

Municipality of Chatham-Kent
Infrastructure and Engineering Services
Engineering Division

To: Mayor and Members of Council
From: Marissa Mascaro, P.Eng., Director, Engineering
Date: July 15, 2024
Subject: Capital Drains Report to Council – 2024 Tax Levy

Recommendation

It is recommended that:

1. Three readings to the Capital Drain Levying By-law be given to provide for the collection of construction drainage assessments on various municipal drains in accordance with Section 4 and Section 78 of the Drainage Act.

Background

Section 4 and Section 78 of the Drainage Act, R.S.O. 1990 provides that the Municipality of Chatham-Kent can construct new or improved municipal drains in response to a request or petition from a Chatham-Kent property owner. Appointed engineer reports proceed through required meetings and appeal opportunities as legislated under the Drainage Act process. Assessments are established for each affected property and are legislated by by-law after the timelines for any appeals have expired.

A list of the completed capital drainage projects is attached as Appendix A. The projects included in the by-law require Council's approval to levy the assessed capital costs on the 2024 Final Tax Roll as legislated by Section 61(4) of the Drainage Act, R.S.O. 1990.

Comments

Construction of new drains and improvements to existing municipal drains is undertaken after the by-law for each capital project receives third reading. Assessments of costs to all affected property owners are calculated once the appointed engineer certifies the project complete. The Province of Ontario, through the Ministry of Agriculture, Food and Rural Affairs (OMAFRA), may provide a one-third grant to eligible properties as legislated by the Agricultural Drainage Infrastructure Program (ADIP). The properties must be classified at the Farm Tax Rate to receive the grant monies that are applied for and deducted from the gross assessment for each individual property.

The 14 capital drainage projects listed in the attached by-law were certified complete in 2023 and have met the engineered design standards.

The drainage assessments are to be levied and collected on the final 2024 tax roll.

Council Term Priorities

This report supports the following Council Term Priorities:

			
Deliver Excellent Service	Promote Safety & Well-Being	Grow Our Community	Ensure Environmental Sustainability
5			

Consultation

Financial Services was consulted regarding the collection of drainage assessments through the tax system.

Communication

Communication is proposed to be through the inclusion of this report on the Council agenda and related communications.

Diversity, Equity, Inclusion and Justice (DEIJ)

This report does not have implications related to diversity, equity, inclusion, or justice.

Financial Implications

All costs associated with the projects are recovered through property assessments and the one-third grant from OMAFRA.

The total drainage grant to be recovered through OMAFRA is \$315,287.94, as identified in Appendix A.

The total drainage assessment to the Municipality for the 14 projects listed in Appendix A is \$303,597.89, which is funded from the Infrastructure and Engineering Services base budget.

The total actual landowner assessment is \$927,555.77, as identified in Appendix A.

Administrative fees totaling \$13,035.09 are included in the assessments to be levied on the 2024 final tax roll. The fees have been charged according to the amount established by Council in By-law 221-2023, being a By-law to Establish Certain User Fees. This amount is a budget revenue item for the Engineering Division.

Prepared by: Ann Ford, Drainage Analyst

Reviewed by:

Blaise Chevalier, Acting Manager, Drainage

Marissa Mascaro, P. Eng., Director, Engineering

Edward Soldo, P. Eng., General Manager, Infrastructure and Engineering Services

Consulted and confirmed the content of the consultation section of the report by:

Matt Torrance, MBA, CPA, CGA, Director, Financial Services

Attachment: Appendix A – Complete Capital – 2024 Taxes