed by a drainage plow or wheel trencher unless an alternate method of construction is specified on the Drawings. For other installation methods, proper bedding and backfill is required to maintain the structural integrity of the plastic tubing so that surface and earth loads do not deflect the tubing by more than 20% of its nominal diameter.

For all installation methods:

- the plastic tubing should not be stretched by more than 7% of its normal length
- protect tubing from floating off grade when installing in saturated soil conditions
- directional changes can be made without fittings provided the centre-line radius of the bend is not less than five times the tubing diameter

Drainage plow equipment should construct a smooth bottomed opening in the soil and maintain the opening until the tubing is properly installed. The size of the opening in the soil should conform closely to the outside diameter of the tubing.

420.3.5.3 Installation of Concrete Sewer Pipe or Plastic Pipe

The Contractor may install pipe using a wheel trencher. For concrete sewer pipe, the bells must be recessed.

The Contractor may install pipe using an excavator by shaping the bottom of the trench to receive and support the pipe over 10% of its diameter if the trench is backfilled with native material. Shaping the trench bottom is not required where 150mm of granular bedding is placed to the satisfaction of the engineer.

420.3.6 Backfilling

All tile should be blinded by the end of the day's work to protect and hold them in place against disturbances. After tile is inspected, it shall initially be backfilled with a minimum cover of 300mm.

For blinding and initial backfilling use clean native soil with no organic matter. Initial backfill shall be tamped around the pipe by backhoe bucket or similar if directed by the Engineer.

The tile shall be backfilled with native material such that there is a minimum cover of 600mm. In addition, a sufficient mound must be placed over the trench to ensure that no depression occurs after settling along the trench.

420.3.7 Tile Connections

All lateral drains encountered along the route of the new tile drain are to be connected to the new drain if the intercepted tile are clean and do not contain polluted water. Lateral drains that are full of sediments or contain polluted waters will be addressed by the Engineer at the time of construction. All lateral drains are to be connected to the new tile using a pipe material and size that will provide the same flow capacity as the existing lateral drain unless a different connection is described in the Special Provisions. Corrugated plastic tubing can be used for all tile connections. Tubing can be solid or perforated, filter sock is not required.

Contractor is responsible for installation and backfilling in a manner than maintains the structural integrity of the connection. Manufactured fittings should be used to ensure tight connections. Where an opening must be made in the new tile drain for a connection, the opening shall be field cut or cored. After the opening is cut in the new tile any gaps or voids around the connection shall be sealed with mortar, low-expanding spray foam or geotextile. Lateral tubing shall not protrude more than 25mm beyond the inside wall of the new tile drain. The Contractor shall ensure than any material used to seal the connection does not protrude beyond the inside wall of the new tile drain.

All connections that are described in the Special Provisions are considered to be part of the original Contract price. For all other connections the Contractor will be paid in accordance with the price established in the Schedule of Tender Prices. The Contractor must list all connections on the Lateral Connection Summary sheet, if included in the Special Provisions, in order to qualify for payment. The Lateral Connection Summary sheet describes all tile encountered based on location (station), side of trench, size and type of tile and approximate length and type of material used for the connection.

420.3.8 Stones and Rock

The Contractor shall immediately contact the Engineer if bedrock or stones of sufficient size and number are encountered such that installation by wheel trencher cannot continue. The Engineer may direct the Contractor to use some other method of excavation to install the tile. The basis of payment for such extra work shall be determined by the Engineer. Stones greater than 300mm in diameter that are removed during excavation shall be disposed of by the Contractor at an offsite location. No additional payment for excavating or hauling these stones will be provided.

420.3.9 Brush, Trees and Debris

Unless stated otherwise in the Special Provisions, the following requirements shall apply for installation of a tile drain in a wooded area. The Contractor will clear and grub a minimum corridor width of 30m centered on the tile drain alignment. The resulting debris shall be placed in a windrow along the edge of the working area. No additional payment will be made for such work.

420.3.10 Subsoil Instability

If poor subsoil conditions are encountered during tile installation by wheel trencher an attempt shall be made to install the tile with a continuous geotextile underlay in the trench bottom. The cost of the underlay, if approved by the Engineer, will be paid as an extra. If the continuous geotextile underlay is not sufficient then the tile will be installed by backhoe or excavator on a bedding of 19mm clear crushed stone (300mm depth) to achieve trench bottom stability for the new tile. If approved, the above work will be paid based on the unit price provided on the Form of Tender. The unit price shall include the cost to supply and place the stone. If more than 300mm depth of stone is required for bottom stability, additional payment will be allowed for the additional depth of stone. The additional quantity of stone shall be supported by weigh tickets and the suppliers invoice.

If poor subsoil conditions are encountered during tile installation by backhoe or excavator, the tile shall be installed on stone bedding as noted above. For this installation only the material cost of the stone will be paid as an extra. Supply of stone and cost to be supported by weigh tickets and supplier's invoice.

If the subsoil is a fine grained soil it may necessary to place the stone on a geotextile with the geotextile wrapped over the stone before laying the tile. Additional payment will be allowed to supply and install the geotextile.

420.3.11 Broken or Damaged Tile

The Contractor shall dispose of all damaged or broken tile and broken tile pieces off-site.

420.3.12 Excess Tile

All excess tile shall be removed from the job site.

420.3.13 Catchbasins

420.3.13.1 General

All catchbasins shall have minimum inside dimensions matching the dimensions shown on the Drawings. Contractor is responsible for ordering catchbasins to match the inlet and outlet connections and top elevations required by the Special Provisions and the Drawings.

420.3.13.2 Materials

Requirements in this section apply to catchbasins in non-travelled locations. Where catchbasins are proposed for travelled locations, refer to the Special Provisions and the Drawings for applicable OPSD information.

Precast concrete catchbasins shall be manufactured by as Coldstream Concrete or approved equal. Minimum wall thickness for catchbasins without reinforcement is 150mm and with reinforcement 100mm. The joints between precast catchbasin sections shall be protected with geotextile to prevent soil material from entering into the catchbasin. Joint protection using mortar or water tight barrier is also acceptable. Grates are to be birdcage grates as manufactured by Coldstream Concrete or approved equal unless specified otherwise on the Drawings. All grates to be secured with corrosion resistant hardware.

HDPE catchbasins shall be as fabricated by ADS, Armtec, Hancor or approved equal. Steel catchbasins shall be the Heavy Duty Steel Catch Basin as manufactured by AgriDrain or approved equal. PVC catchbasins shall be Nyloplast as manufactured by ADS or approved equal. HDPE, steel and PVC catchbasins shall be supplied with integral stubouts fabricated by the manufacturer and sized according to the pipe connections shown on the Drawings. Grates for HDPE, steel or PVC catchbasins shall be in accordance with the Special Provisions and manufacturer recommendations.

Marker stakes as supplied by Coldstream Concrete or equal are to be placed beside each catchbasin unless specified otherwise on the Drawings.

420.3.13.3 Installation

All tile or pipe connected to concrete catchbasins shall be mortared or secured in place so that no gaps remain at the connection. Mortar is to be applied on both the inside and outside wall surfaces.

Backfill around all new catchbasins is recommended to be 19mm clear crushed stone to avoid future settlements. The Contractor shall be responsible backfilling all settlement areas around catchbasins during the contract warranty period. No additional payment will be provided for adding backfill to settlement areas around catchbasins.

All catchbasin sumps to be fully cleaned by the Contractor after completion of drain installation and backfilling.

420.3.14 Junction Boxes

Junction boxes shall be precast concrete to the same specification as above for catchbasins except that the junction box shall have a solid lid. The lid shall be a minimum of 125mm thick with wire mesh reinforcement and 2 lifting handles. The top of the junction box should have a minimum ground cover of 450mm.

Interoffice Memorandum

June 17, 2020

To: Mayor and Council
From: Dave Maiden, Drainage Superintendent and
Kelly Walsh, P.Eng, Director, Infrastructure Services
Tom Kuchyt, CAO
Tim Marotta, P.Eng, Manager, Engineering Division
Subject: **Report No. IS-10-2020, Stevensville Road Drain, Filing of Engineer's Report**

At the Council-in-Committee meeting of March 9, 2020, Council considered Report No. IS-10-2020 to accept the new Engineers Report for the Stevensville Road Drain, pursuant to Section 4 of the *Drainage Act*, R.S.O. 1990, c17, and to direct staff to continue with the legislative process in accordance with the *Drainage Act*.

The Report was postponed to the May 4, 2020 and then again to the July 13, 2020 Council-in-Committee meeting to allow staff and the Engineer to consult with The Regional Municipality of Niagara (RMN) relative to the alternative of a storm sewer on Stevensville Road at the time of road reconstruction.

On Thursday June 11, 2020 an email was received from Shawn McCauley, Associate Director, Transportation Operations at the RMN, indicating that the RMN will be removing their name from the petition for the Stevensville Rd. Drain. The Town has now received the official OMAFRA form, Notice of Withdrawal from Petition, Drainage Act, R.S.O.1990, c.D.17, Subs. 10(2), (original filed with the Town Clerk).

With the receipt of the Notice of Withdrawal from Petition form filed with the Town Clerk on June 25, 2020, under the Drainage Act, R.S.O.1990,c.D.17, Subs. 10(3)(4),the process will stop as the Petition is no longer valid and all costs incurred up to date will be assessed to the petitioner.

Staff recommends that Report No. IS-10-2020 be defeated at the Council-in-Committee meeting of **July 13, 2020**, as the municipal drain work is not required.

All of which is respectfully submitted,

Original Signed By:	Original Signed By:	Original Signed By:
Dave Maiden Drainage Superintendent	Kelly Walsh, P.Eng. Director, Infrastructure Services	Tom Kuchyt CAO

Original Signed By:

Tim Marotta
Manager, Engineering Division

SeThe Municipal Corporation of the Town of Fort Erie

Business Status Report

Infrastructure Services
July 13, 2020

Forecasted Reports	Source	Status
Nigh Rd Sewershed and Wintemute Sanitary Sewer Trenchless Rehab RFP Award	Capital Budget	August 10, 2020
2019 Rural Ditching Master Plan	Capital Budget	August 10, 2020
2020 Ditching Contract Tender Award	Capital Budget	August 10, 2020
Wayfinding Signage – Roads	Capital Budget	August 10, 2020
Conventional Transit Contract Extension	Operating Budget	August 10, 2020
2019/2020 Guiderail Replacement Tender Award	Operating Budget	September 14, 2020
Winter Control Plan Tender Award	Operating Budget	October 5, 2020
2021 (Fall) – 2020 (Spring) Winter Control Plan	Operating Budget	October 5, 2020
Storm Sewer System Master Plan RFP Award	Capital Budget	October 13, 2020

Prepared By:

Original Signed:

Kelly M. Walsh, P.Eng
Director, Infrastructure Services

Respectfully Submitted By:

Original Signed:

Tom Kuchyt, CET
Chief Administrative Officer

The Municipal Corporation of the Town of Fort Erie

Business Status Report

Corporate Services; Community Services; Fire and Emergency Services

July 13, 2020

Forecasted Reports	Source	Status
2020 Semi-Annual Investment Review	Report	August 10, 2020
Award of Tender for the Construction of the New Amalgamated Fire Station #4 - 148 Ridge Road South	Report	September 14, 2020
2019 Audited Financial	Report	September 14, 2020
2020 2nd Quarter Financial	Report	September 14, 2020
2021 Budget Planning and Timetable	Report	September 14, 2020
Climate Change	Council request	Fall 2020

Prepared by:

"original signed"

Jonathan Janzen,
Director, Corporate Services/Treasurer

Prepared by:

"original signed"

Ed Melanson,
Fire Chief

Respectfully submitted by:

"original signed"

Tom Kuchyt,
Chief Administrative Officer