

CORPORATION OF THE TOWNSHIP OF MATILDA

BY-LAW NO. 76-5

A By-Law to provide for the maintenance and improvement of the Duncan Drain in the Township of Matilda in the County of Dundas and for the borrowing on the credit of the Municipality the sum of \$ 30,438.00 being the amount to be raised for that purpose.

WHEREAS the Municipal Council of the Township of Matilda has been notified by the majority of the ratepayers affected by this Drain, to have the drain constructed and maintained

AND WHEREAS the said Municipal Council of the said Township of Matilda has by resolution procured an examination to be made by L.P. Stidwill & Associates being a person competent for such purpose to examine and make a report thereof:

AND WHEREAS the said Mr. L.P. Stidwill, C.E., O.I.S. did make his report under the date of September 11, 1975 as follows:

ENGINEER'S REPORT

DUNCAN DRAIN

TOWNSHIP OF MATILDA

1975

To The Reeve and Members of Council
Township of Matilda

Gentlemen:

The following report on the Duncan Drain is respectfully submitted under Section 4 of the Drainage Act 1975, Chapter 136.

It deals with the proposed construction of a new municipal drain commencing at the road allowance between Lots 24 and 25, Concession 7. The drain begins near the centre of the lots and runs easterly across Lots 24, 23, 22 and 21 and then runs southwesterly into Lot 22, Concession 6, to an outlet in the South Branch of the Nation River. From the point where the drain turns southwesterly, a closer outlet would be to the north into the Thorpe-Ellis Drain. A small change of elevation in Lot 20, Concession 7, prevents the use of the Thorpe-Ellis Drain as an outlet. The natural course of the water is to flow southwesterly into the South Branch of the Nation River.

The total length of drain to be constructed is 12,500 feet affecting a drainage area of 483 acres.

RECOMMENDATIONS

Our survey shows that it is impossible to drain the water into the Thorpe-Ellis drain. Therefore, I recommend the construction of the Duncan Drain to an outlet into the South

Branch of the Nation River. This construction is to be done to the dimensions shown on the profile which accompanies this report and forms part thereof. The total amount of earth work is estimated at 8,950 cubic yards.

PLAN

A plan has been prepared showing the names of the owners written on their respective properties. The boundary limits of the watershed are shown outlined in yellow, and the benefit area in red. The general course and extent of the proposed work is shown by means of a solid blue line, and turns and intersections with property lines have been referenced to the hub line.

PROFILE

Wooden stakes and numbered markers called "Stations" were driven in average ground bordering the drain at hundred foot intervals. From the plotted results of levels and soundings then taken, a profile of the work has been prepared and a new grade designed. The hub line and the present ditch bottom are shown by means of the solid and broken irregular lines respectively, while the proposed new grade is indicated by the solid red regular line. The depth of earth to be removed from the present ditch bottom is shown coloured yellow and hardpan in brown. The cuts from the hub line to reach the new bottom are shown in feet and decimals of a foot along the top of the profile.

FARM CROSSINGS

All necessary farm crossings will be supplied and installed by the contractor as part of his contract, including rip-rap at the ends of each culvert. Specific details of the new farm crossings to be constructed are given in the attached "Schedule of Farm Crossings."

After installation, each owner will be responsible for the maintenance of his own crossings.

ALLOWANCES FOR DAMAGES

The usual allowances for damages have been granted to owners along the course of the drain.

These allowances are to be regarded as part compensation for crop damages, some fence repair, and the cleaning up of small stones and debris from the spreading area.

These allowances are as shown on the attached "Schedule of Allowances for Damages."

ROAD BRIDGES

1. I recommend that a new 36" diameter culvert be installed in the side road between Lot 24 and 25, Concession 7. The contractor is to supply the culvert and backfill and is to install the culvert under the supervision of the Township Road Superintendent.

2. I recommend that the two culverts across the road between Concessions 6 and 7 be lowered to the grade shown on the profile which accompanies this report and forms part thereof. Any material needed for backfill will be supplied by the

contractor as part of his contract. All work within the Township road limits will be done under the supervision of the Township Road Superintendent.

OUTLET INTO THORPE-ELLIS DRAIN

As mentioned before, outlet into the Thorpe-Ellis Municipal Drain would not provide sufficient depth for the Duncan Drain. We have taken levels along the Thorpe-Ellis Drain and find that it is not deep enough, and that it would have to be considerably improved and deepened over a great distance to be of any use for the Duncan Drain. The South Branch of the Nation River to the South provides a better outlet, except for the occasional flooding which is caused by the shallow and weedy condition of the South Branch. This condition is gradually getting worse, but it is beyond the scope of our instructions to report on the South Branch of the Nation River.

FUTURE MAINTENANCE

The Township of Matilda will be responsible for the maintenance of the scheme. The cost of such work will be assessed against all the lands and roads affected and in the same relative proportion as shown in the attached "Schedule of Assessments."

NEW CUT

New cuts are proposed between:

1. Stations 32+90 and 48+98
2. Stations 56+28 and 63+15
3. Stations 0+00 and 5+50 of the extension.

OUTLET

From Station 52+87 to the outlet into the Nation Branch at Station 67+50 contractor shall clean the present water-course which is knownas the Ferguson Municipal Drain.

ESTIMATE OF COST

8,950 cu. yds. Earth Excavation @ \$1.15 per cu. yd.	\$10,292.50
Farm Bridges	11,600.00
Allowances for Damages	4,095.96
Preparation and Printing of By-laws	150.00
Meetings of Council	250.00
Clerk's Fees	450.00
Engineering Fees- Plan, Specs. & Report	3,000.00
Supervision and Inspection	<u>600.00</u>
Total Estimated Cost	\$30,438.46

This total estimated cost of \$30,438.46 has been appor-
tioned in the following manner:

Outlet Liability-Real Property-Twp. of Matilda	\$14,319.87
Benefit Liability-Real Property-Twp. of Matilda	15,828.00
Outlet Liability-Roads-Twp. of Matilda	<u>290.59</u>
	\$30,438.46

Trusting that this report will meet with your approval,
Gentlemen,

We have the honour to be

Your obedient servant

STIDWILL & ASSOCIATES LIMITED

Per... *F. P. Stidwill*
C.E., O.L.S.

Cornwall, Ontario. September 11, 1975.

SCHEDULE "A"

SCHEDULE OF ASSESSMENT

Name of Owner	Con.	Lot or Part	Acres Drained	Outlet Liability	Benefit Liability
S.N.R.C.A. Victor Huggard	7	Pt. E. ½ 26	8	\$ 272.26	272.26
S.N.R. Conservation Auth.	7	Pt. N.W. ¼ 25	20	687.01	687.01
GINUS TOLBERSMA Ray Runtons	7	S.W. ¼ 25	1	34.35	34.35
LARRY PERLEY Ray Fawcett	7	Pt. E. ½ 25	28	975.81	975.81
BOB GIBSON Arnold Kitter	7	Pt. W. ½ 24	12	394.40	394.40
NORM THURKELL E. Durcan	7	S.W. ¼ 24	15	506.35	506.35
DR S.J. Smith	7	N.W. ¼ 24	15	526.70	\$1172.67
NORM THURKELL Ed Duncan	7	E. ½ 24	51	1732.80	\$1154.44
RON MCKEN G. Casselman	7	S. ½ 23	95	3082.65	637.98
GINUS TOLBERSMA Betbert Woods	7	N. ½ 23	30	973.27	2788.89
CECIL MCGHEMOTT A.R. D.A.	7	Pt. W. ½ 22	63	1811.68	2175.21
BRENT H. Lapiere	7	S ½ of E ½ 22	41	1097.95	2333.19
GINUS TOLBERSMA Art Stuyt	7	Pt. N.E. ¼ 22	5	125.95	125.95
F. ROMAR A.R. D.A.	7	S. ½ 21	58	1475.80	3609.15
JOHN & ARNIE Mellon Bros.	7	S. 50 Ac. of N.W. Pt. 20	4	94.15	394.94
F. ROMAR G. Belanger	7	S. Pt. 20	8	174.30	619.75
F. ROMAR G. Belanger	6	N. Pt. 22	10	125.95	540.75
Lorne Burnside	6	Pt. 23	13	142.49	401.02
<u>TOWNSHIP OF MATILDA</u>			477	1423.87	(5828 30061.87)
Road Between Lots 24 & 25	7		4	281.17	281.17
Road Between Concession 6 & 7			2.5	95.42	95.42
			483.50 AC	376.59	30438.46

SCHEDULE "B"

ALLOWANCES FOR DAMAGES

Name of Owner	Con.	Lot or Part	ALLOWANCE
S.J. Smith	7	N.W. $\frac{1}{4}$ 24	\$ 226.82
Ed Duncan	7	E. $\frac{1}{2}$ 24	266.20
Delbert Woods	7	N. $\frac{1}{2}$ 23	540.43
G. Casselman	7	S. $\frac{1}{2}$ 23	159.72
A.R.D.A.	7	S $\frac{3}{4}$ of W. $\frac{1}{2}$ 22	499.73
H. Lapierre	7	S. $\frac{1}{2}$ of E. $\frac{1}{2}$ 22	569.58
A.R.D.A.	7	S. $\frac{1}{2}$ 21	1233.98
Mellon Bros.	7	N.W. Pt. 20	96.58
G. Belanger	7	S. Pt. 20	119.13
G. Belanger	6	N. Pt. 22	220.44
Lorna Burnside	6	PT. 23	163.35

SCHEDULE "C"

FARM CROSSINGS

Name of Owner	Con.	Lot or Part	Diameter	Length	Gauge
S. J. Smith	7	N.W. $\frac{1}{4}$ 24	36"	24'	14
Ed Duncan	7	E. $\frac{1}{4}$ 24	36"	24'	14
Delbert Woods	7	N. $\frac{1}{4}$ 23	42"	24'	12
A.R.D.A.	7	S. $\frac{3}{4}$ of W. $\frac{1}{2}$ 22	48"	24'	12
H. Lapierre	7	S. $\frac{1}{2}$ of E. $\frac{1}{2}$ 22	48" 60"	24' 24'	12 10
ARD.A.	7	S. $\frac{1}{4}$ 21	54" 54" 54"	24' 24' 24'	12 12 12
G. Belanger	6	N. Pt. 22	60"	24'	10
Lorna Burnside	6	Pt. 23	66"	24'	10
Road Between Lots 24 & 25	7		36"	28'	12

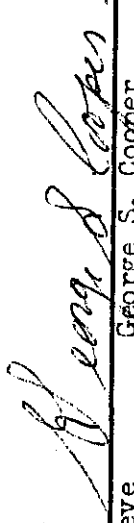
AND WHEREAS the Council of the Township of Matilda is of the opinion that the drainage of the area described is desirable;


THEREFORE the Council of the Township of Matilda pursuant to the Drainage Act enacts as follows:

1. The report is hereby adopted, and the drainage works as therein indicated and set forth are hereby authorized and shall be completed in accordance therewith
2. The Corporation of the Township of Matilda may borrow on the credit of the Corporation the sum of \$30,438.00 being the funds necessary for the drainage works not otherwise provided for; provided that such sum shall be reduced by the amount of grants and commuted payments with respect to lands and roads assessed.
3. After completion of the construction or improvement of the drainage works and forthwith after the time for appealing has expired and there are no appeals or after all appeals have been decided, the Council of the Township of Matilda shall impose upon the land assessed for the construction or improvement of the drainage works the assessment with which it is chargeable, and the amount so imposed shall be payable within 30 days after receipt of the bill stating such amount to the Township of Matilda.


4. this By-Law comes into force on the passing thereof, and may be cited as the Duncan Drainage By-Law.


Read a first and second time and provisionally adopted this 26th day of January, 1976


Reeve George S. Cooper


Clerk W.E. Horner

Read a third time, passed, signed and sealed this 4th day of MARCH 1976.


Reeve George S. Cooper


Clerk W.E. Horner