

March 14, 2023

Affected Property Owners, Road Authorities, and Utility Owners

Re: Repair and Improvement of Sullivan Creek Drain

Pursuant to Section 46(1) of the *Drainage Act*, please find enclosed a copy of By-law 2023-028 exclusive of the Engineer's Report, provisionally adopted by the Council of the Town of Tecumseh at a regular Council meeting held on Tuesday, February 28, 2023.

An electronic copy of the Engineer's Report can be accessed online at www.tecumseh.ca/drainage under the **Sullivan Creek Drain Drainage Projects** heading.

If you would like a copy of the report in an alternative format, such as printed, it is available for pick up or mail out. Please contact the Drainage Superintendent to have this arranged or use the online portal at www.tecumseh.ca/drainagereport to submit your request.

A public meeting is scheduled for the first sitting of the Court of Revision as follows:

Date: Tuesday, March 28, 2023

Time: 5:00 pm

Place: Electronic Participation via Zoom video conferencing. Live streamed on the Town's website for viewing.

The purpose of the Court of Revision is to hear appeals on assessments. An owner of land assessed for the drainage works may appeal to the Court of Revision on any of the following grounds:

- Any land or road has been assessed an amount that is too high or too low;
- Any land or road that should have been assessed has not been assessed; and/or
- Due consideration has not been given to the use being made of the land.

Notice of appeal to the Court shall be given to the Clerk by Saturday, March 18, 2023 (ten [10] days prior to the first sitting of the Court) and shall state the grounds of appeal. Contact the Drainage Superintendent or Clerk to file an appeal.

If you wish to appear before the Court with your appeal, contact the Clerk, Robert Auger at rauger@tecumseh.ca or submit an delegation request form online at www.tecumseh.ca/delegate by 12:00pm (noon) on Monday, March 27, 2023. By registering as a delegate, persons are consenting



their image, voice and comments being recorded and available for public viewing on the Town's website.

In addition to the appeal to the Court of Revision, landowners not satisfied with Council's decision to proceed with the repair and improvement of the Sullivan Creek Drain can appeal to the Drainage Tribunal under Section 48(1) of the *Drainage Act*. All notices of appeal shall be given to the Clerk by Monday, April 24, 2023. Contact the Drainage Superintendent or Clerk to file an appeal.

If you are unable to attend the meeting, it will proceed in your absence. Even if you choose not to participate, you will continue to receive notification as required by the *Drainage Act*. Additional information regarding the *Drainage Act* process is located on the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) website at <http://www.omafra.gov.on.ca>.

Questions and concerns regarding this notice and drainage project can be directed to the following Town of Tecumseh contacts:

Alessia Mussio, EIT
Drainage Superintendent
Public Works and Engineering Services
amussio@tecumseh.ca
(519) 735-2184 ext. 140

Joseph Lappalainen, EIT
Assistant Drainage Superintendent
Public Works and Engineering Services
jlappalainen@tecumseh.ca
(519) 735-2184 ext. 105

More information on municipal drainage works within the Town of Tecumseh is available online at www.tecumseh.ca/drainage.

Sincerely,

Robert Auger
Director, Legislative Services & Clerk

Encl.

Copy: Alessia Mussio, EIT., Drainage Superintendent.
Gerard Rood, P.Eng., Rood Engineering Inc.



The Corporation of the Town of Tecumseh

By-Law Number 2023 - 028

Being a bylaw to provide for the repair and improvements to the Sullivan Creek Drain

Whereas the Council of The Corporation of the Town of Tecumseh (hereafter "Town") has been requested to provide for the repair and improvement of the Sullivan Creek Drain;

And Whereas the Town procured a Drainage Report for the Sullivan Creek Drain and specifications from the consulting engineering firm of Gerard Rood of Rood Engineering Inc., dated January 9, 2023 (hereafter "Drainage Report");

And Whereas notice of a Public Meeting to hear comments from the affected property owners was given on Tuesday, February 14, 2023;

And Whereas a Public Meeting of Council was held on Tuesday, February 28, 2023, at 6:30 pm to hear from any affected property owners on the Drainage Report;

And Whereas the Council of The Corporation of the Town of Tecumseh is of the opinion that the repair and improvement of the Sullivan Creek Drain is desirable;

Now Therefore the Council of The Corporation of The Town of Tecumseh Enacts as follows:

1. **That** the Drainage Report providing for the repair and improvement of the Sullivan Creek Drain, dated January 9, 2023, as prepared by the consulting engineering firm Rood Engineering Inc. and attached hereto as Schedule "A" to this by-law, is hereby adopted and the drainage works as therein indicated and set forth is hereby approved and shall be completed in accordance therewith.
2. **That** the Treasurer, subject to the approval of Council, may agree with any bank or person for temporary advances of money to meet the costs of construction pending the completion of the drain and grants and computed payments are received.
3. **That** the Town may issue debentures for the amount borrowed and the amount of such debentures shall be reduced to the total amount of:
 - a) Grants received under Section 85 of the said Act;
 - b) Commuted payments made in respect of land and roads assessed.

4. **That** such debentures shall be made payable within five (5) years from the date of the debenture and shall bear interest at a rate as approved by resolution of Council.
5. **That** the specifications and General Specifications as established are adopted as set out in the Drainage Report which forms part of this by-law.
6. **That** the Mayor and Clerk are authorized to cause a contract for the construction of the works to be made and entered into with some person or persons, firm or corporations, subject to the approval of the Council to be declared by resolution.
7. **That** this by-law shall come into force upon and after the final passing thereof.

Read a first and second time this 28th day of February, 2023.

Gary McNamara, Mayor

Robert Auger, Clerk

Read a third and final time this **Choose an item.** day of **Choose an item.**, 2023.

Gary McNamara, Mayor

Robert Auger, Clerk