THE CORPORATION OF THE TOWNSHIP OF WAINFLEET
REGULAR MEETING OF COUNCIL
OCTOBER 10, 2023 – 6:00 P.M.
(Time adjusted for this meeting only
Regular business to resume at 7:00 p.m.)
COUNCIL CHAMBERS

C22/23

1. Call to Order

2. Closed Meeting

a) Item under Section 239(2)(c)(f) of the *Municipal Act, 2001,* a proposed or pending acquisition or disposition of land by the municipality or local board, advice that is subject to solicitor-client privilege – 1 item (a potential disposition of land matter)

b) Minutes of the Closed Meeting of Council held August 29, 2023 and September 19, 2023

3. Rise & Report

4. National Anthem

5. Land Acknowledgement Statement

6. Disclosures of Interest and the General Nature Thereof

7. Mayor's Announcements & Remarks

8. Councillor's Announcements & Remarks

9. Adoption of Previous Council Minutes

a) Minutes of the Regular Meeting of Council held September 19, 2023

10. Delegations

a) Carol Ann Shaw – Request for Speedbumps on Belleview Beach Road

11. Consent Agenda

a) Memorandum Re: Proposed Budget Timeline

b) Memorandum Re: Appointment of Short Term Rental By-law Enforcement Officer

c) DSR-011/2023 Re: Newhouse Drain Engineering Report Update

d) Memorandum Re: Consolidated South Wainfleet Drain #10 Court of Revision Minutes and By-law

12. Staff Reports & Recommendations

a) Administrative Staff Reports

a) ASR-010/2023 Re: 2024 Council Meeting Schedule

13. Review of Correspondence

a) Niagara Region (C-2023-346)
Recommendations from the Renfrew County Inquest and Declaration of Intimate Partner Violence as an Epidemic and Declaration of Intimate Partner Violence as an Epidemic

14. By-laws

a) By-law No. 033-2023 being a By-law to provide for drainage works for the Consolidated South Wainfleet Drain #10 pursuant to Section 78 of the Drainage Act (Third & Final Reading)

b) By-law No. 038-2023 being a By-law to appoint a Municipal By-law Enforcement Officer for the Corporation of the Township of Wainfleet

15. Notices of Motion

16. Closed Meeting

17. Rise & Report

18. By-law to Confirm the Proceedings of Council

a) By-law No. 039-2023 being a by-law to adopt, ratify and confirm the actions of the Council at its meeting held on the 10th day October, 2023

19. Adjournment

TOWNSHIP OF WAINFLEET

DELEGATION REQUEST FORM

Please fill out and return no later than 4:30 p.m. on the Tuesday prior to the meeting you wish to appear. Completed forms are to be submitted to the Clerks Department and can be dropped off or emailed to mkirkham@wainfleet.ca

If you are speaking to an item listed on the agenda, the deadline for submission is 12:00 p.m. on the day of the scheduled meeting.

Name: Carol Ann Shaw	
Address: 11630 Bellview Beach Rd Wainfleet Ont L0S 1V0	
Telephone: 2896681148	**E-mail:** cas_niagara@yahoo.com

Date of Meeting: October 10 2023

Subject Matter to be Discussed:	Speed bumps on Bellview Beach Rd
Action Requested:	We need speedbumps on our road due to many cars speeding and people under the influence driving too fast. We have many children playing, riding bikes and neighbors walking up and down out road all year round. Our road is presently being redone and it would be simple to add the bumps now according to an engineer presently working on the project, children are here year round as are the permanent neighbors. we need something permanent please. Thank you Kindly

Have you previously spoken on this issue? Yes ❑ No ☑
If an individual has previously appeared as a delegation, a further delegation from the same individual on the same topic will not be permitted, unless there is significant new information to be brought forward.

Do you have material for distribution at the meeting? Yes ☑ No ☑
If yes, specify:

Do you have a copy of your notes/presentation to attach? Yes ❑ No ☑
If yes, specify:

Delegations are required to provide the Clerk's Department presentation materials for publication in Council's agenda package.

❑ I have read and understand the Delegation Protocol attached to this form and understand that the information contained on this form, including any attachments, will become public documents and listed on Township meeting agendas and posted to the Township's website.

C A Shaw
Signature

October 2 2023
Date

The TOWNSHIP of WAINFLEET

Traffic Safety Request Petition

Township of Wainfleet Traffic Safety Program

The undersigned owners and residents of property hereby petition for the installation of traffic calming devices or reduction of speed at the following location(s): Street Addresses or Intersections:

This petition should **only** be signed by supportive property owners and residents within the requested area only. Only ***one signature*** **per household/business**. Any additional signatures from a single address will not be considered. Please note that you are under no obligation to sign or not sign this petition.

" I support the proposal to installing traffic calming or reduction of speed at the location(s) listed above."

Please check the applicable box

☑ **Traffic Calming devices** ☐ **Reduction of Speed Limit**

#	Print Name	Signature	Address (No P.O. Boxes)	Date
1.	DOLLY BATTAGLINI	[illegible]	11651 BELLVIEW BEACH RD	9/29/23
2.	Nena MacKinnon	Nena MacKinnon	11682 Belleview Beach RR	9/29/23
3.	Carly Bowden	[illegible]	11681 Belleview Beach RD	9/30/23
4.	CHAD MATTIE	[illegible]	11684 Belleview Beach RD	9/30/23
5.	Ron Mattie	[illegible]	11692 Belleview Beach Rd	9/30/23
6.				
7.				
8.				
9.				
10.				

NOTE: Successful petitions need **51% or more** of the project area residents/businesses to sign in support. All petitions must be signed at the bottom by the Petition Collector. Submit original copies of each petition for Traffic Safety to the Township of Wainfleet– Clerks Office. Each applicant is responsible for keeping an extra file copy of the petition. This petition shall be accompanied by a delegation request to present to the Council of the Township of Wainfleet

Petition Collector: Carol Ann Shaw *page* 1 *of* 5

The TOWNSHIP of WAINFLEET

Traffic Safety Request Petition

2

Township of Wainfleet Traffic Safety Program

The undersigned owners and residents of property hereby petition for the installation of traffic calming devices or reduction of speed at the following location(s): Street Addresses or Intersections:

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" I support the proposal to installing traffic calming or reduction of speed at the location(s) listed above."

Please check the applicable box

☑ **Traffic Calming devices** ☐ **Reduction of Speed Limit**

#	Print Name	Signature	Address (No P.O. Boxes)	Date
1.	DAVID GILLMORE	[illegible]	11625 BELLVIEW BEACH ROAD -	9/24/23
2.	MARIE GILLMORE	[illegible]	11625 Belleview Beach	24/09/23
3.	VERA HERNGREEN	[illegible]	11642 Belleview Beach Rd	30/09/23
4.	Rosemary Akey	Rosemary Akey	11643 Belleview Beach Rd	30/9/23
5.	Colette Cooke	Colette Cooke	11648 Belleview Beach Rd	30/09/23
6.	Ken Cooke	Ken Cooke	11648 Belleview Beach Rd	30/09/23
7.	Gloria Wachel	Gloria Wachel	11649 Belleview Beach Rd	30/09/23
8.	Sid Phillips	Sid Phillips	11649 Belleview Beach Rd	30/9/23
9.	ANIA KASOWSKI	[illegible]	11660 Belleview Beach Rd	30/9/23
10.	RICK KASOWSKI	R Kasowski	11660 Belleview Beach Rd	30/9/23

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Petition Collector: Carol Ann Shaw *page* 2 *of* 5

Please turn over
More on the back

Shelley M. Herhauser	Shelley	11679 Belleview Beach Rd.	
Barb Thompson	Barb Thompson	11691 Belleview Beach Rd	30/9/23
John Thompson		11691 Belleview Beach	30/9/23
Taylor Thompson		11691 Belleview Beach R	30/09/23

3

Carol Ann Shaw

The TOWNSHIP of WAINFLEET

Traffic Safety Request Petition

Oct 10

Township of Wainfleet Traffic Safety Program

The undersigned owners and residents of property hereby petition for the installation of traffic calming devices or reduction of speed at the following location(s): Street Addresses or Intersections:

Bellview Beach Road

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Please check the applicable box

☑ **Traffic Calming devices** ☐ **Reduction of Speed Limit**

#	Print Name	Signature	Address (No P.O. Boxes)	Date
1.	Steve Tempest		11622 Bellview Beach Rd.	Sept 22/23
2.	Moeran Tempest		11622 Bellview Beach Rd	Sept 23/23
3.	Cyndi Savage	Cyndi Savage	11664 Bellview Beach Rd	Oct 3/23
4.				
5.				
6.				
7.				
8.				
9.				
10.				

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Petition Collector: Carol Ann Shaw *page* 4 *of* 5

The TOWNSHIP of WAINFLEET

Traffic Safety Request Petition

Township of Wainfleet Traffic Safety Program

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" I support the proposal to installing traffic calming or reduction of speed at the location(s) listed above."

Please check the applicable box

☑ **Traffic Calming devices** ☐ **Reduction of Speed Limit**

#	Print Name	Signature	Address (No P.O. Boxes)	Date
1.	Leigh Bell		11629 Bellevue Beach Rd	Sept 24/25
2.	Faith Hatton		11626 Bellevue Beach Rd	9/24/25
3.	TESS MORAN		11619 Bellevue Beach Rd	9/24/23
4.	BRIAN O'BRIEN		11619 " "	9-24-23
5.	Peter Sheppard		11624 " "	9-24-23
6.	Alecia Atyeo		11624 " "	09-24-23
7.	Elyse Patel		11627 Bellevue "	09-24/23
8.	Carol Ann Shaw		11630 Bellevue Rd	10.3 23
9.				
10.				

NOTE: Successful petitions need **51% or more** of the project area residents/businesses to sign in support. All petitions must be signed at the bottom by the Petition Collector. Submit original copies of each petition for Traffic Safety to the Township of Wainfleet– Clerks Office. Each applicant is responsible for keeping an extra file copy of the petition. This petition shall be accompanied by a delegation request to present to the Council of the Township of Wainfleet

Petition Collector: Carol Ann Shaw *page* 5 *of* 5

Memo

To: Mayor Grant & Members of Council

From: Cameron Hart, Manager of Financial Planning/Deputy Treasurer

Date: September 19, 2023

Re: Proposed 2024 Budget Timeline

Overview:

To recommend a revised budget timeline for the upcoming fiscal year, fiscal year ending December 31, 2024. The proposed timeline deviates from our historical budgeting schedule and this memo will help explain the rationale behind this recommendation.

Proposed Budget Timeline:

Capital Budget Review: November 14, 2023
Operating Budget Review: November 15, 2023
Consolidated Budget Ratification: November 21, 2023

Rationale:

In recent years, we have traditionally reviewed and ratified our budgets in the first quarter of the proceeding year, with the 2023 capital budget and operating budget being ratified on March 22, 2023. However, this year, we propose starting the budgeting process much earlier for several reasons:

Improved Fiscal Year Planning: By initiating the budgeting process earlier, we aim to improve our ability to plan for the upcoming fiscal year effectively. This proactive approach will prevent us from going three months into the fiscal year without an approved budget, ensuring that we have the necessary authorization to spend operating budget amounts from day one.

Early Procurement and Capital Planning: Commencing the budget process ahead of schedule allows us to kickstart the procurement and capital planning processes earlier in the year. This, in turn, can lead to more efficient and strategic allocation of resources.

Reduced Overlap with Year-End Obligations: By separating the budgeting process from our year-end and reporting obligations, we can dedicate more attention and resources to completing our 2023 year-end tasks without the added complexity of simultaneous budget preparations. This will aid in ensuring that the Township is able to meet its reporting deadlines surrounding the 2023 fiscal in a timely manner.

Challenges

While there are distinct advantages to starting the budget process earlier, there are also some disadvantages:

Reliance on Projections: Since the 2023 fiscal year is not yet complete, we will need to rely on projections to estimate year-end figures. This is necessary to obtain comparable data for setting the budget. Management has reviewed these projections to ensure they are as accurate as possible and will aim to reflect the actual year-end figures.

Total Tax Percentage Impact: We anticipate that the Region will not have its budget prepared until approximately February of 2024, which means we will not have access to the total tax percentage impact on Wainfleet residents until that time.

Conclusion:

Despite these challenges, we believe that the benefits of adopting an early budget timeline significantly outweigh the drawbacks. This proactive approach will enhance our planning, streamline our processes, and ultimately lead to better financial management for the Township of Wainfleet.

We look forward to discussing this proposed budget timeline further and welcome any feedback or suggestions from the council. Thank you for your attention to this matter.

Sincerely,

Cameron Hart

Cameron Hart
Manager of Financial Planning/Deputy Treasurer

OTHERS CONSULTED:

☒ Chief Administrative Officer
☐ Manager of Corporate Services/Treasurer
☒ Clerks
☐ Manager of Human Resources
☒ Manager of Community & Dev. Services
☐ Manager of Operations
☐ Fire Chief
☐ Other:

The TOWNSHIP of WAINFLEET

Memo

To: Mayor Grant & Members of Council

From: Lindsay Earl, Manager of Community & Development Services

Date: October 10, 2023

Re: Appointment of Municipal By-Law Enforcement Officer: STR's

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By-law No. 038-2023 is being presented for the consideration of Council to provide for the appointment of the Township's new Short-Term Rental License Administrator as a Municipal By-law Enforcement Officer under the Police Services Act.

The Township's new STR Licensing and By-law Enforcement Officer Mr. Cory Guttin began his employment with the Township on September 25, 2023 has been undergoing a fulsome orientation to the Township's by-laws and enforcement protocols.

In order for the new Officer to legally enforce applicable Township by-laws and be classified as a Municipal By-law Enforcement Officer, an appointment by-law must be formally approved by Council.

OTHERS CONSULTED:

☒ Chief Administrative Officer
☒ Clerks
☒ Manager of Community & Dev. Services
☐ Fire Chief
☒ Manager of Corporate Services/Treasurer
☐ Manager of Human Resources
☐ Manager of Operations
☒ Manager of Fin. Planning/Deputy Treasurer

DRAINAGE STAFF REPORT **DSR-011/2023**

TO: Mayor Grant & Members of Council

FROM: Mark Jemison, Drainage Superintendent

DATE OF MEETING: October 10, 2023

SUBJECT: Newhouse Drain Engineering Report Update

RECOMMENDATION(S):

THAT Drainage Staff Report DSR-011/2023 respecting the Newhouse Drain be received; and

THAT staff be directed to advance the Newhouse Drain Engineer's Report for Consideration at the November 1, 2023 Council Meeting as per the timelines outlined in Section 41, Chapter D. 17 of the *Drainage Act* R.S.O. 1990.

EXECUTIVE SUMMARY:

In May 2022 Council received a petition submitted under Section 4 of the Drainage Act to formalize an existing private ditch in the area of Highway 3, Perry Road and Wills Road as a municipal drain. The engineer has filed the final report for the Newhouse Drain with the Township.

The purpose of this report is to provide Council with an update on the Engineer's Report and requisite actions pertaining to the Meeting to Consider.

Through Council Resolution C-2022-084 Spriet Associates were appointed to undertake the drainage project.

BACKGROUND:

On May 10, 2022, through Resolution No. C-084-2022, Council appointed Spriet Associates Ltd. to prepare a Section 4 engineering report for the Newhouse Drain. This appointment was in response to a petition submitted by property owners in the Area of Highway 3, Perry Road and Wills Road to formalize an existing private ditch as a municipal drain.

The on-site meeting was held July 5, 2022 and a follow up meeting with landowners and survey/engineering work continued through the summer and fall of 2022. A preliminary meeting was held August 15, 2023, to discuss the proposed design with property owners. Following the preliminary meeting, the engineer updated the proposed design and submitted the report to the Township.

The final report was filed with the Township on September 14, 2023. The Meeting to Consider provides property owners with an opportunity to ask questions of the engineer or express any concerns over the Engineer's Report related to design or any gross errors.

OPTIONS/DISCUSSION:

1. Staff be directed to advance the Newhouse Drain Engineer's Report for Consideration at the November 1, 2023 Council Meeting as per the timelines outlined in Section 41, Chapter D. 17 of the *Drainage Act* R.S.O. 1990.
2. Do not move forward with the Engineer's Report (not recommended).

FINANCIAL CONSIDERATIONS:

If approved by Council, the Township will be required to carry the costs of the project until the report is completed and the costs are allocated to the appropriate property owners in accordance with the engineer's report prepared pursuant to the *Drainage Act, R.S.O. 1990*. The estimated costs assessed to the Township for this proposed project total $1,674 for drainage on Perry and Wills Road.

As per the *Drainage Act, R.S.O. 1990,* final actual costs to the Township will only be those assessed to the roads and lands of the Township identified in the engineer's report for any maintenance or improvements completed on the drain as outlined in the Section 4 report. A Section 4 engineering report is 100% billable and eligible for grant from OMAFRA.

OTHERS CONSULTED:

☒ Chief Administrative Officer
☒ Clerks
☒ Manager of Community & Dev. Services
☐ Fire Chief
☒ Manager of Fin. Planning/Deputy Treasurer
☒Manager of Corporate Services/Treasurer
☐ Manager of Human Resources
☒ Manager of Operations
☐ Other:

ATTACHMENTS:

1) Newhouse Drain Report – Spriet Associates
2) Newhouse Drain Plan/Profile – Spriet Associates

Respectfully submitted by,

Mark Jemison
Drainage Superintendent

Approved by,

William J. Kolasa
Chief Administrative Officer/Clerk

NEWHOUSE DRAIN

Township of Wainfleet

SPRIET
ASSOCIATES
ENGINEERS & ARCHITECTS
155 York Street
London, Ontario N6A 1A8
Tel. (519) 672-4100
Fax (519) 433-9351
E-mail MAIL@SPRIET.ON.CA

Our Job No. 222146

September 14, 2023

London, Ontario
September 14, 2023

NEWHOUSE DRAIN

Township of Wainfleet

To the Mayor and Council of
the Township of Wainfleet

Mayor and Council:

We are pleased to present our report on the construction of the Newhouse Municipal Drain serving parts of Lots 29 to 31, Concessions 4 and 5, in the Township of Wainfleet.

AUTHORIZATION

This report was prepared pursuant to Section 4 of the Drainage Act. Instructions were received from your Municipality with respect to a motion of Council. The work was initiated by a petition signed by the owners whose lands contain over 60 percent of the area requiring drainage.

DRAINAGE AREA

The total watershed area as described above contains approximately 45.6 hectares. The area requiring drainage for the Newhouse Drain is described as the lands on the south side of Highway No. 3 in Lot 29, Concession 4.

HISTORY

This drain is tributary to the Big Forks Drain which was last constructed pursuant to a report submitted by J.B. Wiebe, P. Eng., dated July 13, 1984. The drain is bound by the East Kelly Drain to the south and east and bound by the McCallum Drain to the west.

EXISTING DRAINAGE CONDITIONS

A site meeting was held with respect to the project and through later discussions the owners reported the following:

- that the area is currently served by a private ditch across the property of H. Lammers (Roll No. 11-068) and roadside ditching along Highway No. 3

EXISTING DRAINAGE CONDITIONS

- that the owner, Newhouse Onions Ltd. (Roll No. 9-085-01), indicated that they would like to secure a legal outlet for their lands on the south side of Highway No. 3

A field investigation and survey were completed. Upon reviewing our findings we note the following:

- that this area is currently served by a private open drain which could be improved to a municipal drain in the lands of H. Lammers (Roll No. 11-068)

- that the existing culvert under Highway No. 3 is in poor condition and requires replacement

- that the area west of Perry Road and Wills Road all drain east towards the intersection at Highway No. 3

- that the existing road ditch on the south side of the Highway No. 3 between Wills Road and the existing 1200mm diameter C.S.P. could be improved as a municipal drain to provide an improved outlet for the intersection and abutting lands.

Preliminary design, cost estimates and assessments were prepared, and an informal public meeting was held August 15, 2023 to review the findings and preliminary proposals. Further input and requests were provided by the affected owners at that time and at later dates. Based on the proposed design it was decided to proceed with the report.

DESIGN CONSIDERATIONS

The Drainage Coefficient method contained in the "DRAINAGE GUIDE FOR ONTARIO", Publication 29 by the Ontario Ministry of Agriculture, Food, and Rural Affairs (OMAFRA) is typically used to design municipal drains.

The proposed design and report have been generally completed using the "GUIDE FOR ENGINEERS WORKING UNDER THE DRAINAGE ACT IN ONTARIO" OMAFRA Publication 852.

RECOMMENDATIONS

We are therefore recommending the following:

- that the existing private open drain be improved from the Big Forks Drain in the lands of H. Lammers (Roll No. 11-068) and head south towards the lands of J. & H. Odreman (Roll No. 11-069), then south across Highway No. 3, then head west in the road allowance towards the intersection of Wills Road for a total length of 430 lineal meters

- that the existing culvert under Highway No. 3 is in poor condition and requires replacement by the Road Authority. When it is replaced it should be deepened to provide adequate free board for the upstream tiles

- that in the lands of H. Lammers (Roll No. 11-068) restoration shall be to original conditions and care taken to preserve the large trees on their lands.

RECOMMENDATIONS

- that the work in the road allowance be completed from the roadway and that excavated material be hauled away and disposed of.

ENVIRONMENTAL CONSIDERATIONS AND MITIGATION MEASURES

There are no significant wetlands or sensitive areas within the affected watershed area or along the route of the drains.

This project has been reviewed by the Fisheries Protection Program & Oceans Canada, File Number (22-HCAA-01829) and they recommended the following be incorporated into the project in their letter of advice dated June 29, 2023:

- plan in-water work, undertaking, or activity to respect timing windows (i.e., no in-water work between March 15 - July 15 of any given year)

- develop and implement an Erosion and Sediment Control Plan to avoid the introduction of sediment into any waterbody during all phases of work.

SUMMARY OF PROPOSED WORK

The proposed work consists of approximately 430 lineal meters of open ditch reconstruction and incorporation including bank seeding and sediment basins.

SCHEDULES

Four schedules are attached hereto and form part of this report, being Schedule 'A' - Allowances, Schedule 'B' - Cost Estimate, Schedule 'C' - Assessment for Construction, and Schedule 'D' - Assessment for Maintenance.

Schedule 'A' - Allowances. In accordance with Sections 29 and 30 of the Drainage Act, allowances are provided for right-of-way and damages to lands and crops along the route of the drain as defined below.

Schedule 'B' - Cost Estimate. This schedule provides for a detailed cost estimate of the proposed work which is in the amount of $32,000.00. This estimate includes engineering and administrative costs associated with this project.

Schedule 'C' - Assessment for Construction. This schedule outlines the distribution of the total estimated cost of construction over the roads and lands which are involved.

Schedule 'D' - Assessment for Maintenance. In accordance with Section 38 of the Drainage Act, this schedule outlines the distribution of future repair and/or maintenance costs for portions of, or the entire drainage works.

Drawing No. 1 Job No. 222146 and specifications form part of this report. They show and describe in detail the location and extent of the work to be done and the lands which are affected.

ALLOWANCES

DAMAGES: Section 30 of the Drainage Act provides for the compensation to landowners along the drain for damages to lands and crops caused by the construction of the drain. The amount granted is based on $4,6470.00/ha. for open ditch work with excavated material. This base rate is multiplied by the hectares derived from the working widths shown on the plans and the applicable lengths.

RIGHT-OF-WAY Section 29 of the Drainage Act provides for an allowance to the owners whose land must be used for the construction, repair, or future maintenance of a drainage works.

For open ditches, the allowance provides for the loss of land due to the construction provided for in the report. The amounts granted are based on the value of the land, and the rate used was $33,360.00/ha. When any buffer strip is incorporated and/or created, the allowance granted is for any land beyond a 1.8-meter width deemed to have always been part of the drain

ASSESSMENT DEFINITIONS

In accordance with the Drainage Act, lands that make use of a drainage works are liable for assessment for part of the cost of constructing and maintaining the system. These liabilities are known as benefit, outlet liability and special benefit liability as set out under Sections 22, 23, 24 and 26 of the Act.

BENEFIT as defined in the Drainage Act means the advantages to any lands, roads, buildings or other structures from the construction, improvement, repair, or maintenance of a drainage works such as will result in a higher market value or increased crop production or improved appearance or better control of surface or sub-surface water, or any other advantages relating to the betterment of lands, roads, buildings, or other structures.

OUTLET liability is assessed to lands or roads that may make use of a drainage works as an outlet either directly or indirectly through the medium of any other drainage works or of a swale, ravine, creek, or watercourse.

In addition, a Public Utility or Road Authority shall be assessed for and pay all the increased cost to a drainage works due to the construction and operation of the Public Utility or Road Authority. This may be shown as either benefit or special assessment.

ASSESSMENT

A modified "Todgham Method" was used to calculate the assessments shown on Schedule 'C'- Assessment for Construction. This entailed breaking down the costs of the drain into sections along its route. Special Assessments were then extracted from each section.

The remainder is then separated into Benefit and Outlet costs. The Benefit cost is distributed to those properties receiving benefit as defined under "Assessment Definitions", with such properties usually being located along or close to the route of the drain.

ASSESSMENT (cont'd)

The Outlet Costs are distributed to all properties within the watershed area of that section on an adjusted basis. The areas are adjusted for location along that section, and relative run-off rates. Due to their different relative run-off rates, forested lands have been assessed for outlet at lower rates than cleared lands. Also, roads, residential properties, greenhouses have been assessed for outlet at higher rates than cleared farmlands.

The actual cost of the work involving this report is to be assessed on a pro-rata basis against the lands and roads liable for assessment for benefit and outlet as shown in detail below and on Schedule 'C' - Assessment for Construction.

SPECIAL ASSESSMENT

If any additional work is required to the drainage works due to the existence of buried utilities such as gas pipelines, communications cables, etc. or if any of the utilities require relocation or repair, then, the extra costs incurred shall be borne by the utility involved in accordance with the provisions of Section 26 of the Drainage Act.

GRANTS

In accordance with the provisions of Section 85 of the Drainage Act, a grant **may** be available for assessments against privately owned parcels of land which are used for agricultural purposes and eligible for the Farm Property Class Tax rate. Section 88 of the Drainage Act directs the Municipality to make application for this rant upon certification of completion of this drain. The Municipality will then deduct the grant from the assessments prior to collecting the final assessments.

MAINTENANCE

Upon completion of construction, all owners are hereby made aware of Sections 80 and 82 of the Drainage Act which forbid the obstruction of or damage or injury to a municipal drain.

After completion the entire Newhouse Drain shall be maintained by the Township of Wainfleet at the expense of all upstream lands and roads assessed in Schedule 'D' - Assessment for Maintenance and in the same relative proportions until such time as the assessment is changed under the Drainage Act.

Repairs or improvements to any road culvert or sub-surface road crossing, required by the performance of this work and for future repair and/or replacement, shall be the responsibility of the applicable Road Authority, entirely at their cost.

LICENSED PROFESSIONAL ENGINEER
SEAL 14/23
B. E. WIDNER
100213628
PROVINCE OF ONTARIO

Respectfully submitted,
SPRIET ASSOCIATES LONDON LIMITED

B. Widner

B. Widner, P.Eng.

SCHEDULE 'A' - ALLOWANCES

NEWHOUSE DRAIN

Township of Wainfleet

In accordance with Sections 29 and 30 of the Drainage Act, we determine the allowances payable to owners entitled thereto as follows:

CONCESSION	LOT	ROLL NUMBER (Owner)	Section 29 Right-of-Way	Section 30 Damages	TOTALS
MAIN DRAIN					
5	Pt. 29	11-068 (H. Lammers)	$ 910.00	$ 450.00	$ 1,360.00
5	Pt. 29	11-069 (J. & H. Odreman)	50.00	80.00	130.00
		Total Allowances	$ 960.00	$ 530.00	$ 1,490.00

TOTAL ALLOWANCES ON THE MAIN DRAIN **$ 1,490.00**

TOTAL ALLOWANCES ON THE NEWHOUSE DRAIN **$ 1,490.00**

SCHEDULE 'B' - COST ESTIMATE

NEWHOUSE DRAIN

Township of Wainfleet

We have made an estimate of the cost of the proposed work which is outlined in detail as follows:

MAIN DRAIN

Clearing & grubbing of ditch bank (Approx. 77m)	$	2,400.00
Sta. 0+162 - 0+239 77 meters of open ditch cleanout	$	2,900.00
Sta. 0+257 - 0+430 173 meters of open ditch cleanout along highway & hauling of excavated material	$	4,500.00
Levelling of excavated material	$	900.00
Seeding of ditch banks and buffer strips (Approx 500m²)	$	900.00
Seeding of lawn area (Approx. 3000m²)	$	2,500.00
Exposing and locating existing tile drains and utilities	$	750.00
Contingencies	$	2,000.00
Allowances under Sections 29 & 30 of the Drainage Act	$	1,490.00

ADMINISTRATION

Interest and Net Harmonized Sales Tax	$	750.00
Survey, Plan and Final Report	$	8,900.00
Expenses	$	1,060.00
Supervision and Final Inspection	$	2,950.00
TOTAL ESTIMATED COST	**$**	**32,000.00**

SCHEDULE 'C' - ASSESSMENT FOR CONSTRUCTION

NEWHOUSE DRAIN

Township of Wainfleet

Job No. 222146 Sept 14, 2023

CON.	LOT	HECTARES AFFECTED	ROLL No. (OWNER)	BENEFIT	OUTLET	TOTAL
MAIN DRAIN						
4	Pt. 28 & 29	13.1	9-085-01 (Newhouse Onions Ltd.)	$ 360.00	$ 3,788.00	$ 4,148.00
4	Pt. 29	0.2	9-083 (R. & B. Washington)		45.00	45.00
4	Pt. 29	0.3	9-084 (J. Shearer)		59.00	59.00
4	Pt. 29	1.0	9-084-02 (B. Jones)		198.00	198.00
4	Pt. 29	0.6	9-085 (P. & D. Jones)		119.00	119.00
4	Pt. 29	0.6	9-085-02 (R. & A. Newhouse)	400.00	122.00	522.00
4	Pt. 29	0.4	9-085-40 (P. & J. Bruining)	450.00	119.00	569.00
4	Pt. 29	0.4	9-085-50 (M. & K. Smith)		132.00	132.00
4	Pt. 29	0.4	9-085-60 (A. & K. Kiers)		132.00	132.00
4	Pt. 29	0.2	9-086 (R. Hodgins)		66.00	66.00
4	Pt. 30	5.9	9-094 (473479 Ontario Ltd.)		975.00	975.00
4	Pt. 30	0.2	9-090 (J. Post & K. Brouwer)		66.00	66.00
4	Pt. 30	0.5	9-090-01 (D. Newhouse & K. Desrochers)		165.00	165.00
4	Pt. 30	3.7	9-090-02 (Bunz Properties & Management Ltd.)		1,223.00	1,223.00
4	Pt. 30	0.4	9-091 (Whiteford Holdings Inc.)		132.00	132.00
4	Pt. 30	0.4	9-092 (S. & T. Goss)		132.00	132.00
4	Pt. 30	0.4	9-092-04 (S. Campbell & J. Wilson)		132.00	132.00
4	Pt. 30	0.8	9-093 (D. Lambert)		264.00	264.00
4	Pt. 30	0.5	9-094-01 (M. & M. Cheshire)		165.00	165.00
4	Pt. 30	0.5	9-094-02 (T. Scandolar & L. Buot)		165.00	165.00
4	Pt. 30	0.5	9-094-03 (R. & J. Armstrong)		165.00	165.00
4	Pt. 30	0.8	9-095 (H. & M. Flagg)		231.00	231.00
4	Pt. 30	0.1	9-096 (A. & C. Schmalenberg)		20.00	20.00
4	Pt. 31	0.9	9-097 (C. & P. Van Leeuwen)		287.00	287.00
4	Pt. 31	0.7	9-097-01 (E. & E. Janes)		245.00	245.00
4	Pt. 31	1.6	9-098 (1000220748 Ontario Ltd.)		529.00	529.00
4	Pt. 31	0.2	9-098-01 (M. & D. Dekker)		66.00	66.00
5	Pt. 29	1.8	11-068 (H. Lammers)	3,160.00	84.00	3,244.00
5	Pt. 29	0.4	11-069 (J. & H. Odreman)	680.00	59.00	739.00
5	Pt. 29	0.4	11-068-05 (Brethren In Christ Church)		79.00	79.00
5	Pt. 29	0.5	11-070 (Brethren In Christ Chuch)		99.00	99.00
5	Pt. 29	0.9	11-071 (Brethren In Christ Church)		149.00	149.00
5	Pt. 30	0.2	12-014 (W. & J. McDonald)		64.00	64.00
5	Pt. 30	0.2	12-015 (M. Belfry)		64.00	64.00
5	Pt. 30	1.6	12-016 (T. & M. Whiteford)		390.00	390.00
5	Pt. 30	0.4	12-017-01 (W. & R. Michener)		131.00	131.00
5	Pt. 30	0.7	12-017 (C. & E. Newhouse)		170.00	170.00
			TOTAL ASSESSMENT ON LANDS	$ 5,050.00	$ 11,031.00	$ 16,081.00
Highway 3		2.00	Ministry of Transportation	$ 13,160.00	$ 1,085.00	$ 14,245.00
Wills Road		0.86	Township of Wainfleet	1,000.00	497.00	1,497.00
Perry Road		0.30	Township of Wainfleet		177.00	177.00
			TOTAL ASSESSMENT ON ROADS	$ 14,160.00	$ 1,759.00	$ 15,919.00

TOTAL ASSESSMENT ON THE NEWHOUSE DRAIN **$ 32,000.00**

SCHEDULE 'D' - ASSESSMENT FOR MAINTENANCE

NEWHOUSE DRAIN

Township of Wainfleet

Job No. 222146 Sept 14, 2023

CON.	LOT	HECTARES AFFECTED	ROLL No. (OWNER)	PERCENTAGE OF MAINTENANCE COST
MAIN DRAIN				
4	Pt. 28 & 29	13.1	9-085-01 (Newhouse Onions Ltd.)	31.5 %
4	Pt. 29	0.2	9-083 (R. & B. Washington)	0.3
4	Pt. 29	0.3	9-084 (J. Shearer)	0.4
4	Pt. 29	1.0	9-084-02 (B. Jones)	1.5
4	Pt. 29	0.6	9-085 (P. & D. Jones)	0.9
4	Pt. 29	0.6	9-085-02 (R. & A. Newhouse)	0.9
4	Pt. 29	0.4	9-085-40 (P. & J. Bruining)	0.9
4	Pt. 29	0.4	9-085-50 (M. & K. Smith)	1.0
4	Pt. 29	0.4	9-085-60 (A. & K. Kiers)	1.0
4	Pt. 29	0.2	9-086 (R. Hodgins)	0.5
4	Pt. 30	5.9	9-094 (473479 Ontario Ltd.)	7.4
4	Pt. 30	0.2	9-090 (J. Post & K. Brouwer)	0.5
4	Pt. 30	0.5	9-090-01 (D. Newhouse & K. Desrochers)	1.3
4	Pt. 30	3.7	9-090-02 (Bunz Properties & Management Ltd.)	9.3
4	Pt. 30	0.4	9-091 (Whiteford Holdings Inc.)	1.0
4	Pt. 30	0.4	9-092 (S. & T. Goss)	1.0
4	Pt. 30	0.4	9-092-04 (S. Campbell & J. Wilson)	1.0
4	Pt. 30	0.8	9-093 (D. Lambert)	2.0
4	Pt. 30	0.5	9-094-01 (M. & M. Cheshire)	1.3
4	Pt. 30	0.5	9-094-02 (T. Scandolar & L. Buot)	1.3
4	Pt. 30	0.5	9-094-03 (R. & J. Armstrong)	1.3
4	Pt. 30	0.8	9-095 (H. & M. Flagg)	1.8
4	Pt. 30	0.1	9-096 (A. & C. Schmalenberg)	0.2
4	Pt. 31	0.9	9-097 (C. & P. Van Leeuwen)	2.2
4	Pt. 31	0.7	9-097-01 (E. & E. Janes)	1.9
4	Pt. 31	1.6	9-098 (1000220748 Ontario Ltd.)	4.0
4	Pt. 31	0.2	9-098-01 (M. & D. Dekker)	0.5
5	Pt. 29	1.8	11-068 (H. Lammers)	0.6
5	Pt. 29	0.4	11-069 (J. & H. Odreman)	0.4
5	Pt. 29	0.4	11-068-05 (Brethren In Christ Church)	0.6
5	Pt. 29	0.5	11-070 (Brethren In Christ Chuch)	0.8
5	Pt. 29	0.9	11-071 (Brethren In Christ Church)	1.1
5	Pt. 30	0.2	12-014 (W. & J. McDonald)	0.5
5	Pt. 30	0.2	12-015 (M. Belfry)	0.5
5	Pt. 30	1.6	12-016 (T. & M. Whiteford)	3.0
5	Pt. 30	0.4	12-017-01 (W. & R. Michener)	1.0
5	Pt. 30	0.7	12-017 (C. & E. Newhouse)	1.3
				=======
		TOTAL ASSESSMENT ON LANDS		86.7 %
				=======
Highway 3		2.0	Ministry of Transportation	8.2
Wills Road		0.9	Township of Wainfleet	3.8
Perry Road		0.3	Township of Wainfleet	1.3 %
				=======
		TOTAL ASSESSMENT ON ROADS		13.3 %
				=======
		TOTAL ASSESSMENT FOR MAINTENANCE ON THE MAIN DRAIN		**100.0 %**

SCHEDULE OF NET ASSESSMENT

NEWHOUSE DRAIN

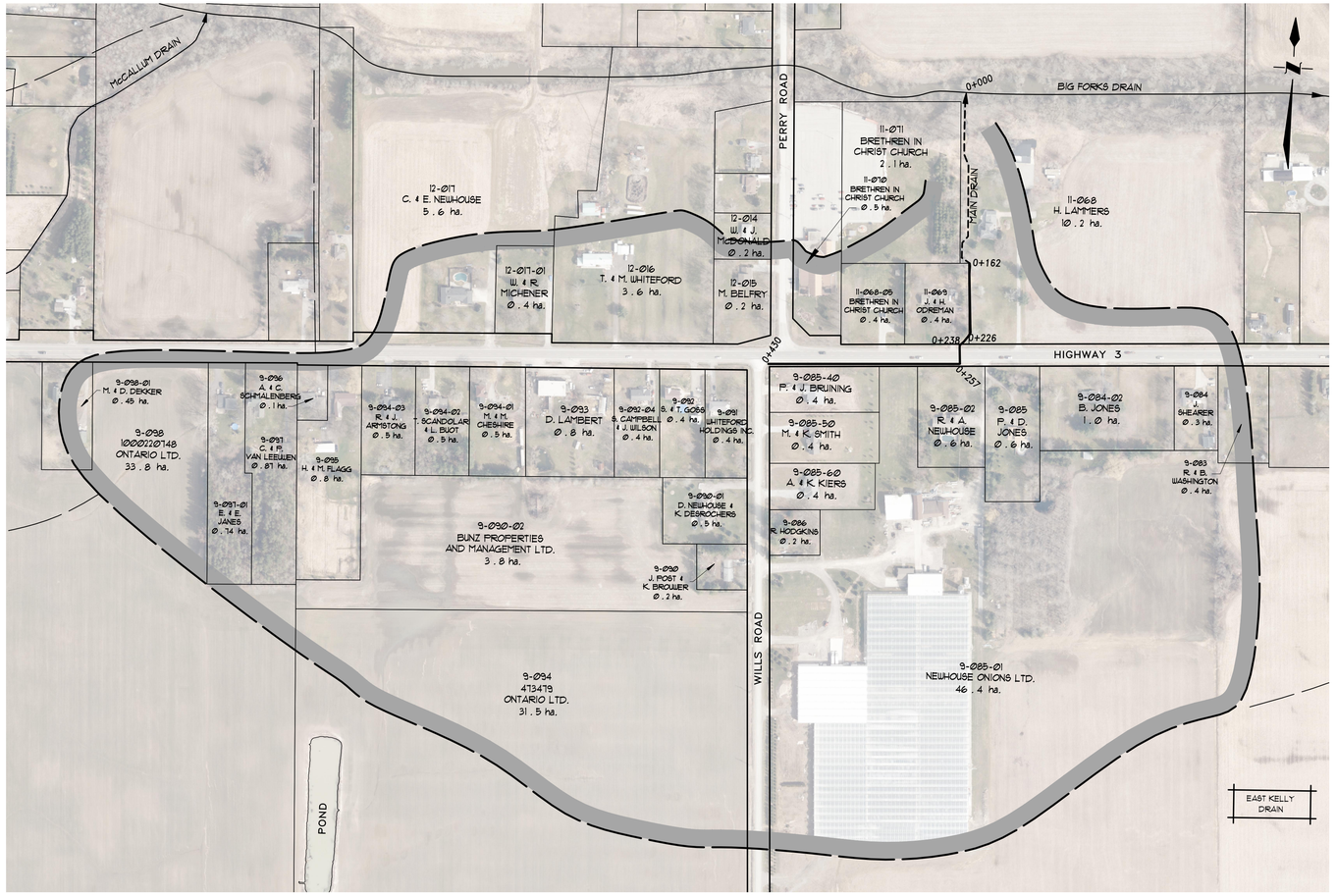
Township of Wainfleet

(FOR INFORMATION PURPOSES ONLY)

Job No. 222146 Sept 14, 2023

** = Non-agricultural*

	ROLL NUMBER (OWNER)	TOTAL ASSESSMENT	GRANT	ALLOWANCES	APPROX. NET
	9-085-01 (Newhouse Onions Ltd.)	$ 4,148.00	$ 1,383.00	$	$ 2,765.00
*	9-083 (R. & B. Washington)	45.00			45.00
*	9-084 (J. Shearer)	59.00			59.00
*	9-084-02 (B. Jones)	198.00			198.00
*	9-085 (P. & D. Jones)	119.00			119.00
*	9-085-02 (R. & A. Newhouse)	522.00			522.00
*	9-085-40 (P. & J. Bruining)	569.00			569.00
*	9-085-50 (M. & K. Smith)	132.00			132.00
*	9-085-60 (A. & K. Kiers)	132.00			132.00
*	9-086 (R. Hodgins)	66.00			66.00
	9-094 (473479 Ontario Ltd.)	975.00	325.00		650.00
*	9-090 (J. Post & K. Brouwer)	66.00			66.00
*	9-090-01 (D. Newhouse & K. Desrochers)	165.00			165.00
*	9-090-02 (Bunz Properties & Management I	1,223.00			1,223.00
*	9-091 (Whiteford Holdings Inc.)	132.00			132.00
*	9-092 (S. & T. Goss)	132.00			132.00
*	9-092-04 (S. Campbell & J. Wilson)	132.00			132.00
*	9-093 (D. Lambert)	264.00			264.00
*	9-094-01 (M. & M. Cheshire)	165.00			165.00
*	9-094-02 (T. Scandolar & L. Buot)	165.00			165.00
*	9-094-03 (R. & J. Armstrong)	165.00			165.00
*	9-095 (H. & M. Flagg)	231.00			231.00
*	9-096 (A. & C. Schmalenberg)	20.00			20.00
*	9-097 (C. & P. Van Leeuwen)	287.00			287.00
*	9-097-01 (E. & E. Janes)	245.00			245.00
	9-098 (1000220748 Ontario Ltd.)	529.00	176.00		353.00
*	9-098-01 (M. & D. Dekker)	66.00			66.00
	11-068 (H. Lammers)	3,244.00	1,081.00	1,360.00	803.00
*	11-069 (J. & H. Odreman)	739.00		130.00	609.00
*	11-068-05 (Brethren In Christ Church)	79.00			79.00
*	11-070 (Brethren In Christ Chuch)	99.00			99.00
*	11-071 (Brethren In Christ Church)	149.00			149.00
*	12-014 (W. & J. McDonald)	64.00			64.00
*	12-015 (M. Belfry)	64.00			64.00
*	12-016 (T. & M. Whiteford)	390.00			390.00
*	12-017-01 (W. & R. Michener)	131.00			131.00
	12-017 (C. & E. Newhouse)	170.00	57.00		113.00
	Highway 3	$ 14,245.00			$ 14,245.00
	Wills Road	1,497.00			1,497.00
	Perry Road	177.00			177.00
TOTALS		**$ 32,000.00**	**$ 3,022.00**	**$ 1,490.00**	**$ 27,488.00**



PLAN SCALE 1 : 2,500

GENERAL NOTES

1/ OUR SPECIFICATIONS DATED JANUARY 2020 APPLY TO THIS PROJECT.

2/ THE WORKING WIDTH AVAILABLE TO THE CONTRACTOR TO CONSTRUCT THE NEW DRAINS SHALL CONSIST OF THOSE LANDS IMMEDIATELY ADJACENT TO THE DRAIN AND CONNECTIONS AND SHALL NOT EXCEED THE FOLLOWING AVERAGE WIDTHS .
OPEN PORTIONS - 18 meters (INCLUDING 3m BUFFER)
THE WORKING WIDTH FOR PURPOSES OF FUTURE MAINTENANCE SHALL BE THE SAME AS ABOVE

3/ ALL OWNERS ALONG THE COURSE OF THE DRAIN SHALL MAKE AN ACCESS ROUTE FROM THE NEAREST ROAD TO THE DRAIN LOCATION AVAILABLE TO THE CONTRACTOR THE AVERAGE WIDTH OF THIS ROUTE SHALL NOT EXCEED 8 METERS . THE ACCESS ROUTE SHALL ALSO APPLY FOR FUTURE MAINTENANCE PURPOSES .

4/ a) ALL UTILITIES TO BE LOCATED AND EXPOSED PRIOR TO CONSTRUCTION SO THAT THE NEW TILE GRADES CAN BE CONFIRMED, IF THERE IS A CONFLICT IN ELEVATION BETWEEN THE PROPOSED DRAIN AND THE UTILITY, THE ENGINEER IS TO BE NOTIFIED IMMEDIATELY.
b) CONTRACTOR TO NOTIFY ALL UTILITIES 72 HOURS PRIOR TO HIS SCHEDULED TIME FOR STARTING THE ABOVE WORK.
c) THE COST FOR THIS WORK SHALL BE INCLUDED IN THE ITEM ON THE EXTENT OF WORK AND NO EXTRA PAYMENT SHALL BE MADE TO THE CONTRACTOR, EXCEPT IF ROAD RESTORATION IS REQUIRED.

5/ ALL TREES , SCRUB , BRUSH , ETC. TO BE CLEARED AND GRUBBED IN ACCORDANCE WITH "SECTION B. 3 AND C. 4" SPECIFICATIONS .

6/ RIP-RAP TO BE SUPPLIED AND INSTALLED IN ACCORDANCE WITH "SECTION A. 12" IN THE SPECIFICATIONS.

7/ LAWN AREAS TO RESTORED WITH GRASS SEED IN ACCORDANCE WITH "SECTIONS A .14 SUBSECTIONS 1, 2 & 4 " IN THE SPECIFICATION WITH THE FOLLOWING APPLICATION RATES:

PRIMARY SEED *(100 kg/ha.)*	55% CREEPING RED FESCUE 27% KENTUCKY BLUE GRASS 15% PERENNIAL RYEGRASS 3% WHITE CLOVER
NURSE CROP *(40 kg/ha*	ITALIAN (ANNUAL) RYEGRASS
FERTILIZER *(300 kg/ha)*	8 - 32 - 16

(APPROX. 1500 sq. m. TO BE SEEDED)

8/ CONTRACTOR TO ARRANGE A PRE-CONSTRUCTION MEETING WITH THE ENGINEER , DRAINAGE SUPERINTENDENT , AND THE AFFECTED OWNERS . ALL PARTIES SHALL RECEIVE 48 HOURS NOTICE TO THE MEETING .

OPEN PORTIONS

9/ EXISTING DITCH BOTTOM ONLY TO BE CLEANED OUT IN ACCORDANCE WITH SPECIFICATIONS UNLESS OTHERWISE NOTED ON PROFILES AND IN SECTIONS.

10/ WORK TO BE COMPLETED FROM AND EXCAVATED MATERIAL TO BE DEPOSITED AND LEVELLED ON THE FOLLOWING SIDES OF THE DITCH IN ACCORDANCE WITH "SECTION B. 5 " IN THE SPECIFICATIONS .
STA. 0 + 000 TO STA. 0 + 238 - EAST SIDE AND LEVELED
STA. 0 + 257 TO STA. 0 + 403 - NORTH SIDE AND HAULED

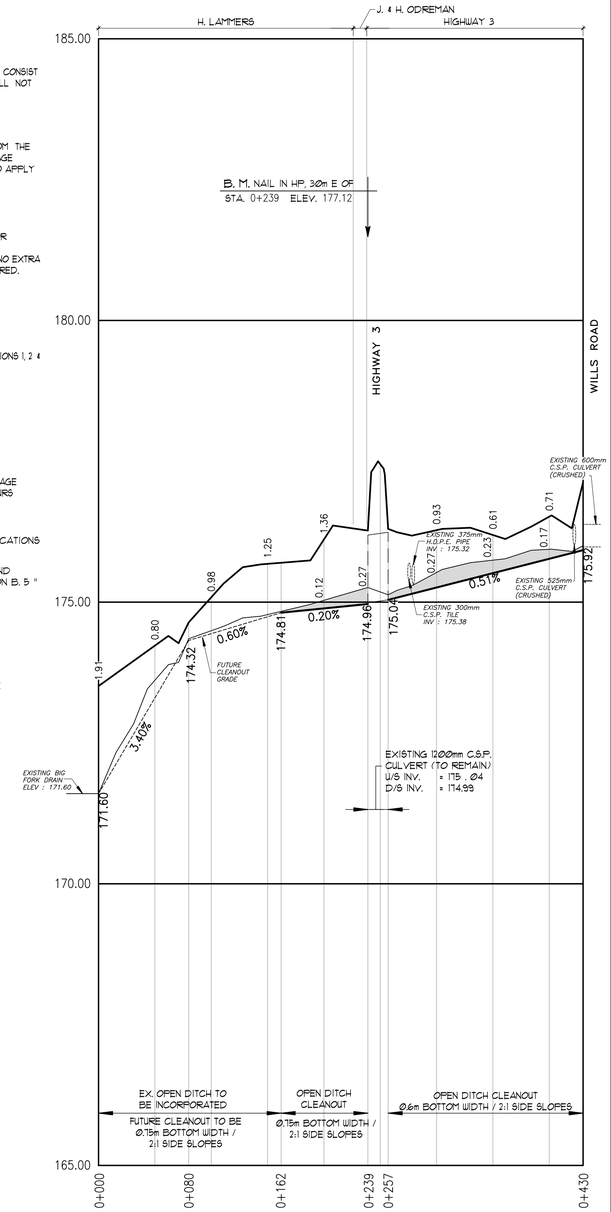
11/ NEWLY EXPOSED DITCH BANKS ARE TO BE HAND SEEDED UPON COMPLETION OF CONSTRUCTION IN ACCORDANCE WITH "SECTION B. 11 " IN THE SPECIFICATIONS

12/ SILT FENCE TO BE PLACED ACROSS DITCH BOTTOM AT STA. 0 + 162 DURING CONSTRUCTION TO PREVENT SILT FROM FLUSHING DOWNSTREAM, AND ARE TO BE MAINTAINED AS NECESSARY DURING CONSTRUCTION . SILT FENCE AND SILT TO BE REMOVED AND DISPOSED OF AFTER CONSTRUCTION .

PLAN LEGEND

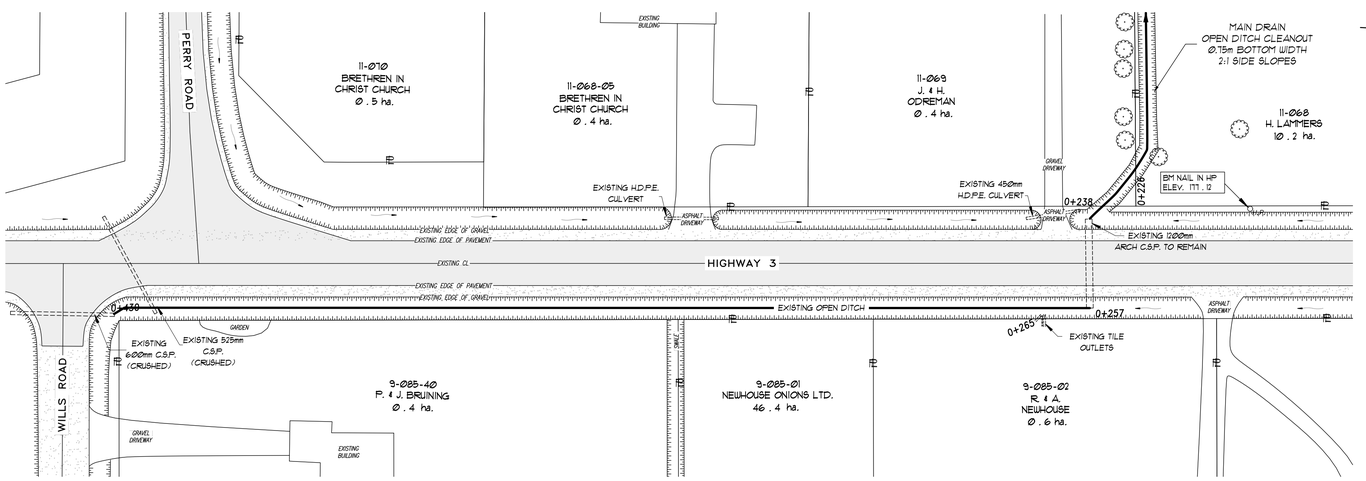
- LIMIT OF WATERSHED AREA
- PROPOSED DRAINAGE WORKS
- EXTERIOR OR INTERIOR WATERSHED
- TO BE INCLUDED FOR FUTURE MAINTENANCE
- EXIST. MUNICIPAL DRAIN
- PRIVATE TILE OR SURFACE WATER RUN
- EXIST. WATERCOURSE OR PRIVATE DITCH

Ø . 000 ASSESSMENT ROLL NUMBER
J. SMITH OWNERS NAME
40 . 9 ha. HECTARES OWNED



MAIN DRAIN

SCALE : HOR. 1 : 2,500
VERT. 1 : 50



DETAIL SCALE 1 : 500

NEWHOUSE DRAIN

Township of Wainfleet

Drainage Superintendent:
MARK JEMISON
905-899-3463

No.	REVISIONS	DATE

LICENSED PROFESSIONAL ENGINEER
SEPT 14/23
B. E. WIDNER
100213628
PROVINCE OF ONTARIO

Drawn By: MJ	Field Book	JOB No.	Drawing No.
Date: SEPT 14, 2023	R.T.S.	222146	1 of 1

PLAN, PROFILE, DETAIL & NOTES

SPRIET ASSOCIATES
LONDON CONSULTING ENGINEERS LIMITED
155 YORK STREET --LONDON (519) 672-4100--N6A 1A8

The TOWNSHIP of WAINFLEET

Memo

To: Mayor Grant & Members of Council

From: M. Kirkham, Deputy Clerk

Date: October 10, 2023

Re: Consolidated South Wainfleet Drain 10 Court of Revision Minutes and By-law

Further to Council's consideration of Report DSR-009/2023 respecting the Consolidated South Wainfleet Drain #10 Engineering Report at its meeting of August 29, 2023; a Court of Revision was held on September 19, 2023 pursuant to section 97 of the *Drainage Act, R.S.O. 1990,* as amended, to consider concerns and appeals regarding drainage assessments contained in the above-noted Engineer's Report. Minutes of the Court of Revision are attached.

With the conclusion of the Court of Revision, this evening's agenda re-introduces By-law No. 033-2023 being a by-law to provide for drainage works for the Consolidated South Wainfleet Drain #10 pursuant to Section 78 of the Drainage Act, for third and final reading.

THE CORPORATION OF THE TOWNSHIP OF WAINFLEET
COURT OF REVISION MINUTES
CONSOLIDATED SOUTH WAINFLEET DRAIN #10

CR2/2023
SEPTEMBER 19, 2023
6:00 P.M.
COUNCIL CHAMBERS

PRESENT:	J. Anderson	Councillor
	T. Gilmore	Councillor
	J. MacLellan	Councillor
STAFF PRESENT:	W. Kolasa	CAO/ Clerk
	M. Jemison	Drainage Superintendent
	R. Nan	Manager of Operations
	A. Chrastina	Administrative Assistant

---

1. **Call to Order**
The Clerk called the Court of Revision Hearing to order at 6:00 p.m.

2. **Appointment of Chair**
The Clerk administered the process of appointing a Chair of the Court of Revision. The following motion resulted.

Resolution No. CR-2023-003
Moved by Councillor MacLellan
Seconded by Councillor Anderson

"THAT Councillor Gilmore be appointed Chair of the Court of Revision respecting the Consolidated South Wainfleet Drain #10."

CARRIED

Councillor Gilmore assumed the Chair of the hearing.

3. **Land Acknowledgement Statement**
Chair Gilmore acknowledged that the land on which we gather is the traditional territory of Anishinaabeg and Haudonenosaunee Peoples, acknowledging the One Bowl and Spoon Treaty.

4. **Disclosures of Pecuniary Interest and the General Nature Thereof**
None.

DRAFT

5. **Presentation re: Bridgewater Municipal Drain**
Chair Gilmore called on the Drainage Superintendent to provide an overview of the Consolidated South Wainfleet Drain #10 project and provide details of the scope of authority of the Court of Revision under the Drainage Act of Ontario.

6. **Hearing of Appeals**
None.

7. **Closing of the Court of Revision and Rendering a Decision**
There being no appeals and no further business, the following motion was introduced.

Resolution No. CR-2023-004
Moved by Councillor Anderson
Seconded by Councillor MacLellan

THAT the meeting now adjourn at 6:05 p.m.

CARRIED

T. Gilmore, CHAIR

W. Kolasa, CLERK

DRAFT

ADMINISTRATIVE STAFF REPORT **ASR-010/2023**

TO: Mayor Grant & Members of Council

FROM: Meredith Kirkham, Deputy Clerk

DATE OF MEETING: October 10, 2023

SUBJECT: 2024 Council Meeting Schedule

RECOMMENDATION(S):

THAT Administrative Staff Report ASR-010/2023 respecting the 2024 Council Meeting Schedule be received; and

THAT the 2024 Council Meeting Schedule outlined in the report be confirmed and adopted; and

THAT Council approve a new Council meeting start time of 6:30 p.m. and amend the Council Procedure By-law accordingly

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council direction regarding the establishment of a 2024 Council meeting schedule and to consider related housekeeping changes to Council's Procedure By-law.

BACKGROUND:

According to the Township's Procedural By-law, Council meetings are to be scheduled every third Tuesday beginning at 7:00 p.m. in accordance with the Council meeting schedule prepared by the Clerk and approved by Council resolution, unless Council, by resolution, directs otherwise.

Tuesday, January 2nd is the first day back from Christmas holidays in 2024, and therefore, staff recommend the first meeting in 2024 be held the following Tuesday, January 9, 2024.

A review of the Procedure By-law has been undertaken to potentially identify and accommodate scheduling conflicts, including conflicts with statutory holidays and other events of important corporate impact (for example, significant municipally-related events such as the Association of Municipalities of Ontario Conference and Rural Ontario Municipal Association Conference).

To accommodate vacations, staff propose having a summer recess and having one meeting in July and taking the month of August off. This will allow for Council Members and Staff to plan ahead with vacation schedules in the summer months.

If Council supports the adoption of the proposed schedule, Members should be aware that special meetings of Council may be required to be called from time to time if urgent business arises requiring Council's attention.

OPTIONS/DISCUSSION:

At this time, staff therefore propose the following 2024 Regular Council Meeting Schedule:

January 9	July 9
January 30	September 10
February 20	October 1
March 19	October 22
April 9	November 12
April 30	*November 25 – Capital Budget*
May 21	*November 27 – Operating Budget*
June 11	December 3

Staff propose a Special Capital Budget Meeting to be held on November 25, 2024; a Special Operating Budget Meeting to be held on November 27, 2024; and would propose consideration of the final budget at the Regular Council meeting on December 3, 2024.

Finally, staff would propose, for Council's consideration, an amendment to the start time of meetings of Council from 7:00 p.m. to 6:30 p.m. Council meetings often involve lengthy discussions and decision-making processes. By starting earlier, members can be more alert and focused, potentially leading to more efficient use of time. Further, when meetings run late, Council members may feel rushed to make decisions, potentially leading to suboptimal outcomes. Starting earlier can callow for more thorough deliberation.

FINANCIAL CONSIDERATIONS:

Although there are costs associated with the conduct of Council meetings (staff time, streaming costs, etc.), there are no direct financial implications related to the establishment of a 2024 Meeting Schedule.

OTHERS CONSULTED:

☒ Chief Administrative Officer
☒ Clerks
☒ Mgr. of Community & Dev. Services
☒ Mgr. of Corporate Services/Treasurer
☐ Mgr. of Human Resources
☒ Mgr. of Operations

☐ Fire Chief ☒ Mgr. of Fin. Planning/Deputy Treasurer

ATTACHMENTS:

1) Appendix “A” – 2024 Draft Council Meeting Schedule

Respectfully submitted by,

Meredith Kirkham
Deputy Clerk

Reviewed by,

William J. Kolasa
Chief Administrative Officer/Clerk

2024 Council Calendar

January 2024

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

February 2024

Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29		

March 2024

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
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31						

April 2024

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May 2024

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June 2024

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July 2024

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August 2024

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September 2024

Sun	Mon	Tue	Wed	Thu	Fri	Sat
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October 2024

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November 2024

Sun	Mon	Tue	Wed	Thu	Fri	Sat
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December 2024

Sun	Mon	Tue	Wed	Thu	Fri	Sat
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ROMA		OGRA		FCM		AMO		Stat	Regular Mtgs	Budget	March Break

Received October 5, 2023
C-2023-346

Administration
Office of the Regional Clerk
1815 Sir Isaac Brock Way, PO Box 1042, Thorold, ON L2V 4T7
Telephone: 905-980-6000 Toll-free: 1-800-263-7215 Fax: 905-687-4977
www.niagararegion.ca

October 5, 2023

CL 13- 2023, September 21, 2023

DISTRIBUTION LIST

SENT ELECTRONICALLY

Motion - Recommendations from the Renfrew County Inquest and Declaration of Intimate Partner Violence as an Epidemic and Declaration of Intimate Partner Violence as an Epidemic

Regional Council, at its meeting held on September 21, 2023, passed the following recommendation:

WHEREAS the jury that adjudicated the Carol Culleton, Anastasia Kuzyk, and Nathalie Warmerdam Inquest (The Renfrew County Inquest) issued 86 recommendations to the Province of Ontario on Intimate Partner Violence;

WHEREAS Recommendation #1 of the Inquest is for the Province of Ontario to declare Intimate Partner Violence an epidemic;

WHEREAS every six days in Canada a woman is killed by her intimate partner;

WHEREAS on any given night in Canada, more than 6,000 women and children sleep in shelters because it is not safe for them at home;

WHEREAS this past year in Ontario, 52 women or one every week, were victims of femicide;

WHEREAS violence against Indigenous women (including but not restricted to intimate partner violence) is a national crisis, as evidenced by the findings of the National Inquiry into Missing and Murdered Indigenous Women and Girls, with Indigenous women (61%) experiencing some form of intimate partner violence in their lifetime compared with non-Indigenous women (44%);

WHEREAS gender- and sexually-diverse Indigenous women are particularly at risk, being five times more likely than non-Indigenous gender- and sexually-diverse women to experience intimate partner violence in their lifetime;

WHEREAS in Niagara Region in 2022, there were 5,160 Intimate Partner Violence calls for service made to Niagara Regional Police Service and 1,143 of those calls involved criminal investigations;

WHEREAS for the 2022-2023 fiscal year, Victim Services Niagara provided service to 749 victims of intimate partner violence, including 31 children; developed 91 safety plans for victims and had to revise 55 of those safety plans due to breaches;

WHEREAS for the 2022-2023 fiscal year, Victim Services Niagara provided service to 227 victims of sexual violence;

WHEREAS for the 2022-2023 fiscal year, Birchway Niagara received 2,571 crisis calls; supported 575 women through outreach services; 233 women and children stayed in shelter; and 278 women were turned away due to a lack of space;

WHEREAS for the 2022-2023 fiscal year, Gillian's Place received 10,383 crisis calls; supported 2,017 people through outreach services; 166 adults and 127 children lived in shelter; and 431 people were turned away due to lack of space;

WHEREAS violence against women costs the national justice system, health care systems, social service agencies, and municipalities nearly $10 billion dollars per year; and municipalities are on the front lines in addressing gender-based violence;

WHEREAS more than 40 municipalities and regions across Ontario have declared a gender-based violence and/or intimate partner violence epidemic;

WHEREAS on August 16, 2023, Justice Minister Arif Virani described gender-based violence as an epidemic and stated this his government is committed to ending the gender-based violence epidemic "in all its forms, and is working to address any gaps in the Criminal Code to ensure a robust justice system response;"

WHEREAS on August 20, 2023, Ontario Big City Mayors (OBCM) and Mayors and Regional Chairs of Ontario (MARCO) passed a motion declaring intimate partner violence and gender-based violence epidemic; called on the Federation of Canadian Municipalities (FCM), the Association of Municipalities of Ontario (AMO), and all municipalities and regions in Ontario and Canada to do the same; and called for changes to the Criminal Code; and

WHEREAS Niagara Regional Council recognizes that issues of gender-based violence and intimate partner violence are matters of local importance, including public health, EMS, community services, and community safety, in all of our communities.

NOW THEREFORE BE IT RESOLVED:

1. That Niagara Region **RECOGNIZE** the issues of gender-based violence and intimate partner violence in Niagara as serious to the health and wellness of local residents and their families;

2. That Niagara Region **COMMIT** to engaging with community partners to educate and support our residents about the seriousness and long-term danger of violence in our communities;

3. That Niagara Regional Council **DECLARE**, in accordance with Recommendation #1 of the Renfrew County Inquest, that intimate partner violence and gender-based violence are an epidemic;

4. That the Regional Chair **WRITE** a letter to The Honourable Doug Ford, Premier of Ontario, requesting that the Province of Ontario re-consider their previous decision and declare intimate partner violence and gender-based violence as epidemic and act on all of 86 Recommendations from The Renfrew County Inquest;
5. That a copy of this motion **BE SENT** to each of Niagara's 12 Local Area Municipalities requesting they endorse the declaration of intimate partner violence and gender-based violence as an epidemic; and
6. That a copy of this motion **BE SENT** to The Honourable Arif Virani, Minister of Justice; The Honourable Doug Ford, Premier of Ontario; The Honourable Charmaine A. Williams, Associate Minister of Women's Social and Economic Opportunity; The Honourable Parm Gill, Minister of Red Tape Reduction; Niagara four MPs; Niagara's four MPPs; the Association of Municipalities of Ontario (AMO); the Federation of Canadian Municipalities (FCM); Mayors and Regional Chairs of Ontario (MARCO); and Ontario's Big City Mayors (OBCM).

Yours truly,

Ann-Marie Norio
Regional Clerk
:kl
CLK-C 2023-117

Distribution List:

Local Area Municipalities
Premier of Ontario
Minister of Justice
Associate Minister of Women's Social and Economic Opportunity
Minister of Red Tape Reduction
Local Members of Parliament
Local Members of Provincial Parliament
Association of Municipalities of Ontario (AMO)
Federation of Canadian Municipalities (FCM)
Mayors and Regional Chairs of Ontario (MARCO)
Ontario Big City Mayors (OBCM)

THE CORPORATION OF THE TOWNSHIP OF WAINFLEET

BY-LAW NO. 033-2023

Being a by-law to provide for drainage works for the Consolidated South Wainfleet Drain #10 pursuant to Section 78 of the Drainage Act;

WHEREAS the Council of the Township of Wainfleet has procured an Engineer's Report prepared by Spriet Associates Engineers and Architects pursuant to Section 78 of the Drainage Act;

AND WHEREAS the report dated July 24, 2023, has been authored by Spriet Associates Engineers and Architects and the attached Engineer's Report forms part of this by-law;

AND WHEREAS the costs associated with the preparation of the Engineer's Report will be billed to property owners within the Municipal Drain in accordance with the Schedule of Assessment appended to the Report;

AND WHEREAS the Council is of the opinion that drainage of the area is desirable;

NOW THEREFORE the Council of the Corporation of the Township of Wainfleet pursuant to the Drainage Act **HEREBY ENACTS AS FOLLOWS**:

1. The attached report is adopted and the drainage works is authorized and shall be completed as specified in the report.

2. The Corporation of the Township of Wainfleet may borrow on the credit of the corporation the amount of $385,000.00, being the amount necessary for the improvement of the drainage works. This project will not be debentured.

3. This By-law comes into force on the passing thereof and may be cited at the "Consolidated South Wainfleet Drain #10 Improvement By-law".

BY-LAW READ A FIRST TIME THIS 29TH DAY OF AUGUST, 2023.

BY-LAW READ A SECOND TIME THIS 29TH DAY OF AUGUST, 2023.

PROVISIONALLY ADOPTED THIS 29TH DAY OF AUGUST, 2023.

_____
B. Grant, MAYOR

_____
M. Kirkham, DEPUTY CLERK

BY-LAW READ A THIRD TIME AND FINALLY ENACTED THIS _____DAY OF

_____.

_____
Brian Grant, MAYOR

_____
M. Kirkham, DEPUTY CLERK

I, Meredith Kirkham, Deputy Clerk of the Corporation of the Township of Wainfleet certify that the above By-law was duly passed by the Council of the Corporation and is a true copy thereof.

_____
M. Kirkham, DEPUTY CLERK

THE CORPORATION OF THE

TOWNSHIP OF WAINFLEET

BY-LAW NO. 038-2023

Being a by-law to appoint a Municipal By-law Enforcement Officer for the Corporation of the Township of Wainfleet.

WHEREAS authority is granted pursuant to Section 15 of the *Police Services Act, R.S.O. 1990, Chapter P.15*, as amended, to municipal councils to appoint persons to enforce the by-laws of the municipality who shall be peace officers for the purpose of enforcing municipal by-laws;

AND WHEREAS Council deems it necessary and in the public interest to appoint a new By-law Enforcement Officer for the Township of Wainfleet;

NOW THEREFORE the Council of the Corporation of the Township of Wainfleet **HEREBY ENACTS AS FOLLOWS:**

1. **THAT** Cory Guttin is hereby appointed as a Municipal By-law Enforcement Officer for the Corporation of the Township of Wainfleet.

2. **THAT** the said Municipal By-law Enforcement Officer shall be responsible for the enforcement of all by-laws enacted by the Council of the Corporation of the Township of Wainfleet.

3. **THAT** this by-law shall come into force and take effect on the date of the final passing thereof.

BY-LAW READ AND PASSED THIS 10TH DAY OF OCTOBER, 2023

B. Grant, MAYOR

M. Kirkham, DEPUTY CLERK

THE CORPORATION OF THE TOWNSHIP OF WAINFLEET

BY-LAW NO. 039-2023

Being a by-law to adopt, ratify and confirm the proceedings of the Council of the Corporation of the Township of Wainfleet its Regular Meeting of Council held October 10, 2023.

WHEREAS Subsection 5 (1) of the *Municipal Act*, *2001*, S.O. 2001, Chapter M.25, as amended, provides that the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS section 5 (3) of the *Municipal Act 2001,* S.O. 2001, Chapter M.25, as amended, provides that, except if otherwise authorized, the powers of Council shall be exercised by by-law;

AND WHEREAS it is deemed desirable and expedient that the actions of the Council as herein set forth be adopted, ratified and confirmed by by-law;

NOW THEREFORE the Council of the Corporation of the Township of Wainfleet **HEREBY ENACTS AS FOLLOWS:**

1. (a) The actions of the Council at its Regular Meeting held October 10, 2023, including all resolutions or motions approved, are hereby adopted, ratified and confirmed as if they were expressly embodied in this by-law.

   (b) The above-mentioned actions shall not include:

      (i) any actions required by law to be taken by resolution, or

      (ii) any actions for which prior Ontario Municipal Board approval is required, until such approval is obtained.

2. The Mayor and proper officials of the Corporation of the Township of Wainfleet are hereby authorized and directed to do all things necessary to give effect to the above-mentioned actions and to obtain approvals where required.

3. Unless otherwise provided, the Mayor and Clerk are hereby authorized and directed to execute and the Clerk to affix the seal of the corporation of the Township of Wainfleet to all documents necessary to give effect to the above-mentioned actions.

4. This by-law shall come into force on the day upon which it is passed.

BY-LAW READ AND PASSED THIS 10TH DAY OF OCTOBER, 2023

_____

B. Grant, MAYOR

_____

M. Kirkham, DEPUTY CLERK