

Meeting Date: October 21, 2024
Department: Engineering & Public Works
Report No.: EPW-2024-78
Prepared by: Steve Morriss, Drainage Superintendent
Submitted by: Mark Ortiz, Director, Engineering and Public Works
Approved by: Trisha McKibbin, Chief Administrative Officer
SUBJECT: **Kovacs Drain Branches 2024 – Court of Revision**

RECOMMENDATION: THAT: Council receive Report EPW 2024-78 “Kovacs Drain Branches 2024 – Court of Revision” for information, and further; THAT: Subject to any appeals, provisional By-law No. 87-24 be referred to the Consideration of By-laws section of the agenda for third and final reading.

BACKGROUND:

A Request for Major Drain Improvement was received by the Municipality of Strathroy-Caradoc for the Kovacs Drain 1968 on May 26, 2023. Council accepted the request on June 5, 2023 and appointed Spriet Associates Ltd. to prepare the engineer’s report.

The Kovacs Drain 1968 was originally constructed pursuant to a report prepared by Graham, Berman & Associates Ltd, dated January 26, 1968. The drain consisted of approximately 1,677 lineal meters of 300mm to 125mm tile and approximately 396 lineal meters of open ditch construction. The Bujnowski Branch is connected to the Toonen Branch approximately 44 meters north of the road where it continues southerly across Falconbridge to its head in the upstream farm.

Some time during 2021, during the installation of a new large diameter high-pressure gas line by Enbridge Gas, the culvert under Falconbridge Drive and a portion of the upstream concrete tile of the Bujnowski Branch was severely damaged. Upon request by one of the affected landowners, the Drainage Superintendent attended the site to investigate and confirmed the damage. The drain could not be repaired to its original design specifications; therefore a temporary repair was put in place. In response to the damage incurred Enbridge Gas submitted a request for the improvement for the Bujnowski and Toonen Branches.

The required on site meeting was held on May 26, 2023 between the affected landowner, Enbridge staff, and municipal staff. Landowners reported that they had not experienced any issues prior to the gas main installation down Falconbridge Drive. The engineer proceeded with investigating the

existing drain that day and with additional data collected on November 7, 2023. Site investigation revealed that the existing portions of the Bujnowski Branch and Toonen Branch are considerably undersized by today's standards but, other than the damage created by the gas line installation, the rest of the drain appeared to be in working condition.

On January 29, 2024, the municipality held an informal public meeting to present the preliminary design and cost distribution prepared by the engineers to the assessed landowners and Enbridge staff where further input was provided at that time. Discussions between landowners, Enbridge staff, and the Drainage Superintendent continued through the following several months resulting in Enbridge Gas agreeing to cover all the project costs. On September 16, 2024, Council held the statutory meeting to consider the final engineer's report and to adopt the report by by-law where the first and second reading was given for By-law #87-24.

COMMENTS:

The purpose of this meeting is to provide landowners an opportunity to appeal their assessment under Section 46 of the Drainage Act. Assessed owners are requested to provide in writing a minimum of ten days prior to the meeting their appeal so that the Engineer can review and provide comment at the court. At this time, no appeals have been submitted.

CONSULTATION:

This report was reviewed in consultation with:

- Manager of Public Works
- Spriet Associates Ltd.
- Enbridge Gas Ltd.

FINANCIAL IMPLICATIONS:

- Schedule B - Cost Estimate is included in the engineer's report.

STRATEGIC PLAN ALIGNMENT:

This matter is in accord with the following strategic priorities:

Local Infrastructure and Capital Investment: Households and businesses in Strathroy-Caradoc will be supported by reliable, financially responsible, and well-maintained infrastructure networks.

ATTACHMENTS:

- Spriet Associates Ltd. Engineering Report - Kovacs Drain Branches 2024
- Provisional By-Law 87-24 – Kovacs Drain Branches 2024