

September 20, 2023

Affected Property Owners, Road Authorities, and Utility Owners

## Re: **Repair and Improvement of Shuttleworth Drain**

Pursuant to Section 46(1) of the *Drainage Act*, please find enclosed a copy of By-law 2023-095 exclusive of the Reconsidered Engineer's Report, provisionally adopted by the Council of the Town of Tecumseh at a regular Council meeting held on Tuesday, September 12, 2023.

An electronic copy of the Reconsidered Engineer's Report can be accessed online at [www.tecumseh.ca/drainage](http://www.tecumseh.ca/drainage) under the **Shuttleworth 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](http://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, October 10, 2023

Time: 4:30 pm to 5:30 pm

Place: Tecumseh Town Hall – Council Chambers, 917 Lesperance Road, Tecumseh, ON  
N8N 1W9

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 Sunday, October 1, 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](mailto:rauger@tecumseh.ca) or submit an delegation request form online at [www.tecumseh.ca/delegate](http://www.tecumseh.ca/delegate) by

12:00pm (noon) on Tuesday, October 10, 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 the Court's decision to proceed with the repair and improvement of the Shuttleworth 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, October 30, 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 Drainage Superintendent, Alessia Mussio at [amussio@tecumseh.ca](mailto:amussio@tecumseh.ca) or 519-735-2184 ext. 140.

More information on municipal drainage works within the Town of Tecumseh is available online at [www.tecumseh.ca/drainage](http://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 - 095

Being a by-law to provide for the repair and improvements to the Shuttleworth 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 Shuttleworth Drain;

**And Whereas** the Town procured a Drainage Report for the Shuttleworth Drain and specifications from the consulting engineering firm of Rood Engineering Inc, dated August 21, 2023 (hereafter "Drainage Report");

**And Whereas** notice of a Public Meeting to hear comments from the affected property owners was given on Tuesday, August 22, 2023;

**And Whereas** a Public Meeting of Council was held on Tuesday, September 12, 2023, at 6:00 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 Shuttleworth 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 Shuttleworth Drain, dated August 21, 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 12th day of September, 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