



CORPORATE SERVICES *Staff Report*

REPORT NO: COR-2025-12

TO: Council

SUBMITTED BY: Greg Clark, Director of Corporate Services / CFO

PREPARED BY: Kaitlin Bos, Manager of Legislative Services / Municipal Clerk

REVIEWED BY: Greg Clark, Acting CAO

DATE: May 5, 2025

SUBJECT: Queen Street Municipal Drain Actual Cost By-Law

RECOMMENDATION:

THAT Report COR-2025-12 Queen Street Municipal Drain Actual Cost By-Law be received for information; and,

THAT Council considers the adoption of the By-Law to Amend By-Law 2022-38 to Provide for the Actual Costs for Drainage Works Known as the Queen Street Municipal Drain at the May 26, 2025 Regular Council Meeting.

SUMMARY:

As prescribed in the *Drainage Act*, 1990 the costs related to the construction of a Municipal Drain are to be recovered by all lands, roads, and utilities that are within the watershed, as determined by the Engineer's report, net of any grant monies received under the Agricultural Drainage Infrastructure Program, as administered by the Ministry of Agriculture, Food and Agribusiness. The Township is required to pass a levying by-law to assess costs as per the requirements of the Drainage Act, R.S.O. 1990. Assessments are billed to the current property owners at the time of bill preparation.

As prescribed in the *Drainage Act*, 1990 S.62(1) an amending by-law must be brought forward if the estimated cost of construction provides the assessment schedule with a surplus or

deficiency of moneys. As the actual cost of \$ 311,233.83 is less than the estimated amount of \$319,700.00 provided in the Engineer's Report amending By-law 2025-22 is being brought forward to amend the Schedule of Assessment for Construction to distribute the deficiency proportionately to properties. The Actual Cost By-law is attached to this report as Attachment 2.

BACKGROUND:

The Engineer Report prepared by Headway Engineering for the Queen Street Municipal Drain, 2022 was adopted by By-law 2022-38. This Report outlined the estimated cost of \$319,700.00 for drainage works servicing approximately 19.82 hectares (49 acres) of land.

The project services parts of Lots 6 and 7 in Concessions 3 Block A in the Township of Wilmot, Region of Waterloo. Schedule "C" – Schedule of Assessment for Construction provided the levy for properties based off the estimated cost included in the report.

On December 5, 2022, Council awarded the contract for construction of the Queen Street Municipal Drain, 2022 to Robert M Simon Construction Limited. The construction project included the establishment of a new Municipal Drain designed to today's standards of drainage for arterial roads, and to accommodate plans for the proposed development. The new closed municipal drain was constructed from Queen Street (Regional Road 12) adjacent to Lot 7, concession 3 Block A, downstream to its outlet into a natural watercourse in Lot 6, Concession 3 Block A. The construction of the Queen Street Municipal Drain, 2022 commenced in March 2023 and was deemed substantially complete on July 13, 2023 by Headway Engineering.

Since the completion of the construction project the Township and Drainage Superintendent conducted work to identify and confirm ownership information for parcels of land assessed to this drainage works.

REPORT:

After the adoption of the By-Law to Amend By-Law 2025-24 to Provide for the Actual Costs for Drainage Works Known as the Queen Street Municipal Drain, 2022, included as Attachment 2, Corporate Services will levy assessments and disperse allowances according to the actual cost schedule.

Section 74 of the *Drainage Act, 1990* requires the Drain, as outlined in this report, to be maintained by the Township, and the cost of maintenance to be assessed to the upstream lands and roads pro rata with the assessments in Schedule D.

All parties affected by the Drain, are encouraged to periodically inspect the Drain and report any visible or suspected problems to the Township.

ALIGNMENT WITH THE TOWNSHIP OF WILMOT STRATEGIC PLAN:

Healthy Community

FINANCIAL CONSIDERATIONS:

The Township of Wilmot does not have any land or roads assessed to the Queen Street Municipal Drain 2022.

ATTACHMENTS:

Attachment 1: Queen Street Municipal Drain Report

Attachment 2: By-Law 2025-24 Being a By-Law to Amend By-Law 2022-38 to Provide for the Actual Costs for Drainage Works Known as the Queen Street Municipal Drain 2022