

March 6, 2023

Affected Property Owners, Road Authorities, and Utility Owners

Re: Repair and Improvement of 4th Concession Drain & Holden Outlet Drain

The Town of LaSalle has provided notice (attached) to the Town of Tecumseh of their provisional adoption of the Engineer's Report, prepared by RC Spencer Associates Inc. dated August 5, 2022 for the repair and improvement of 4th Concession Drain and Holden Outlet Drain, at their regular council meeting held on Tuesday, January 24, 2023. Pursuant to Section 46(1) of the *Drainage Act*, please find enclosed a copy of By-law No. 8764, exclusive of the Engineer's Report.

An electronic copy of the Engineer's Report can be accessed online at www.tecumseh.ca/drainage under the **4th Concession Drain and Holden Outlet Drain (Town of LaSalle) Drainage Projects** heading or at www.lasalle.ca/drainage.

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: Thursday, March 23, 2023

Time: 4:00 pm

Place: LaSalle Civic Centre – Council Chambers, 5950 Malden Road, LaSalle, ON N9H 1S4

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 shall be given to the Clerk of the Town of LaSalle by Monday, March 13, 2023 (ten [10] days prior to the first sitting of the Court) and shall state the grounds of appeal. ***If you wish to file an appeal, please follow the instructions outlined in the attached notice from the Town of LaSalle.*** If you require assistance, please contact Town of Tecumseh staff.

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.
Dennis McCready, P.Eng., RC Spencer Associates Inc.





Corporation of the Town of LaSalle

5950 Malden Road, LaSalle, Ontario N9H 1S4
Phone: 519-969-7770 Fax: 519-969-4029 www.lasalle.ca

Notice of Sitting of Court of Revision

Drainage Act, R.S.O. 1990, c. D.17, s. 46

Dear Affected Property Owners/Agencies,

You are hereby notified that the Town of LaSalle Council, at their meeting held on January 24, 2023, adopted the Drainage Report prepared by RC Spencer Associates Inc., dated August 5, 2022, for improvements to the 4th Concession Drain and gave first and second reading to By-law 8764, attached to this Notice, in accordance with the *Drainage Act*.

Take notice that your property is assessed to the 4th Concession Drain Project under the *Drainage Act* and the Court of Revision will be held as follows:

Date: **March 23, 2023**

Time: **4:00 p.m.**

Location: **Council Chambers**
 5950 Malden Road
 LaSalle, ON

The purpose of the Court of Revision is to hear any owner who wishes to appeal their assessment or any part thereof as set out in the Drainage Report.

You are responsible for carefully reading through the documents to understand the financial implications for you as a property owner. Please refer to the Engineer's Report, available on the Town's website, to find your assessment: www.lasalle.ca/drainage.

Pursuant to Section 52 of the *Drainage Act*, an owner of land assessed for 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.



Objections or appeals to the assessment must be forwarded in writing to the Clerk at least ten (10) days before the first sitting of the Court. Therefore, written appeals must be filed with the Clerk of the Town of LaSalle on or before 4:30 p.m. on March 13, 2023.

Notice of Appeal forms can be obtained by visiting the Ontario Central Forms Repository website at <https://forms.mgcs.gov.on.ca/en/dataset/003-0196>. Completed Notice of Appeal forms may be emailed directly to the Clerk at jastrologo@lasalle.ca. Notice of Appeal Forms are also available at the LaSalle Civic Centre and may be filed in person.

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

Questions regarding the assessment schedule can be directed to Michael Cappucci, Manager of Engineering/Drainage Superintendent, at 519-969-7770 x 1280 or mcappucci@lasalle.ca.



Michael Cappucci, Manager of Engineering/Drainage Superintendent

Cc: Jonathan Osborne, Director of Public Works
Jennifer Astrologo, Director of Council Services/Clerk

Right of Appeal – Any owner of land or public utility affected by the above-mentioned drainage works may appeal to the Referee regarding legal issues, or the Agriculture, Food and Rural Affairs Appeal Tribunal regarding technical issues within 40 days of the sending of this Notice, pursuant to sections 47 and 48 of the *Drainage Act*, respectively.

For more information on the *Drainage Act*, please visit the Ministry of Agriculture, Food and Rural Affairs' drainage information page here:
<http://www.omafra.gov.on.ca/english/landuse/drainage.htm>



The Corporation of the Town of LaSalle

By-law Number 8764

A By-law to provide for the repair and improvements of the 4th Concession Drain in the Town of LaSalle, in the County of Essex

Whereas the Council of the Corporation of the Town of LaSalle (hereafter, "the Town"), in the County of Essex, has procured a report under section 78 (5) of the Drainage Act for the repair and improvement of the 4th Concession Drain;

And whereas the Drainage Report for the repair and improvement of the 4th Concession Drain in the Town of LaSalle and Holden Outlet Drain in the Town of Tecumseh (hereafter "Drainage Report) dated August 5, 2022, has been authored by Dennis R. McCreedy, B.A.Sc., P.Eng, and Shane LaFontaine, M.Eng., P.Eng. of RC Spencer Associates Inc. and said report is attached hereto as Schedule "A" and forms part of this By-law;

And whereas \$1,039,785.00 is the estimated cost for the engineering and construction of the drainage works and will be the responsibility of the property owners;

And whereas the Council of the Corporation of the Town of LaSalle is in the opinion that the proposed drainage works for the maintenance, improvement and realignment of the 4th Concession Drain is desirable.

Now therefore the Council of the Corporation of the Town of LaSalle, pursuant to the Drainage Act hereby enacts as follows:

1. Authorization

That the Drainage Report providing for the repair and improvement, inclusive of assessment schedule and final drawings, of the 4th Concession Drain dated August 5, 2022, as prepared by RC Spencer Associates Inc, attached hereto as Schedule "A" and forming part of this By-law, is hereby adopted and the drainage works as described therein are approved and shall be completed in accordance therewith.

2. Borrowing

That the Town may borrow on the credit of the Corporation the amount of \$1,039,785.00 being the amount necessary for the completion of the drainage works.

3. Debentures

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. Payment

That the terms for the payment of debentures will be set in accordance with Town of LaSalle Municipal Drainage Billing and Collection Policy, F-GEN-010.

- 5.** That the Mayor and Clerk be authorized to enter into an agreement for the construction of the drainage works to be made with some person or persons, firm or corporations, subject to the approval of Council.

6. That this Bylaw shall come into force upon and after the final passing thereof.

Read a first and second time this 24 January 2023



Mayor



Clerk

Read a third and final time this _____ day of _____, 2023.

Mayor

Clerk