

Municipality of Lakeshore

Drainage Board Meeting Agenda

Monday, December 9, 2024, 5:00 PM

Electronically hosted from Council Chambers, 419 Notre Dame Street, Belle River

Pages

1. Call to Order
2. Land Acknowledgement
3. Disclosures of Pecuniary Interest
4. Completion of Unfinished Business
5. Approval of Previous Meeting Minutes

Recommendation:

Approve minutes of the previous meeting as listed on the agenda.

- a. November 4, 2024 Meeting Minutes

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6. Consideration of Reports under the Drainage Act
7. Court of Revision

- a. Opening the Court of Revision

Recommendation:

Move into the Court of Revision to consider appeals respecting By-law 95-2024, in the Municipality of Lakeshore, in the County of Essex

- b. Hostine Drain East Branch

6

Recommendation:

Adopt the Schedule of Assessment to provide for a new drain known as the Hostine Drain East Branch in the Municipality of Lakeshore, in the County of Essex, as prepared by Rood Engineering Inc. dated September 12, 2024; and recommended that Council adopt By-law 95-2024

- a. Discuss Letter from Landowner

8. Adjournment

Recommendation:

Adjourn the meeting at ____ PM.



Municipality of Lakeshore

Minutes of the Drainage Board Meeting

Monday, November 4th, 2024, 5:00 PM

Council Chambers, 419 Notre Dame Street, Belle River

Members Present: Member Ron Barrette, Member Maurice Janisse, Blaise Chevalier, Member Horst Schmidt, Member Norbert Poggio

Members Absent: N/A

Staff Present: Division Leader – Capital Projects (Drainage Superintendent), Wayne Ormshaw,
Assistant Drainage Superintendent, Spencer Westerberg

Drainage Engineers
Present:

1. **Call to Order**

Chair Janisse called the meeting to order at 5:00 PM.

2. **Singing of O Canada and Land Acknowledgement**

3. **Disclosures of Pecuniary Interest**

4. **Approval of Previous Meeting Minutes**

04-11-2024

Moved By Member Poggio

Seconded By Member Barrette

Approve minutes of the previous meeting as listed on the agenda.

a. October 9, 2024 Meeting Minutes

Carried Unanimously

5. Court of Revision

a. Opening the Court of Revision

04-11-2024

Moved By Member Chevalier

Seconded By Member Poggio

Move into the Court of Revision to consider appeals respecting By-law 98-2024, in the Municipality of Lakeshore, in the County of Essex.

b. Bridge over Renaud Line Drain

This project has gone out to tender, owner is paying 100% of the cost.

There were no landowners present for the Court of Revision. Additionally, no appeals were submitted to the Municipality ahead of the meeting.

Chair Janisse opened the floor to questions from the Board.

04-11-2024

Moved By Member Schmidt

Seconded By Member Barrette

Adopt the Schedule of Assessment to provide a new bridge on the drain known as the Renaud Line Drain for Toad Five Real Estates Inc. in the Municipality of Lakeshore, in the County of Essex, as prepared by N.J. Peralta Engineering Ltd., dated October 2, 2024; and

Recommend that Council adopt By-Law 98-2024.

c. Closing the Court of Revision

04-11-2024

Moved By Member Barrette

Seconded By Member Chevalier

Closing the Court of Revision at 5:09 PM.

6. Adjournment

04-11-2024

Moved By Member Schmidt

Seconded By Member Poggio

Adjourn the meeting at 5:10 PM.

The next meeting is scheduled for Monday, December 9th, 2024.

Carried Unanimously

Maurice Janisse

Chair

Wayne Ormshaw

Municipal Liaison

Municipality of Lakeshore

By-law 95-2024

Being a By-law for the Hostine Drain East Branch in the Municipality of Lakeshore

Whereas pursuant to section 4 of the *Drainage Act*, R.S.O. 1990, c.D.17, Council may pass by-laws to undertake major improvement projects for the better use, maintenance and report of drainage works or of lands or roads, in accordance with the report of an engineer appointed by the Municipality.

And whereas the Council of the Municipality of Lakeshore has procured a report under section 4 of the *Drainage Act* for the improvement and updated schedule of assessment of the Hostine Drain East Branch;

And whereas the report dated September 12, 2024, has been authorized by Rood Engineering Inc. and the attached report forms part of this by-law;

And whereas the estimated total cost of the drainage work is \$9,819.56

And whereas \$0.00 is the amount to be contributed by the Municipality of Lakeshore for the drainage works;

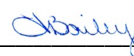
Now therefore the Council of the Municipality of Lakeshore enacts as follows:

1. The report attached as Schedule "A" to this by-law is adopted and the drainage works is authorized and shall be completed as specified in the report.
2. The Municipality of Lakeshore may borrow on the credit of the Municipality the amount of \$9,819.56 being the amount necessary for the improvement of the drainage works.
3. The Municipality of Lakeshore may issue debentures for the amount borrowed less the total amount of:
 - a. grants received under section 85 of the *Drainage Act*;
 - b. monies paid as allowances;
 - c. commuted payments made in respect of lands and roads assessed with the municipality;
 - d. money paid under subsection 61(3) of the *Drainage Act*; and
 - e. money assessed in and payable by another municipality.

4. Such debentures shall be made payable within 5 years from the date of the debentures and shall bear interest at a rate of 1% more than the municipal lending rates as posted by Infrastructure Ontario on the date of sale of such debentures.
 - a. A special equal annual rate sufficient to redeem the principal and interest on the debenture(s) shall be levied upon the lands and roads as shown in the schedule and shall be collected in the same manner and at the same as other taxes are collected in each year for 5 years after the passing of this by-law.
 - b. Where the assessment exceeds \$10,000, debentures may be issued for a 10-year period. A special equal annual rate sufficient to redeem the principal and interest on the debenture(s) shall be levied upon the lands and roads as shown in the schedule and shall be collected in the same manner and at the same as other taxes are collected in each year for 10 years after the passing of this by-law.
 - c. For paying the amount \$0.00, being the amount assessed upon the lands and roads belonging to or controlled by the Municipality, a special rate sufficient to pay the amount assessed plus interest thereon shall be levied upon the whole rateable property in the Municipality of Lakeshore in each year for 5 years after the passing of this by-law to be collected in the same manner and at the same time as other taxes collected.
 - d. All assessments of \$1,500.00 or less are payable in the first year in which the assessments are imposed.
5. This by-law shall be known as the "Hostine Drain East Branch By-law".
6. This By-law comes into force and effect upon passage.

Read a first and second time, and provisionally adopted, in open session on October 22, 2024.

DocuSigned by:



CA4788DF7D8144F...

**Mayor
Tracey Bailey**

DocuSigned by:



7636D962B8CA4FF...

**Clerk
Brianna Coughlin**

Read a final time and passed in open session on _____, 2024.

**Mayor
Tracey Bailey**

**Clerk
Brianna Coughlin**

HOSTINE DRAIN EAST BRANCH

And Subsequent Connection for John & Linda Fontes

Parcel 060-10200

Geographic Township of Maidstone

MUNICIPALITY OF LAKESHORE



MUNICIPALITY OF LAKESHORE

***419 Notre Dame Street
Belle River, Ontario NOR 1A0
519-728-2700***

Rood Engineering Inc.

Consulting Engineers

***9 Nelson Street
Leamington, Ontario N8H 1G6
519-322-1621***

***Project REI2024D007
2024-09-12***

September 12th, 2024

Corporation of the Municipality of Lakeshore
419 Notre Dame Street
Belle River, Ontario
NOR 1A0

Mayor Bailey and Council:

**HOSTINE DRAIN EAST BRANCH
And Subsequent Connection for John & Linda Fontes Parcel 060-10200
Former Geographic Twp. of Maidstone
Project REI2024D007
Municipality of Lakeshore, County of Essex**

1.0 Authorization

In accordance with instructions received from the Municipality on December 18th, 2023, and the Section 4 petition received on August 20th, 2024, we have made all the necessary investigations and determinations for the preparation of a drainage report, in accordance with Section 65 and Section 8 of the "Drainage Act, R.S.O. 1990, Chapter D.17, as amended 2021". This report deals with adjustments to the Value of Benefit and Outlet Liability within the lands in Concession 1, Part Lot 17 to reflect their utilization of the "Hostine Drain" for updated area and flow volumes from the parcel due to the proposed drainage amendments and the new severed area utilizing the drain and for providing a legalization of the outlet drain that conveys flows from the east side of the Oriole Park Drive into the Hostine Drain on the west side of the road. This parcel and other affected lands are shown on the plans in **Appendix "B"**.

Our appointment to deal with this request, where "the nature or extent of the use of a drainage works by land assessed for the drainage works is subsequently altered", is in accordance with and pursuant to Section 65.(3) of the "Drainage Act, R.S.O. 1990, Chapter D.17, as amended 2021" and the provision of the East Branch of the Hostine Drain in accordance with Section 8 of the Drainage Act. We have inserted herein a copy of Section 65 for reference purposes, labeled **Appendix "D"**. We have therefore performed all the necessary research, investigations, and review of all pertinent documentation, etcetera for the conducting of our study and we report thereon as follows.

2.0 Background

From plans and information provided by the Municipality, we have established those areas that are to be connected that will result in modified areas and flow volumes to the "Hostine Drain". Work on the parcel will include preparation and approval of the drainage plans for the Fontes site by others and these plans must be submitted by the owners to the Municipality for review and approval of the connection to the Municipal drain.

We have also obtained reference information from the Lakeshore Drainage Department for the affected portion of the drain, including the current governing information being the 1974 report by Maurice Armstrong, P.Eng. and the November 24th, 1975 By-law 2783 and the assessment schedule within same that are for the "Hostine Drain". We find that the lands affected by the proposed

drainage are approximately the newly severed parcel east of the drain and roadway, as shown in the Armstrong report, that was owned by Township of Maidstone as part of the 2nd Concession Road (now Oriole Park Drive), and described as 2nd Concession Road, Maidstone Township in the report and final by-law. The East Branch will also provide for a legal outlet for the lands to the east and southerly of the Fontes parcel that have been assessed to the Hostine Drain in the past and the report will provide for the Municipality to conduct future repairs and maintenance as required to provide continuing drainage outlet for the affected areas.

The parcel's new owners, John & Linda Fontes, were contacted. They provided the proposed site drainage works outlet information. Mr. Rood advised them that the installation of the proposed drain on the Fontes lands to use its existing outlet through its current drain outlet through the road crossing and into the drain is acceptable and not expected to create any adverse impact with outlet flows controlled by the proposed drain outlet for their site. Copies of the old drainage plans were reviewed along with the existing watershed area. It is explained that there is no cost impact to any of the other affected lands and all costs for the drainage report will be borne by the owners making the request for the subsequent connection and for the Section 4 petition. The owners will also be charged a buy-in cost that will be used towards the costs of future maintenance of the Hostine Drain, and the affected parcel will bear a larger share of the cost of any future maintenance works on the Hostine Drain due to the change in area and increased total flow volume. The cost of future maintenance of the East Branch will also be shared with the other lands that have been using the drain for their outlet and were assessed into the Hostine Drain in the past.

3.0 Existing Drainage Conditions

From our review of the plan outlet detail provided by the Fontes owners and Municipality we were able to establish the overall parcel area affected by this study.

We reviewed the past 1974 report by Maurice Armstrong, P.Eng. being the latest engineer's report for construction work on the "Hostine Drain", as well as the Schedule of Assessment that was part of the report and updated with the 1975 By-law 2783. From same we were able to determine which areas within the affected parcel are currently assessed to and utilize the "Hostine Drain" as an outlet.

Based on the above research and investigations, we have prepared plans included herein as **Appendix "B"** which show:

1. the boundaries of the affected Parcel 060-10200
2. the proposed affected area from the planned drainage installation and outlet location
3. the proposed affected area that will utilize the East Branch

Parcel 060-10200 currently comprises approximately 0.593 hectares (1.47 acres) and is approximately the same area as the original parcel that was part of the 2nd Concession Road. The parcel is presently assessed the following affected area to the "Hostine Drain" in the current 1975 By-law report assessment schedule:

- a) Parcel 060-10200 0.593 hectares (1.470 acres)

This is confirmed by the previous report and assessment schedule for the "Hostine Drain" prepared by Maurice Armstrong, P.Eng. in 1974 with modifications from the Court of Revision and the final by-law for assessment of the costs.

4.0 Allowable Release Rates

The drainage plan documentation to be provided by the Owner to the Municipality will show that a standard layout is being or is intended to be utilized for the proposed drainage on the parcel. Under no circumstance would the additional runoff volumes be permitted to drain into the “Hostine Drain” without it being provided for in the plans. The drainage system must ensure that the allowable release rate into the “Hostine Drain” for the parcel does not exceed the 1:2 year storm pre-development runoff rate for the area that is affected based on utilizing a 0.10 runoff coefficient that would apply to the undeveloped roadway land. No increase in flow rate shall be permitted for the new area that is to be connected. Under no circumstance should the Municipality consider allowing the changed area and total flow volumes into the “Hostine Drain” unless this condition is met with a storm water management plan. Proper tile installation techniques restricting the flows to the allowable release rate will ensure that the subsequent flows will have no adverse effect on the capacity of the “Hostine Drain”.

Tile drainage plans must be prepared for any proposed drainage taking the allowable release rate into consideration, and these should be submitted to the Municipality for review by the staff and approved by them before any work proceeds.

The flows from the drain will generally outlet near the southwest corner of parcel 060-10200 near the downstream end of the “Hostine Drain”. We also find that the time of concentration from the new drain will not be much longer than the current time of concentration at the connection point on the existing Municipal drain and will therefore not increase the peak flows in the drain. Therefore, the proposed drainage will not adversely impact on the downstream drain sections. Based on our findings, we believe that it is reasonable to allow for the new severed area and total flow volumes from the proposed lands, provided that the drain and any connections do not bring in any new areas of land that were not already assessed as part of the 2nd Concession Road.

5.0 Subsequent Connection Charges

We find that the area being drained to the “Hostine Drain” from the affected parcel will be the same as a portion of the 2nd Concession Road previously assessed. The change in parcel use will result in buy-in charges to the affected parcel for the revised area use being brought into the drain based on the remaining life of the construction and any recent maintenance work conducted on the Municipal drain pursuant to the 1974 Armstrong report. For this project we find, from our investigations with the Municipality, that there are no maintenance charges impacted so that only the original construction cost is a factor. The total area from the affected parcel that will continue draining to the “Hostine Drain” will become 0.593 hectares (1.47 acres) which is part of the original 2nd Concession Road area that was originally assessed for the parcel in the 1974 drainage report Schedule of Assessment and the updated 1975 By-law assessment Schedule. Based on the changed use of the area, we find that the estimated original 1974 total assessment to the parcel area that was part of the roadway should be increased by \$69.56 from the estimated original amount of \$27.83 to a new total of \$97.39 to reflect the change to the area to be brought in. This amounts to an increase of 349.9%. Since the 1974 report had a total estimated assessment of \$27.83 to the parcel area of the 2nd Concession Road, the increase for the original construction would be \$97.39. However, using an estimated life expectancy of 75 years we find that the buy in for the remaining estimated life of the drainage works should be 34.7% of the increased cost or \$33.79. When adjusted for inflation in accordance with the Consumer Price Index between 1974 and 2023, an increase of 577.1% is found, and based on same we recommend that the buy in cost be **\$195.00**. This amount is to be collected from the Fontes owners by the Municipality of Lakeshore and used towards future maintenance of the drain pursuant to Section 65 of the Drainage Act.

As noted above, the proposed drain system design must restrict the outflow rate to the 1:2 year predevelopment rates from the affected area of the parcel and therefore no adverse impact to the level of service of the drain and no negative impacts either upstream or downstream in the drain will occur. This will require temporary swale or yard storage for the increased runoff from the severed lot as it is developed.

6.0 Assessment for Increased Benefit and Flow Volumes

With implementation of a standard drainage system limiting the outflows into the “Hostine Drain” to the standard flow rate, as outlined above, the increased total flow volumes from the affected parcel would have no adverse effect on the capacity of the “Hostine Drain”. Therefore, based on the above conditions, we find that the “Hostine Drain” could accept the additional total flow volumes from within the affected parcel, and we are therefore prepared to recommend the approval of this proposed drainage change.

If the Municipality of Lakeshore is prepared to approve the modified area and flow volumes from the lands of John & Linda Fontes Parcel 060-10200 into the “Hostine Drain”, an update to the assessments is to be established by the engineer and the cost for same is to be charged entirely to the owner of the affected lands. Section 65. (3) of the “Drainage Act, R.S.O. 1990, Chapter D.17, as amended 2021” requires that *“where the nature or extent of the use of a drainage works by land assessed for the drainage works is subsequently altered, an engineer appointed by the Municipality for the purpose shall make an inspection and assess the land for a just proportion of the drainage works”*.

From our investigations of the Municipality’s drainage files, we have determined that the drainage works for which the affected parcel must be assessed for a just proportion is the “Hostine Drain”.

The increased assessments charged to the owner of the affected parcel for future maintenance should be based on the changed use of the area and total flow volumes from the assessed portions to the “Hostine Drain”.

7.0 Assessment Adjustments for Increased Area and Total Flow Volume

We find that the Parcel affected in the August 30th, 1974 report and the February 27th, 1998 updated maintenance assessment schedule owned at the time by Maidstone Township and Lakeshore Township, should have its “Value of Benefit”, “Value of Outlet” and “Total Value” amounts adjusted to reflect the increased area and total flow volume that will result from the proposed storm drainage on the parcel.

8.0 Future Maintenance Charges

Based on our review of the proposed area of stormwater system installation that is to be created, we find that the following adjustments should be made to the February 27th, 1998 Schedule of Assessment for the Benefit, Outlet and Total Values:

Report – Hostine Drain East Branch
Fontes Parcel 060-10200 Subsequent Connection
Lakeshore - REI2024D007

2024-09-12

<u>Description</u>	<u>Ha. Afft'd</u>	<u>(Acres Afft'd)</u>	<u>Value of Benefit</u>	<u>Value of Outlet</u>	<u>Total Value</u>
1974 & 1998 former 2nd Concession Road - Maidstone	4.233	(10.46)	\$165.00	\$ 33.00	\$ 198.00
2024 2nd Concession Road (Oriole Road Drive) – Lakeshore	3.640	(8.99)	\$141.81	\$28.36	\$170.17
John & Linda Fontes (060-10200)	0.593	(1.47)	\$81.16	\$16.23	\$ 97.39
UPDATED TOTAL ON ROADS			\$647.81	\$ 236.36	\$ 884.17
UPDATED TOTAL ON LANDS			\$4,189.16	\$4,746.23	\$8,935.39
UPDATED TOTAL ASSESSMENT			\$4,836.97	\$ 4,982.59	\$ 9,819.56

In accordance with Section 65. (3) of the “Drainage Act, R.S.O. 1990, Chapter D.17, as amended 2021”, we recommend that the values in the 1974 Schedule of Assessment prepared by Maurice Armstrong, P.Eng., and the By-Law Number 2783 which is included within the current governing by-law, and in the February 27th, 1998 updated maintenance schedule be amended for the current affected parcel to show the updated values for the John & Linda Fontes Parcel 060-10200 and the adjustment to the 2nd Concession Road (Oriole Park Drive) as noted above. The schedule totals should also be amended as shown above to reflect the Updated Total for each. We recommend that a copy of this report be filed in the Hostine Drain files so that the change in drainage area can be accounted for in any future report on said drains. This will also provide for proper assessment of the future cost of work to the drain when it proceeds in accordance with the 1974 drainage report and 1975 By-law 2783 and the 1998 adjustment to the assessment schedule in the report.

Therefore, in accordance with Section 65.(3) of the “Drainage Act, R.S.O. 1990, Chapter D.17, as amended 2021”, we recommend that the above noted updated values be collected from the affected parcel by the Municipality of Lakeshore on a pro-rata basis only when there is future work or maintenance or repairs to the “Hostine Drain”, pursuant to the “Drainage Act, R.S.O. 1990, Chapter D.17, as amended 2021”.

For the Hostine Drain East Branch, we recommend that future work be carried out to maintain the existing drain to the details shown on the attached plans. The East Branch extends from the Hostine Drain easterly under the Oriole Park Drive and across the Fontes parcel to its east limit and then southerly along the east limit of the Fontes parcel and continues southerly along the road right-of-way to serve the abutting lands to the east that have been assessed to the Hostine Drain in the past.

9.0 Summary and Recommendations

As already established herein, we have conducted a review of the “Hostine Drain” and have determined that the affected area and flow volumes for Parcel 060-10200 from its drainage, as shown on the plans within **Appendix “B”**, shall not adversely affect the performance of said Municipal Drain as long as the drainage connection limits the total release rate allowed into said drain to the 1:2 year runoff from the affected lands.

Report – Hostine Drain East Branch
Fontes Parcel 060-10200 Subsequent Connection
Lakeshore - REI2024D007

2024-09-12

We have also established herein updated Value of Benefit and Value of Outlet charges to be paid by the affected Parcel 060-10200 for future maintenance, which is a representation of the increased benefit and total flow volumes from the developed site.

Based on all the above, we would therefore recommend that the Municipality approve the proposed drainage of developed Parcel 060-10200 into the “Hostine Drain”, as long as all of the above requirements and conditions are complied with. We further recommend that the costs for preparation of this report be assessed 100% to the affected Parcel 060-10200 that is being connected and drained. We also recommend that the subsequent connection buy-in charge of \$195.00 be collected as noted above and be deposited to the “Hostine Drain” account and used towards any future maintenance costs on the drain.

We further recommend that the Hostine Drain East Branch be kept up and maintained in the future by the Municipality. Costs for the future maintenance will be shared between the three parcels and roadway that are served by the drain on a pro-rata basis with the attached Maintenance Schedule of Assessment. We recommend that the pipe segment under the roadway be assessed 98% to the Road Authority and 2% to upstream lands and roads and that the pipe segment across the Fontes Parcel 060-10200 be assessed 67.7% as Benefit to the Fontes Parcel 060-10200 and the balance of 32.3% be assessed to the upstream lands and roads based on their Outlet Liability assessment in the attached Maintenance Schedule of Assessment on a pro-rata basis. We recommend that the Council adopt this drainage report and plans in accordance with Section 8 of the “Drainage Act, R.S.O. 1990, Chapter D.17, as amended 2021”.

If the Council should have any questions regarding this “Changes in Assessment Report”, please do not hesitate to contact us. It is our understanding that this report is to be approved at the earliest to allow construction works to be conducted on the proposed drainage as soon as all approvals are received.

We recommend that the above provisions for future maintenance cost assessment shall remain in effect until any update is provided through a drainage report pursuant to the “Drainage Act R.S.O. 1990, Chapter D.17, as amended 2021”.

We respectfully remain,

Yours truly,

Rood Engineering Inc.



Gerard Rood, P.Eng.



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Att.

MAINTENANCE SCHEDULE OF ASSESSMENT
HOSTINE DRAIN EAST BRANCH
Municipality of Lakeshore

3. MUNICIPAL LANDS:

Tax Roll No.	Con. or Plan No.	Lot or Part of Lot	Acres Owned	Acres Afft'd	Hectares Afft'd	Owner's Name	Value of Benefit	Value of Outlet	Value of Special Benefit	TOTAL VALUE
		Oriole Park Drive		1.54	0.625	Municipality of Lakeshore	\$ 270.00	\$ 854.00	\$ -	\$ 1,124.00
Total on Municipal Lands.....							\$ 270.00	\$ 854.00	\$ -	\$ 1,124.00

4. PRIVATELY OWNED - NON-AGRICULTURAL LANDS:

<u>Tax Roll No.</u>	<u>Con. or Plan No.</u>	<u>Lot or Part of Lot</u>	<u>Acres Owned</u>	<u>Acres Afft'd</u>	<u>Hectares Afft'd</u>	<u>Owner's Name</u>	<u>Value of Benefit</u>	<u>Value of Outlet</u>	<u>Value of Special Benefit</u>	<u>TOTAL VALUE</u>
060-10200	1	17	1.47	1.47	0.595	John & Linda Fontes	\$ 103.00	\$ 384.00	\$ -	\$ 487.00
Total on Privately Owned - Non-Agricultural Lands.....							<u>\$ 103.00</u>	<u>\$ 384.00</u>	<u>\$ -</u>	<u>\$ 487.00</u>

5. PRIVATELY OWNED - AGRICULTURAL LANDS (grantable):

<u>Tax Roll No.</u>	<u>Con. or Plan No.</u>	<u>Lot or Part of Lot</u>	<u>Acres Owned</u>	<u>Acres Afft'd</u>	<u>Hectares Afft'd</u>	<u>Owner's Name</u>	<u>Value of Benefit</u>	<u>Value of Outlet</u>	<u>Value of Special Benefit</u>	<u>TOTAL VALUE</u>
060-06400	1	17	62.34	10.00	4.047	Gerald & Jodie Papineau	\$ 351.00	\$ 1,005.00	\$ -	\$ 1,356.00
060-10100	1	17	18	15.00	6.070	Jules & Peggy Sylvestre	\$ 526.00	\$ 1,507.00	\$ -	\$ 2,033.00
Total on Privately Owned - Agricultural Lands (grantable).....							<u>\$ 877.00</u>	<u>\$ 2,512.00</u>	<u>\$ -</u>	<u>\$ 3,389.00</u>
TOTAL ASSESSMENT				28.01	11.34		<u>\$ 1,250.00</u>	<u>\$ 3,750.00</u>	<u>\$ -</u>	<u>\$ 5,000.00</u>

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1 Hectare = 2.471 Acres
Project No. REI2024D007
September 12th, 2024

SPECIFICATIONS

HOSTINE DRAIN EAST BRANCH

Former Geographic Township of Maidstone

MUNICIPALITY OF LAKESHORE

I. GENERAL SCOPE OF WORK

The Hostine Drain East Branch currently comprises of an open drain generally located along the east side of Oriole Park Drive and extending from its outlet in the Hostine Drain west of Oriole Park Drive easterly through the drain pipe into the open drain to the east side of Parcel 060-10200 and then southerly to its upper end near the south side of Lot 17, Concession 1. The work under this project generally comprises of future repairs and improvements to the existing drain serving the lands abutting and to the east of the drain. The work on the drain in the future will include repairs or replacement of the covered drain under the roadway and partly into Parcel 060-10200 and repairs and improvements to the open drain segments.

All work shall be carried out in accordance with these specifications, the plans forming part of this drainage project, as well as the Standard Details included in **Appendix "REI-C"**. The bridge improvements and new construction shall be of the size, type, depth, etcetera, as is shown in the accompanying drawings, as determined from the Benchmarks, and as may be further laid out at the site at the time of construction. All work carried out under this project shall be completed to the full satisfaction of the Municipal Drainage Superintendent and the Consulting Engineer.

II. E.R.C.A. AND D.F.O. CONSIDERATIONS

The Contractor will be required to implement stringent erosion and sedimentation controls during the course of the work to help minimize the amount of silt and sediment being carried downstream into the South Branch of Browns Creek. It is intended that work on this project be carried out during relatively dry weather to ensure proper site and drain conditions and to avoid conflicts with sediment being deposited into the outlet drainage system. All disturbed areas shall be restored as quickly as possible with grass seeding and mulching installed to ensure a protective cover and to minimize any erosion from the work sites subsequent to construction. The Contractor may be required to provide temporary silt fencing and straw bales as outlined further in these specifications. Pipe ends shall be protected with sloped quarried limestone rip rap on filter cloth protection.

All of the work shall be carried out in accordance with any permits or authorizations issued by the Essex Region Conservation Authority (E.R.C.A.) or the Department of Fisheries and Oceans

(D.F.O.), copies of which will be provided, if available, and the notes in **Appendix "REI-A"**. The Contractor is advised that no work may be carried out in the existing drain from March 15th to June 30th of any given year because the drain is directly connected to a downstream area that is classified as sensitive to impacts on aquatic life and habitat by E.R.C.A. and D.F.O.

As part of its work, the Contractor will implement the following measures that will ensure that any potential adverse effects on fish and fish habitat will be mitigated:

- a) As per standard requirements, work will not be conducted at times when flows in the drain are elevated due to local rain events, storms, or seasonal floods. Work will be done in the dry.
- b) All disturbed soils on the drain banks and within the channel, including spoil, must be stabilized immediately upon completion of work. The restoration of the site must be completed to a like or better condition to what existed prior to the works. The spoil material must be hauled away and disposed of at a suitable site, or spread an appropriate distance from the top of the drain bank to ensure that it is not washed back into the drain.
- c) To prevent sediment entry into the Drain, in the event of an unexpected rainfall, silt barriers and/or traps must be placed in the channel during the works and until the site has been stabilized. All sediment and erosion control measures are to be in accordance with related Ontario Provincial Standards. It is incumbent on the proponent and their Contractors to ensure that sediment and erosion control measures are functioning properly and are maintained and upgraded as required.
- d) Silt or sand accumulated in the barrier traps must be removed and stabilized on land once the site is stabilized.
- e) All activities including maintenance procedures should be controlled to prevent the entry of petroleum products, debris, rubble, concrete, or other deleterious substances into the water. Vehicular refuelling and maintenance should be conducted away from the water.

III. M.N.R.F.-M.E.C.P. CONSIDERATIONS

The Contractor is to note that the Ministry of Natural Resources and Forestry (M.N.R.F.) screening process by way of a Species at Risk (S.A.R.) review of the M.N.R.F. "Endangered Species Act, 2007" (E.S.A.) will be completed as a self-assessment by the Municipality pursuant to Section 23.9 of the E.S.A. prior to construction and now administered by the Ministry of Environment, Conservation and Parks (M.E.C.P.). This Section allows the Municipality to conduct eligible works of repair, maintenance and improvement to existing municipal drains under the Drainage Act, and exemptions from Sections 9 and 10 of the E.S.A., provided that the requirements are followed in accordance with Ontario Regulation 242/08. The results of the review will be provided to the

Contractor and copies of the mitigation measures, habitat protection and identification sheets will be included within **Appendix "REI-B"**.

The Contractor is to review **Appendix "REI-B"** in detail and is required to comply in all regards with the contents of said M.N.R.F.-M.E.C.P. measures, and follow the special requirements therein included during construction. Throughout the course of construction, the Contractor will be responsible to ensure that all necessary provisions are undertaken to protect all species at risk and their habitats including any in the N.H.I.C. table in the Appendix. If a threatened or sensitive species is encountered, the Contractor shall notify the Municipality and M.N.R.F.-M.E.C.P. and provide all the equipment and materials stipulated by the mitigation requirements for handling the species and cooperate fully with the Municipality and M.N.R.F.-M.E.C.P. staff in the handling of the species.

IV. ACCESS TO WORK

The Contractor is advised that the majority of the work to be carried out on this project extends across and along the east side of Oriole Park Drive and the open agricultural lands to the east. The Contractor shall have access for the full width of the roadway abutting the proposed drainage works. The Contractor may utilize the right-of-way as necessary, to permit the completion of all of the work required to be carried out for this project. The Contractor shall also have access into the driveways as necessary to carry out the removal of the existing access bridge and to construct the new replacement access bridge, as set out on the plans and in these specifications, along with a sufficient area in the vicinity of the bridge to carry out the required construction of the removal and new structure installation and ancillary work.

The Contractor shall ensure that the traveling public is protected at all times while utilizing the roadway for its access. The Contractor shall provide traffic control, including flag persons when required. Should the Contractor have to close Oriole Park Drive for the proposed works, it shall obtain the permission of the Municipal Drainage Superintendent or Consulting Engineer and arrange to provide the necessary notification of detours around the site. The Contractor shall also ensure that all emergency services, school bus companies, etcetera are contacted about the disruption to access at least 48 hours in advance of same. All detour routes shall be established in consultation with the Lakeshore Works Department.

Throughout the course of the work, it is imperative that the Contractor protect as much landscaping and vegetation as possible when accessing along the drain. This will be of particular concern along the lawn areas of residential properties. Due to the extent of the work and the area for carrying out the work, the Contractor will be required to carry out all of the necessary steps to direct traffic and provide temporary diversion of traffic around work sites, including provision of all lights, signs, flag persons, and barricades required to protect the safety of the traveling public. Any accesses or areas used in carrying out the works are to be fully restored to their original conditions by the Contractor at its cost, including topsoil placement and lawn restoration as directed by the Municipal Drainage Superintendent and the Consulting Engineer.

Restoration shall include but not be limited to all necessary levelling, grading, shaping, topsoil, seeding, mulching, and granular placement required to make good any damage caused.

V. REMOVAL OF BRUSH, TREES AND RUBBISH

Where there is any brush, trees or rubbish along the course of the drainage works, including the full width of the work access, all such brush, trees or rubbish shall be close cut and grubbed out, and the whole shall be chipped up for recycling, burned or otherwise satisfactorily disposed of by the Contractor. The brush and trees removed along the course of the work are to be put into piles by the Contractor in locations where they can be safely chipped and disposed of, or burned by it, or hauled away and disposed of by the Contractor to a site to be obtained by it at its expense. Prior to and during the course of any burning operations, the Contractor shall comply with the guidelines prepared by the Air Quality Branch of the Ontario Ministry of the Environment and shall ensure that the Environmental Protection Act is not violated. The Contractor will be required to notify the local fire authorities to obtain any permits and co-operate with them in the carrying out of any work. The removal of brush and trees shall be carried out in close consultation with the Municipal Drainage Superintendent or Consulting Engineer to ensure that no decorative trees or shrubs are disturbed by the operations of the Contractor that can be saved. It is the intent of this project to save as many trees and bushes as practical within the roadway allowances and on private lands. Where decorative trees or shrubs are located directly over drainage pipes, the Contractor shall carefully extract same and turn them over to the Owner when requested to do so and shall cooperate with the Owner in the reinstallation of same if required.

The Contractor shall protect all other trees, bushes, and shrubs located along the length of the drainage works except for those trees that are established, in consultation with the Municipal Drainage Superintendent, the Consulting Engineer, and the Owners, to be removed as part of the works. The Contractor shall note that protecting and saving the trees may require the Contractor to carry out hand work around the trees, bushes, and shrubs to complete the necessary final site grading and restoration.

Following the completion of the work, the Contractor is to trim up any broken or damaged limbs on trees which are to remain standing, and it shall dispose of said branches along with other brush, thus leaving the trees in a neat and tidy condition.

The Contractor shall remove all deleterious materials and rubbish along the course of the open drain in the location of the work areas and any such materials located in the bridge culverts and enclosures while carrying out its cleaning of same. All such deleterious materials and rubbish shall be loaded up and hauled away by the Contractor to a site to be obtained by it at its cost.

VI. FENCING

Where it is necessary to take down any fence to proceed with the work, the same shall be done by the Contractor across or along that portion of the work where such fence is located. The Contractor will be required to exercise extreme care in the removal of any fencing so as to cause a minimum of damage to same. The Contractor will be required to reinstall any fence that is taken down in order to proceed with the work, and the fence shall be reinstated in a neat and workmanlike manner. The Contractor will not be required to procure any new materials for rebuilding the fence provided that it has used reasonable care in the removal and replacement of same. When any fence is removed by the Contractor, and the Owner thereof deems it advisable and procures new material for replacing the fence so removed, the Contractor shall replace the fence using the new materials and the materials from the present fence shall remain the property of the Owner.

VII. DETAILS OF OPEN DRAIN WORK

The open drain shall be excavated to the lines, levels, grades and cross-sections as shown on the accompanying drawings, or as may be further established by the Municipal Drainage Superintendent or the Engineer at the time of the work. The drain shall be carefully excavated so as not to disturb the existing banks, rock protection and vegetation, except for those portions of the drain where widening or restoration of a stable drain bank configuration is required. The bottom width of the drain and the sideslopes of the excavation shall conform to the dimensions given on the drawings.

The drain shall be of the size, type, depth, etcetera as shown on the accompanying drawings. When completed, the drain shall have a uniform and even bottom and in no case shall such bottom project above the grade line, as shown on the accompanying drawings, and as determined from the Benchmarks. The finished side slopes of the drain shall be 1.5 metres horizontal to 1.0 metre vertical.

The excavated material to be cast onto the adjoining lands shall be well and evenly spread over a sufficient area so that no portion of the excavated earth is more than 100mm in depth. The material shall be kept at least 1.2 metres clear from the finished edge of the drain, care being taken not to fill up any existing tiles, ditches, furrows or drains with the excavated material. The excavated material to be spread upon the lands shall be free from rocks, cobbles, boulders, stumps, rubble, rubbish or other similar material and these materials, if encountered, shall be hauled away by the Contractor and disposed of at a site to be obtained by it at its expense.

Where the drain crosses any lawn, garden, orchard, parking, roadway or driveway areas, the excavated material for the full width of the above-mentioned areas shall be hauled away by the Contractor and disposed of to a site to be obtained by the Contractor at its expense. All work at the disposal site shall be established between the Contractor and the site owner. The Contractor

shall be responsible for any permits required and shall provide copies of same to the Municipality and Consulting Engineer when requested.

Where there is any brush or rubbish in the course of the drain, including both side slopes of the drain, all such brush or rubbish shall be close cut and grubbed out. Where there is any brush or rubbish where the earth is to be spread, or on that strip of land between where the earth is to be spread and the edge of the drain, all such brush or rubbish shall be close cut and grubbed out. The whole is to be burned, chipped or otherwise satisfactorily disposed of by the Contractor.

VIII. DETAILS OF BRIDGE WORK

The Contractor shall provide all material, labour and equipment to repair and improve the existing access bridge in the Hostine Drain East Branch when requiring work, along with endwall repairs and other improvements as noted.

The existing high density polyethylene pipe (H.D.P.E.) bridge slated to be removed shall be replaced with new 320 kPa smooth wall H.D.P.E. pipe.. All piping sections shall be connected by the use of wrap couplers installed around the complete circumference of the pipe in accordance with the manufacturer's recommendation. Each coupler shall be wrapped in filter cloth material around the complete circumference to ensure that there will be no soil migration through the joints and into the pipe through said connections.

The culvert pipe replacement and new pipe installation on this project shall be set to the grades as shown on the plans or as otherwise established herein and the Municipal Drainage Superintendent or the Consulting Engineer may make minor changes to the bridge alignment as they deem necessary to suit the site conditions. All work shall be carried out in general accordance with the items in the **"STANDARD SPECIFICATIONS FOR ACCESS BRIDGE CONSTRUCTION"** attached to this report and labelled **Appendix "REI-C"**.

IX. H.D.P.E. PIPE INSTALLATION

The new smooth wall high density polyethylene pipe (H.D.P.E.) to be installed on this project is required to be provided in the longest lengths that are available and shall not be less than 3.0 metres. Where the overall access pipe length exceeds the standard pipe lengths, the Contractor shall connect the pipe sections together by use of a manufactured wrap coupler installed in accordance with the manufacturer's recommendations. All coupler joints shall be wrapped with a layer of filter cloth around the complete circumference so that it extends a minimum of 100mm beyond the coupler on each end, to ensure a positive seal against soil migration through the joints.

The Contractor shall note that the placement of any new culvert pipe shall be performed totally in the dry and it shall be prepared to take whatever steps are necessary to ensure same, all to

the full satisfaction of the Municipal Drainage Superintendent or the Consulting Engineer. As part of the work, the Contractor will be required to clean out the drain along the full length of the pipe and for a distance of 3.05 metres (10 ft.) upstream and downstream of the pipe. The design parameters of the Hostine Drain East Branch at the location of each new replacement access bridge and enclosure installation consists of a 0.60m (2.0 ft.) bottom width, the grade shown on the profile, and 1.5 horizontal to 1.0 vertical sideslopes. The Contractor shall note that the pipe inverts are set at least 10% of the pipe diameter (or the pipe rise) below the drain bottom to provide the embedment required by E.R.C.A. and D.F.O. and to meet the minimum cover requirements for the pipe.

The installation of the complete length of the new culvert pipe, including all appurtenances, shall be completely inspected by the Municipal Drainage Superintendent or the Consulting Engineer's Inspector prior to backfilling any portions of same. Under no circumstance shall the Contractor commence the construction or backfill of the new culvert pipe without the site presence of the Municipal Drainage Superintendent or the Consulting Engineer's Inspector to inspect and approve said installation. The Contractor shall provide a minimum of two (2) working days' notice to the Municipal Drainage Superintendent or the Consulting Engineer prior to commencement of the work. The installation of the new culvert structure is to be performed during normal working hours of the Municipal Drainage Superintendent and the Consulting Engineer from Monday to Friday unless written authorization is provided by them to amend said working hours.

For the access bridge installation, once the new H.D.P.E. pipe has been satisfactorily set in place, the Contractor shall completely backfill same with granular material M.T.O. Type "B" O.P.S.S. Form 1010 with the following exception. The top 305mm (12") of the backfill material for the full top width of the access, and the full top width of the drain or the excavated trench, and any approaches to the south and transitions to the north shall be granular material M.T.O. Type "A" O.P.S.S. Form 1010. All of the new bridge culvert shall be backfilled with compacted granular material M.T.O. Type "A" O.P.S.S. Form 1010, but only after all topsoil material has been completely removed and disposed of, and the minimum thickness of this granular material shall be 305mm (12"). All areas outside of the access roadway shall be backfilled with native material compacted to 96% of Standard Proctor Density and topped with a minimum of 100mm of topsoil and shall be seeded and mulched.

For hard surface driveway and roadway crossings, the top 305mm (12") of the backfill over the pipe below the hard surface treatment shall comprise granular material M.T.O. Type "A" O.P.S.S. Form 1010 compacted to a minimum of 100% Standard Proctor Density. The Contractor shall at all times be very careful when performing its backfilling and compaction operations so that no damage is caused to the pipe. To ensure that no damage is caused to the proposed pipe, alternative methods of achieving the required backfill compaction shall be submitted to the Consulting Engineer or the Municipal Drainage Superintendent for their approval prior to the commencement of this work. The Contractor shall restore the asphalt surface by placing a minimum of the existing thickness or a 90mm minimum thickness of Type HL-4 or equivalent SuperPave hot mix asphalt. The asphalt shall be supplied and placed in two (2) approximately equal lifts compacted to a value ranging from 92% to 96% of maximum relative density as per O.P.S.S. 310. For existing concrete

driveways, the Contractor shall carefully remove the concrete to the nearest expansion joint. The concrete driveway shall be restored to the original length and width that was removed and include 150mm thick, 30mPa concrete, with 6% \pm 1% air entrainment and 6x6-6/6 welded wire fabric reinforcing installed at the midpoint of the slab. All slab surfaces shall be finished to provide an appearance approximating the finish on the existing concrete driveway abutting the replacement.

The Contractor will be responsible to restore any damage caused to the roadways at its cost. All damaged hard surface roadway areas shall be neatly saw cut and the damaged materials removed and disposed of by the Contractor prior to carrying out any restoration work. The extent of the repairs shall be established in consultation with the Municipal Drainage Superintendent, the Road Authority, and the Consulting Engineer and the repairs shall be completed to their full satisfaction.

The Contractor is to note that any intercepted pipes or tiles along the length of the proposed culvert are to be extended and connected at its cost to the open drain at the end of the new culvert unless otherwise noted in the accompanying drawings.

The Contractor shall also note that the placing of the new access bridge culvert shall be completed so that it totally complies with the parameters established and noted in any Bridge Details and Tables for the culvert replacement. The culvert shall be set on an even grade and the placement shall be performed totally in the dry, and the Contractor should be prepared to take whatever steps are necessary to ensure same, all to the full satisfaction of the Municipal Drainage Superintendent or the Consulting Engineer. The Contractor shall also be required to supply a minimum of 100mm (4") of 20mm (3/4") clear stone bedding underneath the culvert pipe extending from the bottom of the drain to the culvert invert grade, all to the full satisfaction of the Municipal Drainage Superintendent or the Consulting Engineer. Furthermore, if an unsound base is encountered, it must be removed and replaced with 20mm (3/4") clear stone satisfactorily compacted in place to the full satisfaction of the Municipal Drainage Superintendent or the Consulting Engineer. The Contractor is to note that when replacing an access bridge or enclosure culvert, it shall be required to excavate a trench having a width not less than the new pipe outside diameter plus a 600mm working width on both sides of the new pipe to allow for proper installation of granular backfill and compaction of same. The Contractor shall also note that all culvert pipe installations are to be carried out with a minimum of 10% of their diameter or rise embedded below the drain design bottom, as shown and noted on the plan for each of the access bridge installations.

X. REMOVALS

Where existing access bridges and enclosures are to be completely removed and replaced, the Contractor shall be required to excavate and completely extract the existing concrete structure or culvert pipe and the existing endwalls in their entirety, as well as any other deleterious materials that may be encountered in removing same, excluding poured concrete headwalls that

are to be reused. The Contractor shall neatly saw cut any concrete or asphalt surfaces over the pipes for a sufficient width to allow for the safe removal of same or go to the nearest expansion joint panel of the concrete driveways. The Contractor shall also be required to completely dispose of all removed materials to a site to be obtained by it at its own expense. The Contractor shall note that when headwalls are shown to be left in place, the Contractor shall protect same and carry out its work for the pipe replacement as noted above and dispose of any debris resulting from the work.

All unsuitable and deleterious materials from the excavation and removal of the existing bridge and enclosure culverts and drain cleaning shall be hauled away and disposed of by the Contractor to a site to be obtained by it at its expense. Likewise, any material excavated to allow for the granular approaches to the bridge, driveway transitions, or installation of new headwalls shall also be hauled away and disposed of by the Contractor in accordance with the excess soil regulations.

XI. CONCRETE FILLED JUTE BAG, PRECAST CONCRETE BLOCK OR SLOPED END PROTECTION

Unless otherwise shown or noted, the Contractor is to provide new concrete filled jute bag headwalls, precast concrete block, or sloped quarried limestone on non-woven filter cloth end protection for the access bridges and enclosures being replaced or constructed on this drain.

The concrete filled jute bags are to be provided and laid out as is shown and detailed in the drawings provided by the Municipality and as noted in the Standard Specifications in **Appendix "REI-C"**. In all cases, the concrete filled jute bag headwalls shall be topped with a minimum 100mm (4") thick continuous concrete cap comprising 30mPa concrete with 6% $\pm 1\%$ air entrainment for the entire length of the headwalls. The headwalls shall be installed on an inward batter to be not less than 1 horizontal to 5 vertical, and under no circumstances shall this batter, which is measured from the top of the headwall to the projection of the end of the pipe, be less than 305mm (12"). From the midpoint of the pipe height down to the concrete footing, the wall shall be a double concrete filled jute bag installation. On the roadside the walls shall be deflected as shown to provide daylighting and a better approach across the new bridge.

The installation of the concrete filled jute bag headwalls, unless otherwise specified, shall be provided in total compliance with the Items 1, 3, and 4 included in the **"STANDARD SPECIFICATIONS FOR ACCESS BRIDGE CONSTRUCTION"**. These are attached to the back of these specifications and labelled **Appendix "REI-C"**. The Contractor shall comply in all respects with the General Conditions included in Item 4 and the **"Typical Concrete Filled Jute Bag Headwall End Protection"** detail also shown therein.

The Contractor shall install decorative interlocking precast concrete blocks with filter cloth backing for walls on both ends of the bridges requiring same. The blocks shall be minimum 600X600X1200mm in size as available from Underground Specialties - Wolseley, Windsor, Ontario, or equal, and installed as set out in **Appendix "REI-C"**. Vertical joints shall be staggered

by use of half blocks where needed and wingwall deflections when required shall employ 45-degree angled blocks. Voids between the blocks and the pipe shall be grouted with 30MPa concrete having 6% \pm 1% air entrainment and extend for the full thickness of the wall and have a smooth uniform finish on the face that blends with the precast blocks. The installation of the endwalls, as well as the backfilling of the pipe where applicable, shall be provided in compliance with Items 1), 3), and 4) of the "Standard Specifications for Access Bridge Construction" attached within **Appendix "REI-C"** and in total compliance and in all respects with the General Conditions included in said Appendix. The Contractor shall submit shop drawings for approval of the wall installation that includes details for a minimum 300mm thick concrete footing that extends from the pipe invert downward. The footing shall extend into the drain banks each side for the required embedment of the blocks and be constructed to ensure that the completed wall will be completely vertical or tipped slightly back towards the driveway. Where the block walls extend more than 1.8 metres in height, the supplier shall provide the Contractor with uni-axial geogrid (SG350 or equivalent) reinforcement for installation to tie the wall back into the granular backfill. The Contractor, in all cases, shall comply with these specifications and upon completion of the stacked precast concrete end protection installation shall restore the adjacent areas to their original conditions. The Contractor shall supply quarried limestone on filter cloth rock protection adjacent to the headwalls at each corner of the bridge. All rock protection shall be 1.0 metres wide and 305mm (12") thick, installed on non-woven filter cloth, and shall be installed in accordance with Item 2) of the "Standard Specifications for Access Bridge Construction". The synthetic filter mat to be used shall be non-woven geotextile GMN160 conforming to O.P.S.S. 1860 Class I, as available from Armtec Construction Products through Underground Specialties - Wolseley in Windsor, Ontario or equal. The quarried limestone to be used shall be graded in size from a minimum of 100mm to a maximum of 250mm, and is available from Walker Industries Amherst Quarries, in Amherstburg, Ontario, or equal.

Where sloped end protection is specified, the top 305mm (12") of backfill material over the ends of the access pipe, from the invert of said pipe to the top of the driveway elevation of the access bridge or enclosure, shall be quarried limestone. The quarried limestone shall be provided as shown and detailed on the plans or as indicated in the Standard Specifications in **Appendix "REI-C"** and shall be graded in size from a minimum of 100mm (4") to a maximum of 250mm (10"). The quarried limestone to be placed on the sloped ends of an access bridge or enclosure shall be underlain with a synthetic **non-woven** geotextile filter fabric. The sloped quarried limestone protection is to be rounded as shown on the plan details and shall also extend along the drain side slopes to a point directly in line with the ends of the culvert pipe. The roadside approach to the entrance shall be provided with a minimum 5.0m radius at each end of the driveway entrance. All work shall be completed to the full satisfaction of the Municipal Drainage Superintendent or the Consulting Engineer.

The installation of the sloped quarried limestone end protection, unless otherwise specified herein, shall be provided in total compliance with Item 2), 3), and 4) of the **"STANDARD SPECIFICATIONS FOR ACCESS BRIDGE CONSTRUCTION"**. These are attached to the back of these specifications and labelled **Appendix "REI-C"**. The Contractor shall comply in all respects with the

General Conditions included in Item 4 and the **“Typical Quarried Limestone End Protection Detail”** also in **Appendix “REI-C”**.

The quarried limestone erosion protection shall be embedded into the sideslopes of the drain a minimum thickness of 305mm and shall be underlain in all cases with non-woven synthetic filter mat. The filter mat shall not only be laid along the flat portion of the erosion protection, but also contoured to the exterior limits of the quarried limestone and the unprotected slope. The width of the erosion protection shall be as established in the accompanying drawings or as otherwise directed by the Municipal Drainage Superintendent or the Consulting Engineer during construction. In placing the erosion protection, the Contractor shall carefully tamp the quarried limestone pieces into place with the use of the excavator bucket so that the erosion protection when completed will be consistent, uniform and tightly laid. In no instance shall the quarried limestone protrude beyond the exterior contour of the unprotected drain sideslopes along either side of said protection. The synthetic filter mat fabric to be used shall be non-woven geotextile GMN160 conforming to O.P.S.S. 1860 Class I, as available from Armtec Construction Products, or equal. The quarried limestone to be used shall be graded in size from a minimum of 100mm to a maximum of 250mm, and is available from Walker Aggregates Amherst Quarries, in Amherstburg, Ontario, or equal.

XII. BENCHMARKS

Also, for use by the Contractor, we have established Benchmarks along the course of the work and especially at the locations where existing access bridges are being replaced or new bridges are being constructed.

For each of the bridge replacements and new bridges, the plans include details illustrating the work to be carried out. For each bridge detail a Benchmark has been indicated and the Elevation has been shown and may be utilized by the Contractor in carrying out its work. The Contractor shall note that in each case a specific design elevation grade has been provided for the invert at each end of the pipe in the table accompanying each detail. The table also sets out the pipe size, materials, and other requirements relative to the installation of the culvert structure. In all cases, the Contractor is to utilize the specified drain grade to set any new pipe installation. The Contractor shall ensure that it takes note of the direction of flow and sets all pipes to assure that all grades flow from south to north and east to west to match the direction of flow within the drain. The Contractor's attention is drawn to the fact that the pipe invert grades established herein provide for the pipes to be set at least 10% of their diameter or pipe rise below the existing drain bottom or the design grade of the drain, whichever is lower.

XIII. ANCILLARY WORK

During the course of any work to the bridges and enclosures along the length of the project, the Contractor will be required to protect or extend any existing tile ends or swales and connect them

to the drainage works to maintain the drainage from the adjacent lands. All existing tiles shall be extended utilizing solid Big 'O' "standard tile ends" or equal plastic pipe of the same diameter as the existing tile and shall be installed in accordance with the **"Standard Lateral Tile Detail"** included in the plans, unless otherwise noted. Connections shall be made using a manufacturer's coupling where possible. Wherever possible, tiles shall be extended to outlet beyond the end of any access culverts. When required, openings into new pipes shall be neatly bored, saw cut or burned with a torch to the satisfaction of the Municipal Drainage Superintendent or the Consulting Engineer. All cuts to steel pipes shall be touched up with a thick coat of zinc rich paint (Galvicon or equal) in accordance with the manufacturer's recommendations. For other connections, the Contractor shall utilize a grouted connection. Grouted mortar joints shall be composed of three (3) parts of clean, sharp sand to one (1) part of Portland cement with just sufficient water added to provide a stiff plastic mix, and the mortar connection shall be performed to the full satisfaction of the Municipal Drainage Superintendent or the Consulting Engineer. The mortar joint shall be of a sufficient mass around the full circumference of the joint on the exterior side to ensure a tight, solid seal. The Contractor is to note that any intercepted pipes along the length of the existing culverts and enclosures are to be extended and connected to the open drain unless otherwise noted in the accompanying drawings.

Where the bridge or enclosure installation interferes with the discharge of an existing swale, the Contractor shall re-grade the existing swales to allow for the surface flows to freely enter the drain. Any disturbed grass areas shall be fully restored with topsoil, seed and mulch.

All granular backfill for the bridge and enclosure installations shall be satisfactorily compacted in place to a minimum Standard Proctor Density of 98% by means of mechanical compaction equipment. All other good, clean, native fill material or topsoil to be utilized, where applicable, shall be compacted in place to a minimum Standard Proctor Density of 95%. All of the backfill material, equipment used, and method of compacting the backfill material shall be provided and performed to the full satisfaction of the Municipal Drainage Superintendent or Consulting Engineer.

Where the Contractor removes concrete or asphalt hard surfaces over the pipes, the Contractor shall restore the hard surfaces as previously outlined. The Contractor will be responsible to restore any damage caused to these driveways or roadways at its cost. All damaged hard surface driveway or roadway areas shall be neatly saw cut and the damaged materials removed and disposed of by the Contractor prior to carrying out any restoration work.

The new H.D.P.E. pipes or corrugated aluminized steel type II pipes for these installations are to be provided with a minimum depth of cover measured from the top of the pipe of 305mm (12") for a round pipe and 500mm for a pipe arch. If the bridge culvert pipes are placed at their proper elevations, same should be achieved. If the Contractor finds that the minimum cover is not being met, they shall notify the Municipal Drainage Superintendent and the Consulting Engineer immediately so that steps can be taken to rectify the condition prior to the placement of any backfill. The minimum cover requirement is **critical** and must be attained. In order for these new access

bridge culverts to properly fit the channel parameters, **all of the design grade elevations must be strictly adhered to.**

As a check, all of the above access bridge and enclosure culvert design grade elevations should be confirmed before commencing to the next stage of the access bridge or enclosure installation. The Contractor is also to check that the pipe invert grades are correct by referencing the Benchmark.

Although it is anticipated that the culvert installation at each site shall be undertaken in the dry, the Contractor shall supply and install a temporary straw bale or silt curtain check dam in the drain bottom immediately downstream of each culvert site during the time of construction. The straw bale or silt curtain check dam shall be to the satisfaction of the Municipal Drainage Superintendent or Consulting Engineer and must be removed upon completion of the construction. The check dam materials may be reused at each site subject to their condition. All costs associated with the supply and installation of this straw bale or silt curtain check dam shall be included in the cost bid for the bridge replacements.

XIV. TOPSOIL, SEED AND MULCH

The Contractor shall be required to restore all existing grassed areas and drain side slopes damaged by the structure replacements, construction or cutting of the drain cross section, by placing topsoil, and then seed and mulch over said areas including any specific areas noted on the bridge details. The Contractor shall be required to provide all the material and to cover the above-mentioned surfaces with approximately 50mm of good, clean, dry topsoil on slopes and 100mm of good, clean, dry topsoil on horizontal surfaces, fine graded and spread in place ready for seeding and mulching. The placing and grading of any topsoil shall be carefully and meticulously carried out in accordance with Ontario Provincial Standard Specifications, Form 802 dated November 2010, or as subsequently amended, or as amended by these specifications and be readied for the seeding and mulching process. The seeding and mulching of all of the above-mentioned areas shall comply in all regards to Ontario Provincial Standard Specifications, Form 803 dated November 2010 and Form 804, dated November 2013, or as subsequently amended, or as amended by these specifications. The seeding mixture shall be the Standard Roadside Mix (Canada No. 1 Lawn Grass Seed Mixture) as set out in O.P.S.S. 804. All cleanup and restoration work shall be performed to the full satisfaction of the Municipal Drainage Superintendent or Engineer.

When all of the work for this installation has been completed, the Contractor shall ensure that positive drainage is provided to all areas and shall ensure that the site is left in a neat and workmanlike manner, all to the full satisfaction of the Municipal Drainage Superintendent or Engineer.

XV. SPECIAL PROVISIONS FOR REPLACEMENT, REPAIR AND IMPROVEMENTS

The Contractor shall provide for the construction and improvements to the access bridge and enclosure along the Hostine Drain East Branch, for the structure noted, as follows:

Existing Bridge

The Contractor shall completely remove the existing H.D.P.E. bridge and enclosure, and any end protection that currently exists. The Contractor will then be required restore the drain cross section at the former bridge and enclosure location to match the upstream and downstream drain cross sections. All disturbed areas shall be restored with topsoil, seed and mulch as set out above.

New Replacement Bridge and Enclosure

The Contractor shall completely remove the existing topsoil and vegetation in the area of the proposed new replacement bridge and enclosure and clean out the drain bottom. The Contractor will then be required to install the new H.D.P.E. pipe as set out in any chart forming part of the details for the bridge and enclosure on the plans. The Contractor shall install sloped quarried limestone on filter cloth protection on each end. The Contractor shall protect the tile outlets on the banks at each end of the structure and divert and extend same as necessary to accommodate the replacement culvert. All work shall be carried out in accordance with these specifications and the requirements in **Appendix "REI-C"**.

XVI. GENERAL CONDITIONS

- a) The Municipal Drainage Superintendent or Consulting Engineer shall have authority to carry out minor changes to the work where such changes do not lessen the efficiency of the work.
- b) The Contractor shall satisfy itself as to the exact location, nature and extent of any existing structure, utility or other object which it may encounter during the course of the work. The Contractor shall indemnify and save harmless the Municipality of Lakeshore and the Consulting Engineer and their representatives for any damages which it may cause or sustain during the progress of the work. It shall not hold the Municipality of Lakeshore or the Consulting Engineer liable for any legal action arising out of any claims brought about by such damage caused by it.
- c) The Contractor shall provide a sufficient number of layout stakes and grade points so that the Drainage Superintendent and Consulting Engineer can review same and check that the work will generally conform to the design and project intent.
- d) The Contractor will be responsible for any damage caused by it to any portion of the Municipal road system, especially to the travelled portion. When excavation work is being

carried out and the excavation equipment is placed on the travelled portion of the road, the travelled portion shall be protected by having the excavation equipment placed on satisfactory timber planks or timber pads. If any part of the travelled portion of the road is damaged by the Contractor, the Municipality shall have the right to have the necessary repair work done by its' employees and the cost of all labour and materials used to carry out the repair work shall be deducted from the Contractor's contract and credited to the Municipality. The Contractor, upon completing the works, shall clean all debris and junk, etcetera, from the roadside of the drain, and leave the site in a neat and workmanlike manner. The Contractor shall be responsible for keeping all public roadways utilized for hauling materials free and clear of mud and debris.

- e) The Contractor shall provide all necessary lights, signs, and barricades to protect the public. All work shall be carried out in accordance with the requirements of the Occupational Health and Safety Act, and latest amendments thereto. If traffic control is required on this project, signing is to comply with the M.T.O. Manual of Uniform Traffic Control Devices (M.U.T.C.D.) for Roadway Work Operations and Ontario Traffic Manual Book 7.
- f) During the course of the work the Contractor shall be required to connect existing drainage pipes to the Municipal Drain. In the event that polluted flows are discovered, the Contractor shall delay the connection of the pipe and leave the end exposed and alert the Municipality, the Drainage Superintendent and the Consulting Engineer so that steps can be taken by the Municipality to address the concern with the owner and the appropriate authorities. Where necessary the Contractor shall cooperate with the Municipality in providing temporary measures to divert the drain or safely barricade same. Should the connection be found acceptable by the authorities, the Contractor shall complete the connection of the drain as provided for in the specifications, at no extra cost to the project.
- g) Following the completion of the work, the Contractor is to trim up any broken or damaged limbs on trees which are to remain standing, and it shall dispose of said branches along with other brush, thus leaving the trees in a neat and tidy condition.
- h) The whole of the work shall be satisfactorily cleaned up, and during the course of the construction, no work shall be left in any untidy or incomplete state before subsequent portions are undertaken.
- i) During the course of the project the Contractor shall deal with any excess soil management from the project in accordance with Ontario Reg 406/19 pursuant to the Environmental Protection Act, R.S.O. 1990, c. E.19 and any subsequent amendments to same.
- j) All driveways, laneways and access bridges, or any other means of access on to the job site shall be fully restored to their former condition at the Contractor's expense. Before authorizing Final Payment, the Municipal Drainage Superintendent and the Consulting Engineer shall inspect the work in order to be sure that the proper restoration has been performed. In the event that the Contractor fails to satisfactorily clean up any portion of

these accesses, the Consulting Engineer shall order such cleanup to be carried out by others and the cost of same be deducted from any monies owing to the Contractor.

- k) The Contractor will be required to submit to the Municipality, a Certificate of Good Standing from the Workplace Safety and Insurance Board prior to the commencement of the work and the Contractor will be required to submit to the Municipality, a Certificate of Clearance for the project from the Workplace Safety and Insurance Board before Final Payment is made to the Contractor.
- l) The Contractor shall furnish a Performance and Maintenance Bond along with a separate Labour and Material Payment Bond within ten (10) days after notification of the execution of the Agreement by the Municipality. One copy of said bonds shall be bound into each of the executed sets of the Contract. Each Performance and Maintenance Bond and Labour and Material Payment Bond shall be in the amount of 100% of the total Tender Price. All Bonds shall be executed under corporate seal by the Contractor and a surety company, authorized by law to carry out business in the Province of Ontario. The Bonds shall be acceptable to the Municipality in every way and shall guarantee faithful performance of the contract during the period of the contract, including the period of guaranteed maintenance which will be in effect for twelve (12) months after substantial completion of the works.

The Tenderer shall include the cost of bonds in the unit price of the Tender items as no additional payment will be made in this regard.

- m) The Contractor shall be required, as part of this Contract, to provide Comprehensive Liability Insurance coverage for not less than \$5,000,000.00 on this project; and shall name the Municipality of Lakeshore and its' officials and the Consulting Engineer and their staff as additional insured under the policy. The Contractor must submit a copy of this policy to both the Municipal Clerk and the Consulting Engineer prior to the commencement of work.
- n) Monthly progress orders for payment shall be furnished the Contractor by the Municipal Drainage Superintendent. Said orders shall be for not more than 90% of the value of the work done and the materials furnished on the site. The paying of the full 90% does not imply that any portion of the work has been accepted. The remaining 10% will be paid 60 days after the final acceptance and completion of the work and payment shall not be authorized until the Contractor provides the following:
 - i) a Certificate of Clearance for the project from the Workplace Safety and Insurance Board
 - ii) proof of advertising
 - iii) a Statutory Declaration, in a form satisfactory to the Engineer and the Municipality, that all liabilities incurred by the Contractor and its Sub-Contractors in carrying out the Contract have been discharged and that all liens in respect of the Contract and

Sub-Contracts thereunder have expired or have been satisfied, discharged or provided for by payment into Court.

The Contractor shall satisfy the Consulting Engineer or Municipality that there are no liens or claims against the work and that all of the requirements as per the Construction Act, 2018 and its' subsequent amendments have been adhered to by the Contractor.

- o) In the event that the Specifications, Information to Tenderers, or the Form of Agreement do not apply to a specific condition or circumstance with respect to this project, the applicable section or sections from the Canadian Construction Documents Committee C.C.D.C.2 shall govern and be used to establish the requirements of the work.
- p) Should extra work be required by the Municipal Drainage Superintendent or Consulting Engineer, and it is done on a time and material basis, the actual cost of the work will be paid to the Contractor with a 15% markup on the total actual cost of labour, equipment and materials needed to complete the extra work.
- q) The Contractor shall provide shop drawings of the proposed decorative wall for precast concrete block headwalls for approval by the Drainage Superintendent or Engineer prior to construction.

APPENDIX "REI-A"

STANDARD E.R.C.A. AND D.F.O.
MITIGATION REQUIREMENTS

As part of its work, the Contractor will implement the following measures that will ensure that any potential adverse effects on fish and fish habitat will be mitigated:

- Work will not be conducted at times when flows are elevated due to local rain events, storms or seasonal floods. In-water works will not be undertaken between March 15th and June 30th.
- New culverts are to be installed with a minimum 10 % embedment below the existing bottom or design bottom of the drain (whichever is lower).
- All new culverts must provide for fish passage. Typically, culvert lengths that do not exceed 15.0 metres do not create an obstruction to fish passage. Depending on the proposed culvert diameter, however, longer lengths may be allowed. Concerns with longer culverts relate to velocity, loss of riparian habitat, etc. (Note: IF longer culvert lengths are proposed, we recommend that they be reviewed with this office prior to finalizing the engineer's report. Ultimately, it is the proponent's responsibility to undertake the necessary studies to confirm that the proposed length will not be a barrier to fish passage.)
- All disturbed soils on both banks and within the channel, including spoil, must be stabilized immediately upon completion of work. The restoration of the site must be completed to a like or better condition to what existed prior to the works. The spoil material must be spread an appropriate distance from the top of the drain bank to ensure that it is not washed back into the drain.
- To prevent sediment entry into the drain, in the event of an unexpected rainfall, silt barriers and/or traps must be placed in the channel during the works and until the site has been stabilized. All sediment and erosion control measures are to be in accordance with related Ontario Provincial Standards. It is incumbent on the proponent and his/her contractors to ensure that sediment and erosion control measures are functioning properly and are maintained/upgraded as required.
- Silt or sand accumulated in the barriers/traps must be removed and stabilized on land once the site is stabilized.
- All activities, including maintenance procedures, should be controlled to prevent the entry of petroleum products, debris, rubble, concrete or other deleterious substances into the water. Vehicular refueling and maintenance should be conducted away from the water.

SECTION II

SPECIFICATIONS

FOR FISH SALVAGE

GENERAL

SECTION 201

The Work shall include the capture, salvage and release of fish that are trapped or stranded as the result of the Contractor's operations, at locations identified in the Fish Salvage Plan, and in co-operation with the Essex Region Conservation Authority (E.R.C.A.).

Fish capture shall be performed prior to dewatering, and in such manner that will minimize the injury to the fish.

MATERIALS

SECTION 202

All materials required for fish capture, salvage and release shall be supplied by the Contractor.

CONSTRUCTION

SECTION 203

The Contractor shall not commence any fish capture, salvage and release work until the Fish Salvage Plan has been accepted by the Consultant and the Conservation Authority. All work shall be performed in accordance with the Fish Salvage Plan unless otherwise determined by the Consultant or the Conservation Authority.

The Contractor shall ensure an ice-free pool is maintained throughout all fish capture and release operations.

All fish shall be captured within the area specified and released at an acceptable location in the downstream water body. Fish shall be captured by electro fishing, netting, seining, trapping, or other method acceptable to the Consultant and/or the Conservation Authority.

MEASUREMENT AND PAYMENT

SECTION 204

Payment for this Work will be included in the price bid for drainage work components or made at the lump sum price bid for "Fish Capture and Release". The lump sum price will be considered full compensation for all labour, materials, equipment, tools, and incidentals necessary to complete the Work to the satisfaction of the Consultant.

Measures to Avoid Causing Harm to Fish and Fish Habitat

If you are conducting a project near water, it is your responsibility to ensure you avoid causing [serious harm to fish](#) in compliance with the *Fisheries Act*. The following advice will help you avoid causing harm and comply with the *Act*.

PLEASE NOTE: This advice applies to all project types and replaces all “Operational Statements” previously produced by DFO for different project types in all regions.

Measures

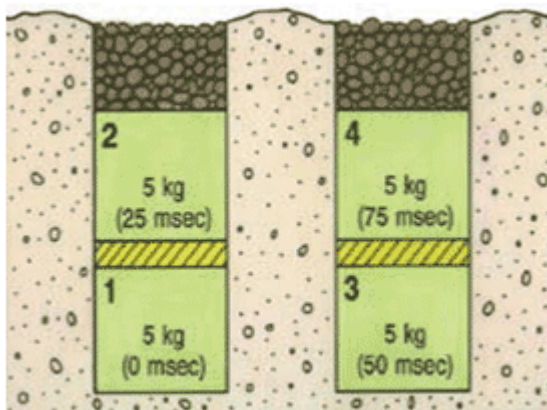
- Time work in water to respect [timing windows](#) to protect fish, including their eggs, juveniles, spawning adults and/or the organisms upon which they feed.
- Minimize duration of in-water work.
- Conduct instream work during periods of low flow, or at low tide, to further reduce the risk to fish and their habitat or to allow work in water to be isolated from flows.
- Schedule work to avoid wet, windy and rainy periods that may increase erosion and sedimentation.
- Design and plan activities and works in waterbody such that loss or disturbance to aquatic habitat is minimized and sensitive spawning habitats are avoided.
- Design and construct approaches to the waterbody such that they are perpendicular to the watercourse to minimize loss or disturbance to riparian vegetation.
- Avoid building structures on meander bends, braided streams, alluvial fans, active floodplains or any other area that is inherently unstable and may result in erosion and scouring of the stream bed or the built structures.
- Undertake all instream activities in isolation of open or flowing water to maintain the natural flow of water downstream and avoid introducing sediment into the watercourse.
- Plan activities near water such that materials such as paint, primers, blasting abrasives, rust solvents, degreasers, grout, or other chemicals do not enter the watercourse.
- Develop a response plan that is to be implemented immediately in the event of a sediment release or spill of a deleterious substance and keep an emergency spill kit on site.
- Ensure that building material used in a watercourse has been handled and treated in a manner to prevent the release or leaching of substances into the water that may be deleterious to fish.

- Develop and implement an Erosion and Sediment Control Plan for the site that minimizes risk of sedimentation of the waterbody during all phases of the project. Erosion and sediment control measures should be maintained until all disturbed ground has been permanently stabilized, suspended sediment has resettled to the bed of the waterbody or settling basin and runoff water is clear. The plan should, where applicable, include:
 - Installation of effective erosion and sediment control measures before starting work to prevent sediment from entering the water body.
 - Measures for managing water flowing onto the site, as well as water being pumped/diverted from the site such that sediment is filtered out prior to the water entering a waterbody. For example, pumping/diversion of water to a vegetated area, construction of a settling basin or other filtration system.
 - Site isolation measures (e.g., silt boom or silt curtain) for containing suspended sediment where in-water work is required (e.g., dredging, underwater cable installation).
 - Measures for containing and stabilizing waste material (e.g., dredging spoils, construction waste and materials, commercial logging waste, uprooted or cut aquatic plants, accumulated debris) above the high water mark of nearby waterbodies to prevent re-entry.
 - Regular inspection and maintenance of erosion and sediment control measures and structures during the course of construction.
 - Repairs to erosion and sediment control measures and structures if damage occurs.
 - Removal of non-biodegradable erosion and sediment control materials once site is stabilized.
- Clearing of riparian vegetation should be kept to a minimum: use existing trails, roads or cut lines wherever possible to avoid disturbance to the riparian vegetation and prevent soil compaction. When practicable, prune or top the vegetation instead of grubbing/uprooting.
- Minimize the removal of natural woody debris, rocks, sand or other materials from the banks, the shoreline or the bed of the waterbody below the ordinary high water mark. If material is removed from the waterbody, set it aside and return it to the original location once construction activities are completed.
- Immediately stabilize shoreline or banks disturbed by any activity associated with the project to prevent erosion and/or sedimentation, preferably through re-vegetation with native species suitable for the site.
- Restore bed and banks of the waterbody to their original contour and gradient; if the original gradient cannot be restored due to instability, a stable gradient that does not obstruct fish passage should be restored.
- If replacement rock reinforcement/armouring is required to stabilize eroding or exposed areas, then ensure that appropriately-sized, clean rock is used; and that rock is installed at a similar slope to maintain a uniform bank/shoreline and natural stream/shoreline alignment.
- Remove all construction materials from site upon project completion.

- Ensure that all in-water activities, or associated in-water structures, do not interfere with fish passage, constrict the channel width, or reduce flows.
- Retain a qualified environmental professional to ensure applicable permits for relocating fish are obtained and to capture any fish trapped within an isolated/enclosed area at the work site and safely relocate them to an appropriate location in the same waters. Fish may need to be relocated again, should flooding occur on the site.
- Screen any water intakes or outlet pipes to prevent entrainment or impingement of fish. Entrainment occurs when a fish is drawn into a water intake and cannot escape. Impingement occurs when an entrapped fish is held in contact with the intake screen and is unable to free itself.
 - In freshwater, follow these measures for design and installation of intake end of pipe fish screens to protect fish where water is extracted from fish-bearing waters:
 - Screens should be located in areas and depths of water with low concentrations of fish throughout the year.
 - Screens should be located away from natural or artificial structures that may attract fish that are migrating, spawning, or in rearing habitat.
 - The screen face should be oriented in the same direction as the flow.
 - Ensure openings in the guides and seals are less than the opening criteria to make “fish tight”.
 - Screens should be located a minimum of 300 mm (12 in.) above the bottom of the watercourse to prevent entrainment of sediment and aquatic organisms associated with the bottom area.
 - Structural support should be provided to the screen panels to prevent sagging and collapse of the screen.
 - Large cylindrical and box-type screens should have a manifold installed in them to ensure even water velocity distribution across the screen surface. The ends of the structure should be made out of solid materials and the end of the manifold capped.
 - Heavier cages or trash racks can be fabricated out of bar or grating to protect the finer fish screen, especially where there is debris loading (woody material, leaves, algae mats, etc.). A 150 mm (6 in.) spacing between bars is typical.
 - Provision should be made for the removal, inspection, and cleaning of screens.
 - Ensure regular maintenance and repair of cleaning apparatus, seals, and screens is carried out to prevent debris-fouling and impingement of fish.
 - Pumps should be shut down when fish screens are removed for inspection and cleaning.
- Avoid using explosives in or near water. Use of explosives in or near water produces shock waves that can damage a fish swim bladder and rupture internal organs. Blasting vibrations may also kill or damage fish eggs or larvae.
 - If explosives are required as part of a project (e.g., removal of structures such as piers, pilings, footings; removal of obstructions such as beaver dams; or preparation of a river or lake bottom for installation of a structure such as a dam or water intake), the potential for impacts to fish and fish habitat should be minimized by implementing the following measures:

- Time in-water work requiring the use of explosives to prevent disruption of vulnerable fish life stages, including eggs and larvae, by adhering to appropriate fisheries [timing windows](#).
- Isolate the work site to exclude fish from within the blast area by using bubble/air curtains (i.e., a column of bubbled water extending from the substrate to the water surface as generated by forcing large volumes of air through a perforated pipe/hose), cofferdams or aquadams.
- Remove any fish trapped within the isolated area and release unharmed beyond the blast area prior to initiating blasting
- Minimize blast charge weights used and subdivide each charge into a series of smaller charges in blast holes (i.e., decking) with a minimum 25 millisecond (1/1000 seconds) delay between charge detonations (see Figure 1).
- Back-fill blast holes (stemmed) with sand or gravel to grade or to streambed/water interface to confine the blast.
- Place blasting mats over top of holes to minimize scattering of blast debris around the area.
- Do not use ammonium nitrate based explosives in or near water due to the production of toxic by-products.
- Remove all blasting debris and other associated equipment/products from the blast area.

Figure 1: Sample Blasting Arrangement



Per Fig. 1: 20 kg total weight of charge; 25 msecs delay between charges and blast holes; and decking of charges within holes.

- Ensure that machinery arrives on site in a clean condition and is maintained free of fluid leaks, invasive species and noxious weeds.

- Whenever possible, operate machinery on land above the high water mark, on ice, or from a floating barge in a manner that minimizes disturbance to the banks and bed of the waterbody.
- Limit machinery fording of the watercourse to a one-time event (i.e., over and back), and only if no alternative crossing method is available. If repeated crossings of the watercourse are required, construct a temporary crossing structure.
- Use temporary crossing structures or other practices to cross streams or waterbodies with steep and highly erodible (e.g., dominated by organic materials and silts) banks and beds. For fording equipment without a temporary crossing structure, use stream bank and bed protection methods (e.g., swamp mats, pads) if minor rutting is likely to occur during fording.
- Wash, refuel and service machinery and store fuel and other materials for the machinery in such a way as to prevent any deleterious substances from entering the water.

Date modified:
2013-11-25

APPENDIX "REI-B"

SCHEDULE C

MITIGATION PLAN

The Municipality shall undertake measures to minimize adverse effects on species at risk in accordance with the general conditions described in Part B and taxa-specific conditions described in Part C, and the monitoring and reporting requirements described in Part D of this Mitigation Plan.

PART A. DEFINITIONS

1. Definitions:

1.1. In this Schedule, the following words shall have the following meanings:

"DFO" means Fisheries and Oceans Canada;

"MNR" means the Aylmer District Office of the Ministry of Natural Resources;

"Contact" means to contact the MNR in accordance with the notification/contact schedule provided to the Municipality by the MNR Designated Representative from time to time;

"Holding Tub" means a large, light-coloured container fitted with a non-airtight latchable lid approved by the MNR for the temporary storage of captured snakes, turtles, amphibians, birds or eggs;

"Interagency Notification Form" means the form issued by DFO, available at www.dfo-mpo.gc.ca, which is required to be completed when a drain is being maintained or constructed;

"Monitoring and Reporting Form" means the document that must be completed by the Municipality in accordance with Part D to this Schedule and will be provided to the Municipality;

"Ontario Operational Statement" means one of the documents issued by DFO, available at www.dfo-mpo.gc.ca, that sets out the conditions and measures to be incorporated into a project in order to avoid negative impacts to fish and fish habitat in Ontario, as modified from time to time;

"Process Charts" means the charts attached as Part E to this Schedule which describe the steps set out in this Mitigation Plan;

"Seasonal Timing Windows Chart" means the chart attached as Part G to this schedule which describes the Sensitive Periods applicable to each Taxonomic Group;

"Sensitive Area" means a geographic area in the Municipality where additional mitigation measures are required to be undertaken for one or more Taxonomic Groups;

"Sensitive Areas Map" means any one of the maps attached as Part F to this schedule which sets out the applicable Sensitive Areas;

"Sensitive Period" means a time of year set out in the Seasonal Timing Windows Chart during which taxa-specific mitigation measures are required to be undertaken for a Taxonomic Group because of ambient air/water temperatures, water-levels or important life-history stages;

"Taxonomic Group" means the distinct group comprising one or more Species based on their taxonomic relationship and common approaches to mitigating adverse effects (i.e., fish, mussels, turtles, snakes, amphibians, birds or plants); and

"Work Zone" means the geographic area in the Municipality where an Activity in respect of one of the Drainage Works is being conducted.

- 1.2. For greater certainty, any defined terms that are not defined in section 1.1 have the same meanings as in the Agreement.

PART B. GENERAL MEASURES TO MINIMIZE ADVERSE EFFECTS

2. Process Charts

- 2.1. The general steps set out in this Part B are visually described in the Process Charts (Part E).

3. Review of Documentation

- 3.1. Prior to conducting any Activities in respect of the Drainage Works the Municipality shall determine if conditions apply to the place, time or manner in which the Municipality wishes to pursue them by reviewing:
 - (a) the Sensitive Areas Maps (Part F) to determine if the Work Zone for the proposed Activities will occur within a Sensitive Area;
 - (b) the DFO Reference Guide for Fish and Mussel Species at Risk Distribution Maps: A Referral Review Tool for Projects Affecting Aquatic Species at Risk;
 - (c) the Seasonal Timing Windows Chart (Part G) to determine if the proposed Activities will occur during a Sensitive Period for one or more of the Taxonomic Groups; and
 - (d) the Process Charts to determine if prior notification is required;
 - (e) the mitigation measures for each applicable Taxonomic Group in Part C to determine what additional site-specific mitigation measures, if any, are required.
- 3.2. The Municipality shall document the results of the review undertaken in accordance with section 3.1 using the Monitoring and Reporting Form.

4. Sensitive Areas Maps

- 4.1. The Sensitive Areas Maps contain sensitive information about the distribution of species at risk, are provided for the sole purpose of informing this Agreement and are not to be copied or distributed for any other purposes or to any other party without the prior written authorization of the MNR Designated Representative.

5. Prior Notification to Seek Direction

- 5.1. If, after completing the review of documents described in section 3.1, the Municipality determines that the proposed Activities will be undertaken:
 - (a) in a place;
 - (b) at a time; or
 - (c) in a manner,that requires prior notification in accordance with the Process Charts, the Municipality shall provide prior notification to the MNR in order for the MNR to determine if the Municipality must undertake additional site-specific or Species-specific mitigation

measures to minimize adverse effects on the Species and, if applicable, to identify such measures.

- 5.2. The prior notification under section 5.1 shall include a completed Interagency Notification Form:
 - (a) in respect of maintenance/repair where the proposed Activities are being undertaken pursuant to subsection 3(18) or section 74 of the *Drainage Act*; or
 - (b) in respect of construction/improvement where the proposed Activities are being undertaken pursuant to section 77 or 78 of the *Drainage Act*.
- 5.3. Where an Activity is undertaken in accordance with section 124 of the *Drainage Act* and would otherwise have required prior notification under section 5.1, the Municipality shall Contact the MNR by email prior to the commencement of the Activity, and complete and submit the applicable Interagency Notification Form within one week of the Activity's completion, unless otherwise directed in writing by the MNR Designated Representative.

6. General Mitigation Measures

- 6.1. Notwithstanding that prior notification or additional mitigation measures may be required in accordance with this schedule, in undertaking any Activity at any time in respect of the Drainage Works the Municipality shall:
 - (a) undertake the mitigation measures for sediment control and for erosion control and bank stabilization set out in The Drain Primer (Cliff Evanitski 2008) published by DFO (ISBN 978-0-662-48027-3), unless otherwise authorized in writing by the MNR Designated Representative;
 - (b) use net free, 100% biodegradable erosion control blanket for all erosion control or bank stabilization done in conjunction with their Activities or, if authorized in writing by the MNR Designated Representative, alternative erosion control blankets that provide equal or greater protection to individual Species; and
 - (c) where applicable, follow the guidelines set out in the following Ontario Operational Statements:
 - (i) Beaver Dam Removal;
 - (ii) Bridge Maintenance;
 - (iii) Culvert Maintenance;
 - (iv) Isolated Pond Construction;
 - (v) Maintenance of Riparian Vegetation in Existing Right of Ways; and
 - (vi) Temporary Stream Crossing.

PART C. TAXA-SPECIFIC MEASURES TO MINIMIZE ADVERSE EFFECTS

ADDITIONAL MITIGATION MEASURES FOR FISH SPECIES

7. Activities undertaken in Sensitive Areas for Fish

- 7.1. Subject to section 7.2, where a proposed Activity will occur in a Sensitive Area for a fish Species, the Municipality shall contact the MNR to seek further direction.
- 7.2. Section 7.1 does not apply where the applicable Drainage Works are:
 - (a) in a naturally dry condition;
 - (b) classified as a Class F drain under DFO's *Class Authorization System for the Maintenance of Agricultural Municipal Drains in Ontario* (ISBN 0-662-72748-7); or
 - (c) a closed drain.

ADDITIONAL MITIGATION MEASURES FOR MUSSEL SPECIES

8. Activities undertaken in Sensitive Areas for Mussels

- 8.1. Subject to section 8.2, where a proposed Activity will occur in a Sensitive Area for a mussel Species, the Municipality shall contact the MNR to seek further direction.
- 8.2. Section 8.1 does not apply where the applicable Drainage Works are:
 - (a) in a naturally dry condition;
 - (b) classified as a Class F drain in DFO's *Class Authorization System for the Maintenance of Agricultural Municipal Drains in Ontario* (ISBN 0-662-72748-7); or
 - (c) a closed drain.

ADDITIONAL MITIGATION MEASURES FOR TURTLE SPECIES

9. Training and Required On Site Materials for Turtles

- 9.1. The Municipality will ensure any person:
 - (a) involved in the capture, temporary holding, transfer and release of any turtle Species has received training in proper turtle handling procedures; and
 - (b) who undertakes an Activity has a minimum of two Holding Tubs and cotton sacks on site at all times.

10. Activities undertaken in Sensitive Areas and Sensitive Periods for Turtles

- 10.1. Subject to section 10.2, where a proposed Activity will occur in a Sensitive Area for any turtle Species and during a Sensitive Period for that Species, the Municipality shall:
 - (a) not undertake any Activities that include the excavation of sediment or disturbance to banks during the applicable Sensitive Period unless otherwise authorized;
 - (b) undertake Activities in accordance with any additional site-specific measures provided in writing by the MNR Designated Representative;
 - (c) avoid draw-down and de-watering of the Sensitive Area during the applicable Sensitive Period; and

- (d) if authorized by the MNR Designated Representative under (a) above to undertake Activities that include excavation of sediment or disturbance of banks, in addition to any other measures required under (b) above, ensure any person undertaking an Activity has at least two Holding Tubs on site at all times.

10.2. Section 10.1 does not apply where the applicable Drainage Works are:

- (a) in a naturally dry condition;
- (b) classified as a Class F drain in DFO's *Class Authorization System for the Maintenance of Agricultural Municipal Drains in Ontario* (ISBN 0-662-72748-7); or
- (c) a closed drain.

11. Measures for Encounters with Turtles During a Sensitive Period

- 11.1. Where one or more individuals belonging to a turtle Species is encountered in the undertaking of an Activity in any part of a Work Zone (including, but not limited to, a Sensitive Area) during a Sensitive Period for that Species, the Municipality shall:
- (a) capture and transfer all uninjured individuals of that Species into a Holding Tub;
 - (b) capture and transfer all individuals injured as a result of the Activities into a Holding Tub separate from any Holding Tub containing uninjured individuals;
 - (c) ensure that the Holding Tubs with the captured individuals are stored at a cool temperature to prevent freezing until the individuals can be transferred; and
 - (d) immediately Contact the MNR to seek direction and to arrange for the transfer of the individual turtles.

12. Measures for Encounters with Turtles Laying Eggs or Nest Sites

- 12.1. Where one or more individuals belonging to a turtle Species laying eggs, or an active nest site of any turtle Species, is encountered in undertaking an Activity in a Work Zone, the Municipality shall:
- (a) not disturb a turtle encountered laying eggs and not conduct any Activities within 20 metres of the turtle while it is laying eggs;
 - (b) collect any displaced or damaged eggs and capture any injured dispersing juveniles and transfer them to a Holding Tub;
 - (c) store all captured injured individuals and collected eggs out of direct sunlight;
 - (d) immediately Contact the MNR to seek direction and to arrange for the transfer of any injured individuals and eggs;
 - (e) immediately stop any disturbance to the nest site and recover exposed portions with soil or organic material to protect the integrity of the remaining individuals;
 - (f) not drive any equipment over the nest site or conduct any Activities within 5 metres of the nest site;
 - (g) not place any dredged materials removed from the Drainage Works on top of the nest site;
 - (h) mark out the physical location of the nest site for the duration of the project but not by any means that might increase the susceptibility of the nest to predation or poaching; and
 - (i) where there are no collected eggs or captured individuals, record relevant information and Contact the MNR within 72 hours to provide information on the location of the nest site.

13. Measures for Encounters with Turtles Outside of a Sensitive Period

- 13.1. Where one or more individuals belonging to a turtle Species is encountered while undertaking an Activity in any part of a Work Zone (including, but not limited to, a Sensitive Area) but outside of any Sensitive Period for that Species, the Municipality shall:
- (a) briefly stop the Activity for a reasonable period of time to allow any uninjured individual turtles of that Species to leave the Work Zone;
 - (b) where individuals do not leave the Work Zone after the Activity is briefly stopped in accordance with (a) above, capture all uninjured individuals and release them in accordance with section 14.1;
 - (c) where circumstances do not allow for their immediate release, transfer captured uninjured individuals for a maximum of 24 hours into a Holding Tub which shall be stored out of direct sunlight and then release them in accordance with section 14.1;
 - (d) capture and transfer any individuals that have been injured into a Holding Tub separate from any Holding Tub containing uninjured individuals; and
 - (e) store all captured injured individuals out of direct sunlight and immediately Contact the MNR to seek direction and to arrange for their transfer.

14. Release of Captured Individuals Outside of a Sensitive Period

- 14.1. Where uninjured individuals are captured under section 13.1, they shall be released:
- (a) within 24 hours of capture;
 - (b) in an area immediately adjacent to the Drainage Works;
 - (c) in an area that will not be further impacted by the undertaking of any Activity; and
 - (d) not more than 250 metres from the capture site.
- 14.2. Following a release under section 14.1, the Municipality shall Contact the MNR within 72 hours of the release to provide information on the name of the Drainage Works, the location of the encounter and the location of the release site.

15. Measures for Dead Turtles

- 15.1. Where one or more individuals of a turtle Species is killed as a result of an Activity in a Work Zone, or if a person undertaking an Activity finds a deceased individual of a turtle Species within the Work Zone, the Municipality shall:
- (a) place any dead turtles in a Holding Tub outside of direct sunlight; and
 - (b) Contact the MNR within 72 hours to seek direction and to arrange for the transfer of the dead individuals.

ADDITIONAL MITIGATION MEASURES FOR SNAKE SPECIES

16. Training and Required On Site Materials for Snakes

- 16.1. The Municipality will ensure any person:
- (a) involved in the capture, temporary holding, transfer and release of any snake Species has received training in proper snake handling procedures; and
 - (b) who undertakes an Activity has a minimum of two Holding Tubs and cotton sacks on site at all times.

17. Activities undertaken in Sensitive Areas and Sensitive Periods for Snakes

- 17.1. Where a proposed Activity involves physical infrastructure (e.g., culverts, pump houses, etc.) and will occur in a Sensitive Area for any snake Species and during a *Sensitive Period – Hibernation* for that Species, the Municipality shall undertake the Activity outside of the Sensitive Period, unless otherwise authorized by and in accordance with any site-specific measures provided in writing by the MNR Designated Representative.
- 17.2. Where a proposed Activity will occur at or adjacent to a known hibernacula (as identified by the MNR) for any snake Species and during a *Sensitive Period – Staging* for that Species, the Municipality shall:
 - (a) erect effective temporary snake barriers approved by the MNR that will not pose a risk of entanglement for snakes and that shall be secured so that individual snakes may not pass over or under the barrier or between any openings to enter or re-enter the Work Zone;
 - (b) inspect the temporary snake barriers daily during periods when snakes are active, capture any individuals incidentally encountered within the area bounded by the snake barrier and release the captured individuals in accordance with section 21.1; and
 - (c) remove the temporary snake barriers immediately upon completion of the Activity.
- 17.3. Where a proposed Activity that does not involve physical infrastructure will occur in a Sensitive Area for any snake Species and during a *Sensitive Period – Staging* for that Species, the Municipality shall undertake the Activity outside of the Sensitive Period, unless otherwise authorized by and in accordance with any site-specific measures provided in writing by the MNR Designated Representative.

18. Measures for Encounters with Snakes During a Sensitive Period

- 18.1. Where one or more individuals belonging to a snake Species is encountered, or should an active hibernacula be uncovered, while conducting an Activity in any part of a Work Zone (including, but not limited to, a Sensitive Area) during a Sensitive Period for that Species, the Municipality shall:
 - (a) capture and transfer all injured and uninjured individual snakes of that Species into individual light-coloured, drawstring cotton sacks;
 - (b) place all cotton sacks filled with the captured individuals into a Holding Tub;
 - (c) ensure that the Holding Tub with the captured individuals is stored at a cool temperature to protect the snakes from freezing until the individuals can be retrieved or transferred;
 - (d) if an active hibernacula is uncovered, cease all Activities at the hibernacula site; and
 - (e) immediately Contact the MNR to seek direction and to arrange for the transfer and/or retrieval.

19. Measures for Encounters with Snake Nests

- 19.1. Where an active nest of any of the snake Species is encountered and disturbed while undertaking an Activity in any part of a Work Zone, the Municipality shall:
 - (a) collect any displaced or damaged eggs and transfer them to a Holding Tub;
 - (b) capture and transfer all injured dispersing juveniles of that Species into a light-coloured drawstring cotton sack;
 - (c) place all cotton sacks with the captured injured individuals into a Holding Tub;

- (d) ensure that the Holding Tub with the captured injured individuals is stored out of direct sunlight;
- (e) immediately Contact the MNR to seek direction and to arrange for the transfer of the injured individuals;
- (f) immediately stop any disturbance to the nest site and loosely cover exposed portions with soil or organic material to protect the integrity of the remaining individuals;
- (g) not drive any equipment over the nest site or conduct any Activities within 5 metres of the nest site;
- (h) not place any dredged materials removed from the Drainage Works on top of the nest site;
- (i) mark out the physical location of the nest site but not by any means that might increase the susceptibility of the nest to predation or poaching; and
- (j) where there are no collected eggs or captured individuals, Contact the MNR within 72 hours to provide information on the location of the nest site.

20. Measures for Encounters with Snakes Outside of a Sensitive Period

- 20.1. Where one or more individuals belonging to a snake Species is encountered while undertaking an Activity in any part of a Work Zone (including, but not limited to, a Sensitive Area) but outside of any Sensitive Period for that Species, the Municipality shall:
- (a) follow the requirements in section 16;
 - (b) briefly stop the Activity for a reasonable period of time to allow any uninjured individual snakes of that Species to leave the Work Zone;
 - (c) if the individuals do not leave the Work Zone after the Activity is briefly stopped in accordance with (b) above, capture all uninjured individuals and release them in accordance with section 21.1;
 - (d) where circumstances do not allow for the immediate release of captured uninjured individuals, they may be transferred into individual, light-coloured, drawstring cotton sacks before placing them in a Holding Tub which shall be stored out of direct sunlight for a maximum of 24 hours before releasing them in accordance with section 21.1;
 - (e) capture and transfer any individuals injured as a result of conducting the Activities into a Holding Tub separate from any Holding Tub containing uninjured individuals; and
 - (f) store all captured injured individuals out of direct sunlight and immediately Contact the MNR to seek direction and to arrange for their transfer.

21. Release of Captured Individuals Outside of a Sensitive Period

- 21.1. Where uninjured individuals are captured under section 20.1, they shall be released:
- (a) within 24 hours of capture;
 - (b) in an area immediately adjacent to the Drainage Works where there is natural vegetation cover;
 - (c) in an area that will not be further impacted by the undertaking of any Activity; and
 - (d) not more than 250 metres from the capture site.

- 21.2. Following a release under section 21.1, the Municipality shall Contact the MNR within 72 hours of the release to provide information on the name of the Drainage Works, the location of the encounter and the location of the release site.

22. Measures for Dead Snakes

- 22.1. Where one or more individuals belonging to a snake Species is killed as a result of an Activity in a Work Zone, or if a person undertaking an Activity finds a deceased individual of a snake Species within the Work Zone, the Municipality shall:
- (a) collect and transfer any dead individuals into a Holding Tub outside of direct sunlight; and
 - (b) Contact the MNR within 72 hours to seek direction and to arrange for the transfer of the carcasses of the dead individuals.

ADDITIONAL MITIGATION MEASURES FOR BIRD SPECIES

23. Activities Undertaken in Sensitive Areas and Sensitive Periods for Birds

- 23.1. Where a proposed Activity will occur in a Sensitive Area for any bird Species during a Sensitive Period for that Species, the Municipality shall:
- (a) not undertake any Activities that would disturb nesting habitat or nesting birds unless otherwise authorized; and
 - (b) undertake Activities in accordance with any additional site-specific measures provided in writing by the MNR Designated Representative.

24. Measures for Encounters with Birds during a Sensitive Period

- 24.1. Where one or more individuals belonging to a bird Species is encountered in the undertaking of an Activity in any part of a Work Zone (including, but not limited to, a Sensitive Area) during a Sensitive Period for that Species, the Municipality shall:
- (a) immediately stop any Activities that disturb vegetation, water levels, or cause birds to take flight in any part of the Work Zone within 100 metres of where the individual of that bird Species was encountered;
 - (b) capture and transfer any non-mobile individuals injured as a result of conducting the Activities into a Holding Tub;
 - (c) ensure that the Holding Tub with the captured injured individuals is stored out of direct sunlight; and
 - (d) immediately Contact the MNR to seek direction.

25. Measures for Encounters with Birds outside a Sensitive Period

- 25.1. Where one or more individuals belonging to a bird Species is encountered while undertaking an Activity in any part of a Work Zone (including, but not limited to, a Sensitive Area) but outside of a Sensitive Period for that Species, the Municipality shall:
- (a) temporarily stop the Activity for a reasonable period of time to allow any uninjured individual birds of that Species to leave the Work Zone;
 - (b) if the individuals do not leave the Work Zone after the Activity is temporarily stopped in accordance with (a) above, recommence Activities while ensuring no harm results to any individual birds of that Species;
 - (c) capture and transfer any non-mobile individuals injured as a result of conducting the Activities into a Holding Tub;

- (d) ensure that the Holding Tub with the captured injured individuals is stored out of direct sunlight and immediately Contact the MNR to seek direction and to arrange for the transfer of any captured injured individuals; and
- (e) where there are no injured individuals, Contact the MNR via email within 72 hours of the encounter to provide information on the name of the Drainage Works, the location of the encounter and the measures taken.

ADDITIONAL MITIGATION MEASURES FOR TREE SPECIES

26. Additional Measures for Butternut

- 26.1. Where Butternuts may exist in a Work Zone and may be affected by an Activity, the Municipality shall:
- (a) identify and mark as retainable trees all individual Butternut trees within the Work Zone during work planning site visits unless the individual Butternut has been assessed as a non-retainable tree due to infection by Butternut canker by a person designated by the Minister as a Butternut Health Assessor;
 - (b) retain and avoid disturbance to all individuals identified under (a) above that have been identified as retainable trees or that have not been assessed, unless otherwise authorized in writing by the MNR Designated Representative;
 - (c) conduct Activities by:
 - (i) limiting equipment access and operations to the side of the Drainage Works that will minimize disturbance to where any of the individual Butternut trees occur,
 - (ii) working around trees,
 - (iii) avoiding compacting and/or disturbing the soil by keeping excavation and other heavy equipment a minimum of 2 metres away from the main stem of retained individuals to avoid damaging roots and stems,
 - (iv) placing excavated materials on areas not within 2 metres of the main stem of retained individuals, and
 - (v) where branches are required to be removed to allow for safe operation of equipment, removing them using appropriate equipment, such as pruning saws, chain saws or lopping shears, in accordance with good forestry practices; and

27. Measures for Other Trees

- 27.1. Where Kentucky Coffee-tree may exist in a Work Zone and may be affected by an Activity, the Municipality shall:
- (a) identify and mark all individual Kentucky Coffee-tree within the Work Zone during work planning site visits;
 - (b) avoid disturbance to all individuals identified under (a) above, unless otherwise authorized in writing by the MNR Designated Representative;
 - (c) conduct Activities by:
 - (i) limiting equipment access and operations to the side of the Drainage Works that will minimize disturbance where any of the individuals occur,
 - (ii) working around trees,

- (iii) avoiding compacting and/or disturbing the soil by keeping excavation and other heavy equipment a minimum of 2 metres away from the main stem of retained individuals to avoid damaging roots and stems, and
- (iv) placing excavated materials on areas not within 2 metres of the main stem of retained individuals; and
- (d) where branches are required to be removed to allow for safe operation of equipment, remove them using appropriate equipment, such as pruning saws, chain saws or lopping shears, in accordance with good forestry practices.

PART D. MONITORING AND REPORTING REQUIREMENTS

28. Compliance Monitoring.

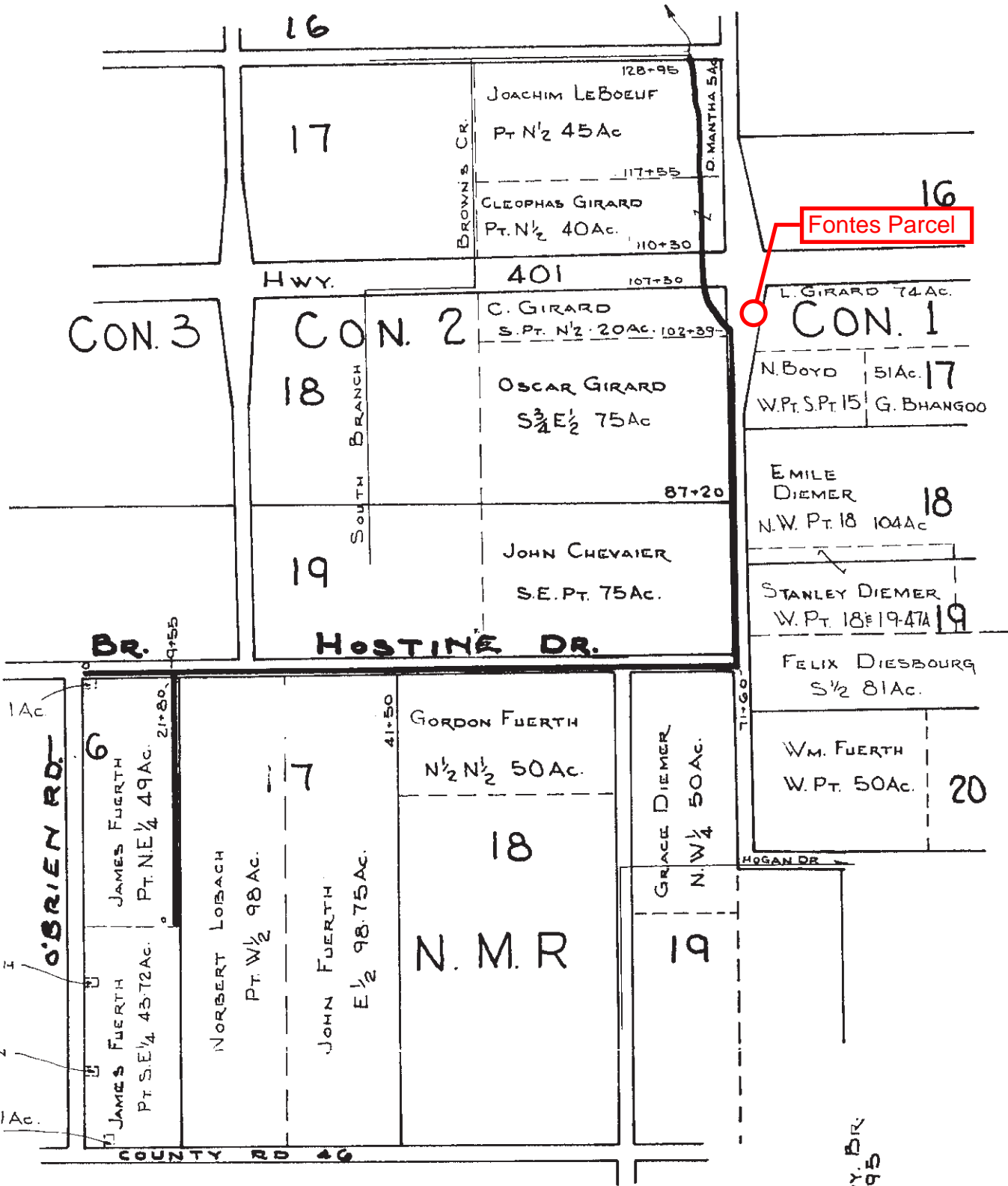
- 28.1. The Municipality shall inspect the undertaking of the Activities at the locations described in Part F of this Schedule C, and shall record the results of the inspections in the Monitoring and Reporting Form.
- 28.2. The Municipality shall record all encounters with Species and the resulting mitigation measures taken by the Municipality in the Monitoring and Reporting Form.

29. Reporting

- 29.1. Prior to March 31 of each year the Mitigation Plan is in effect, the Municipality shall submit a completed Monitoring and Reporting Form containing all of the information collected under sections 28.1 and 28.2 during the previous twelve months to the MNR Designated Representative.

30. Review

- 30.1. Within six months of the expiry of this Mitigation Plan but no later than three months from the time of its expiry, the Parties shall meet to review the measures and actions taken and the Activities undertaken during its term and to discuss the terms and conditions of the next Mitigation Plan.



1974 Watershed Plan
Maurice Armstrong, P.Eng.

Fontes Parcel

TOWNSHIP OF MAIDSTONE

BY-LAW NUMBER 2783

A by-law to amend by-law number 2734.

WHEREAS, the Council of the Township of Maidstone did on the 17th day of November, 1975, ENACT By-law No. 2734;

AND WHEREAS, it is deemed expedient to amend the said By-law No. 2734

NOW THEREFORE, the Council of the Township of Maidstone ENACTS AS FOLLOWS:-

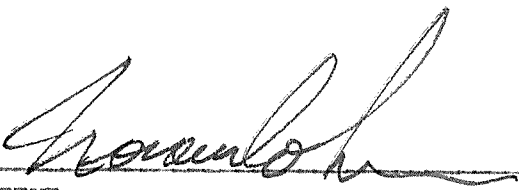
1. The Schedule of assessment in By-law No. 2734 is hereby deleted and the following is substituted therefore:-


Conc. or Plan	Lot or Part	Acres	Total Value Impro- vement	Cover Intrst. 5 years 10.5%	Total Cost	Annual Rate	OWNERS NAME
NMR	16	43.72	\$ 600.63	\$ 201.72	\$ 802.35	\$160.47	James Fuerth 7-1870
"	16	1	9.43	3.17	12.60	2.52	Leonard Fuerth 7-2304
"	"	1	9.43	3.17	12.60	2.52	Frances Garon 7-2305
"	"	49	600.63	201.72	802.35	160.47	James Fuerth 7-1870
"	"	1	18.87	6.33	25.20	5.04	James Blain 7-1875
"	17	49.5	470.44	158.01	628.45	125.69	John Fuerth 7-2270
"	"	49.25	467.92	157.18	625.10	125.02	John Fuerth 7-2270
"	"	98	993.71	333.74	1,327.45	265.49	John Fuerth 7-2290
"	"	1	18.87	6.33	25.20	5.04	John Bleau 7-2280
"	18	50	494.97	166.23	661.20	132.24	Gordon Fuerth 7-2250
"	19	50	301.89	101.41	403.30	80.66	Grace Diemer 7-1930
Conc. 1	18-19	47	273.58	91.87	365.45	73.09	Stanley Diemer 7-1700
"7	20	50	188.68	63.37	252.05	50.41	William Fuerth 7-2400
"	19	17	66.04	22.21	88.25	17.65	Felix Diesbourg 7-0061
"	17	15	116.04	38.96	155.00	31.00	Barbara Boyd 7-0022
"	18	15	77.36	25.99	103.35	20.67	Elie Diesbourg 7-0031
"	17	10	50.31	16.89	67.20	13.44	Donald Fuerth 7-0025
Conc. 2	19	75	451.57	151.68	603.25	120.65	John Chevalier 7-244
"	18	75	371.70	124.85	496.55	99.31	Martin Oscar Girard 7-243
"	17	30	75.47	25.33	100.80	20.16	Cleophas Girard 7-242
"	17		75.47	25.33	100.80	20.16	Joachim L Page 65 of 87

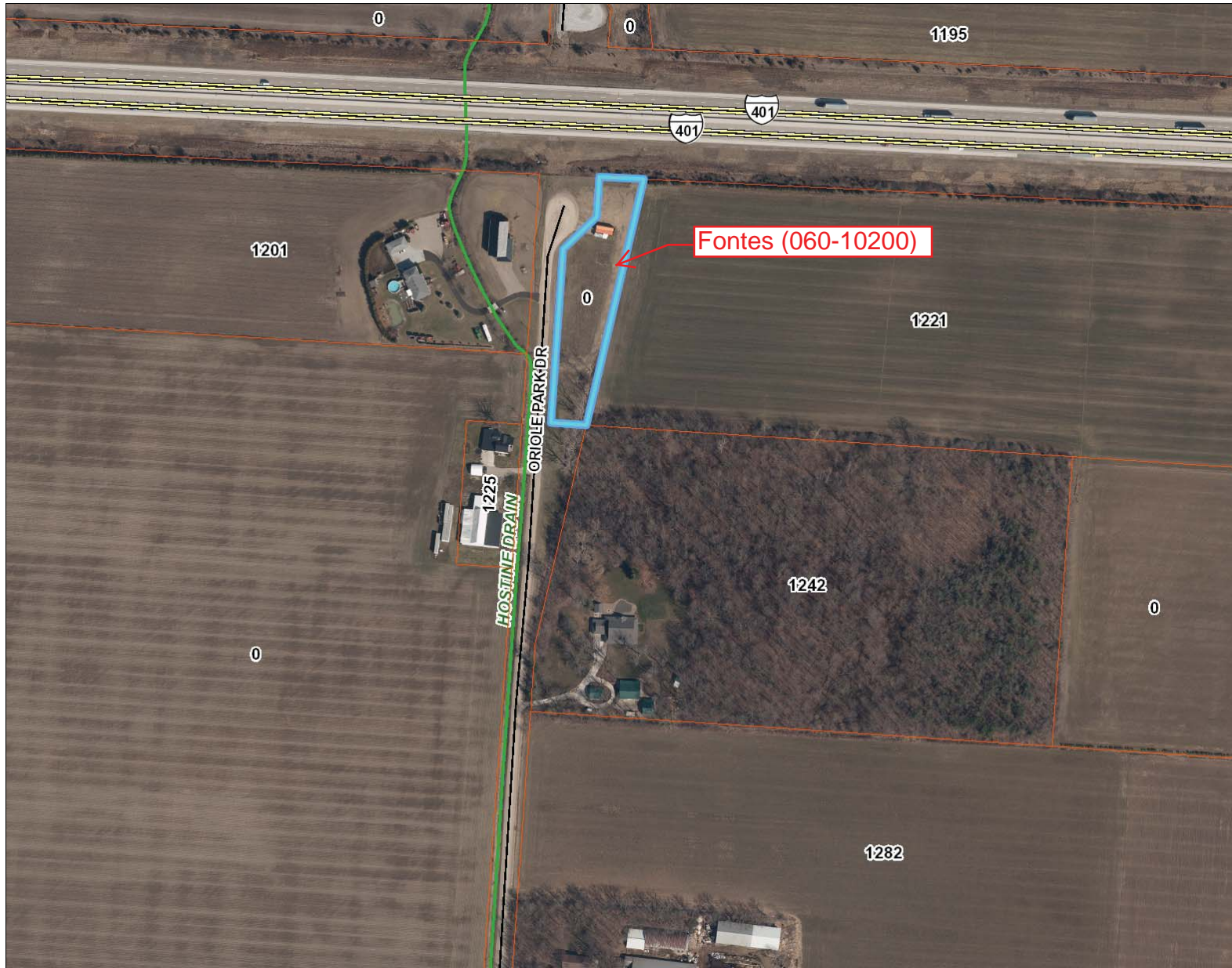
Conc. or Plan	Lot or Part	Acres	Total Value Impro- vement	Cover Intrst. 5 years 10.5%	Total Cost	Annual Rate	OWNER'S NAME
TOTAL ON LANDS			<u>\$5,733.01</u>	<u>\$1,925.49</u>	<u>\$7,658.50</u>	<u>\$1,531.70</u>	
North Rear Road			356.61	119.79	476.40	95.28	Maidstone Township
O'Brien Road			129.25	43.40	172.65	34.53	Maidstone Township
18-19 Sideroad			93.40	31.35	124.75	24.95	Maidstone Township
2nd Concession Road			186.79	62.76	249.55	49.91	Maidstone Township
Highway No. 401			94.34	31.71	126.05	25.21	M.T.C.
TOTAL ON LANDS			<u>\$6,593.40</u>		<u>\$8,807.90</u>		
AND ROADS				<u>\$2,214.50</u>		<u>\$1,761.58</u>	

This By-law shall come into force and effect upon the final passing thereof.

Read and finally passed this 24th day of November , 1975, A.D.


REEVE


CLERK



Legend

- Tax Parcel
- WorkingParcel
- Street Centreline
- <all other values>
- CNTY
- LAK
- PRIV
- PROV
- Municipal Drain
- Name

1: 4,157



Notes:

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION

APPENDIX "REI-C"

STANDARD SPECIFICATIONS **FOR ACCESS BRIDGE CONSTRUCTION**

1. PRECAST CONCRETE BLOCK & CONCRETE FILLED JUTE BAG HEADWALLS

After the Contractor has set the endwall foundations and the new pipe in place, it shall completely backfill same and install new precast concrete blocks or concrete filled jute bag headwalls at the locations and parameters indicated on the drawing. All concrete used for headwalls shall be a minimum of 30 mPa at 28 days and include 6% +/- 1% air entrainment.

Precast concrete blocks shall be interlocking and have a minimum size of 600mmX600mmX1200mm. Half blocks shall be used to offset vertical joints. Cap blocks shall be a minimum of 300mm thick. A foundation comprising minimum 300mm thick poured concrete or precast blocks the depth of the wall and the full bottom width of the drain plus 450mm embedment into each drain bank shall be provided and placed on a firm foundation as noted below. The Contractor shall provide a levelling course comprising a minimum thickness of 150mm Granular "A" compacted to 100% Standard Proctor Density or 20mm clear stone, or a lean concrete as the base for the foundation. The base shall be constructed level and flat to improve the speed of installation. Equipment shall be provided as required and recommended by the block supplier for placing the blocks such as a swift lift device for the blocks and a 75mm eye bolt to place the concrete caps,. The headwall shall extend a minimum of 150mm below the invert of the access bridge culvert with the top of the headwall set to match the finished driveway grade, unless a 150mm high curb is specified at the edge of the driveway. To achieve the required top elevation, the bottom course of blocks and footing may require additional embedment into the drain bottom. The Contractor shall provide shop drawings of the proposed wall for approval by the Drainage Superintendent or Engineer prior to construction.

Blocks shall be placed so that all vertical joints are staggered. Excavation voids on the ends of each block course shall be backfilled with 20mm clear stone to support the next course of blocks above. Walls that are more than 3 courses in height shall be battered a minimum of 1 unit horizontal for every 5 units of vertical height. The batter shall be achieved by careful grading of the footing and foundation base, or use of pre-battered base course blocks. Filter cloth as specified below shall be placed behind the blocks to prevent the migration of any fill material through the joints. Backfill material shall be granular as specified below. Where the wall height exceeds 1.8 metres in height, a uni-axial geogrid SG350 or equivalent shall be used to tie back the walls and be installed in accordance with the manufacturer's recommendations. The wall face shall not extend beyond the end of the access bridge pipe. Non-shrink grout shall be used to fill any gaps between the blocks and the access bridge pipe for the full depth of the wall. The grout face shall be finished to match the precast concrete block walls as closely as possible.

When constructing the concrete filled jute bag headwalls, the Contractor shall place the bags so that the completed headwall will have a slope inward from the bottom of the pipe to the top of the finished headwall. The slope of the headwall shall be one unit horizontal to five units vertical. The Contractor shall completely backfill behind the new concrete filled jute bag headwalls with Granular "B" and Granular "A" material as per O.P.S.S. Form 1010 and the granular material shall be compacted in place to a Standard Proctor Density of 100%. The placing of the jute bag headwalls and the backfilling shall be performed in lifts simultaneously. The granular backfill shall be placed and compacted in lifts not to exceed 305mm (12") in thickness.

The concrete filled jute bag headwalls shall be constructed by filling jute bags with concrete. All concrete used to fill the jute bags shall have a minimum compressive strength of 25 MPa in 28 days and shall be provided and placed only as a wet mix. Under no circumstance shall the concrete to be used for filling the jute bags be placed as a dry mix. The jute bags, before being filled with concrete, shall have a dimension of 460mm (18") x 660mm (26"). The jute bags shall be filled with concrete so that when they are laid flat, they will be approximately 100mm (4") thick, 305mm (12") to 380mm (15") wide and 460mm (18") long.

The concrete jute bag headwall to be provided at the end of the bridge pipe shall be a single or double bag wall construction as set out in the specifications. The concrete filled bags shall be laid so that the 460mm (18") dimension is parallel with the length of the new pipe. The concrete filled jute bags shall be laid on a footing of plain concrete being 460mm (18") wide, and extending for the full length of the wall, and 305mm (12") thick extending below the bottom of the culvert pipe.

All concrete used for the footing, cap and bags shall have a minimum compressive strength of 30 mPa at 28 days and shall include 6% ± 1% air entrainment.

Upon completion of the jute bag headwall the Contractor shall cap the top row of concrete filled bags with a layer of plain concrete, minimum 100mm (4") thick, and hand trowelled to obtain a pleasing appearance. If the cap is made more than 100mm thick, the Contractor shall provide two (2) continuous 15M reinforcing bars set at mid-depth and equally spaced in

the cap. The Contractor shall fill all voids between the concrete filled jute bags and the corrugated steel pipe with concrete, particular care being taken underneath the pipe haunches to fill all voids.

The completed jute bag headwalls shall be securely embedded into the drain bank a minimum of 450mm (18") measured perpendicular to the sideslopes of the drain.

As an alternate to constructing a concrete filled jute bag headwall, the Contractor may construct a grouted concrete rip rap headwall. The specifications for the installation of a concrete filled jute bag headwall shall be followed with the exception that broken pieces of concrete may be substituted for the jute bags. The concrete rip rap shall be approximately 460mm (18") square and 100mm (4") thick and shall have two (2) flat parallel sides. The concrete rip rap shall be fully mortared in place using a mixture composed of three (3) parts of clean sharp sand and one (1) part of Portland cement.

The complete placement and backfilling of the headwalls shall be performed to the full satisfaction of the Drainage Superintendent and the Engineer.

2. QUARRIED LIMESTONE ENDWALLS

The backfill over the ends of the corrugated steel pipe shall be set on a slope of 1-½ units horizontal to 1 unit vertical from the bottom of the corrugated steel pipe to the top of each end slope and between the drain banks. The top 305mm (12") in thickness of the backfill over the ends of the corrugated steel pipe shall be quarried limestone. The quarried limestone shall also be placed on a slope of 1-½ units horizontal to 1 unit vertical from the bottom of the corrugated steel pipe to the top of each bank of the drain adjacent each end slope. The quarried limestone shall have a minimum dimension of 100mm (4") and a maximum dimension of 250mm (10"). The end slope protection shall be placed with the quarried limestone pieces carefully tamped into place with the use of a shovel bucket so that, when complete, the end protection shall be consistent, uniform, and tightly laid in place.

Prior to placing the quarried limestone end protection over the granular backfill and on the drain banks, the Contractor shall lay non-woven geotextile filter fabric "GMN160" conforming to O.P.S.S. 1860 Class I or approved equal. The geotextile filter fabric shall extend from the bottom of the corrugated steel pipe to the top of each end slope of the bridge and along both banks of the drain to a point opposite the ends of the pipe.

The Contractor shall take extreme care not to damage the geotextile filter fabric when placing the quarried limestone on top of the filter fabric.

3. BRIDGE BACKFILL

After the corrugated steel pipe has been set in place, the Contractor shall backfill the pipe with Granular "B" material, O.P.S.S. Form 1010 with the exception of the top 305mm (12") of the backfill. The top 305mm (12") of the backfill for the full width of the excavated area (between each bank of the drain) and for the top width of the driveway, shall be Granular "A" material, O.P.S.S. Form 1010. The granular backfill shall be compacted in place to a Standard Proctor Density of 100% by means of mechanical compactors. All of the backfill material, equipment used, and method of compacting the backfill material shall be inspected and approved and meet with the full satisfaction of the Drainage Superintendent and Engineer.

4. GENERAL

Prior to the work commencing, the Drainage Superintendent and Engineer must be notified, and under no circumstances shall work begin without one of them being at the site. Furthermore, the grade setting of the pipe must be checked, confirmed, and approved by the Drainage Superintendent or Engineer prior to continuing on with the bridge installation.

The alignment of the new bridge culvert pipe shall be in the centreline of the existing drain, and the placing of same must be performed totally in the dry.

Prior to the installation of the new access bridge culvert, the existing sediment build-up in the drain bottom must be excavated and completely removed. This must be done not only along the drain where the bridge culvert pipe is to be installed, but also for a distance of 3.05 metres (10 ft.) both upstream and downstream of said new access bridge culvert. When setting the new bridge culvert pipe in place it must be founded on a good undisturbed base. If unsound soil is encountered, it must be totally removed and replaced with 20mm (3/4") clear stone, satisfactorily compacted in place.

When doing the excavation work or any other portion of the work relative to the bridge installation, care should be taken not to interfere with, plug up, or damage any existing surface drains, swales, and lateral or main tile ends. Where damage is encountered, repairs to correct same must be performed immediately as part of the work.

The Contractor and/or landowner performing the bridge installation shall satisfy themselves as to the exact location, nature and extent of any existing structure, utility or other object that they may encounter during the course of the work. The Contractor shall indemnify and save harmless the Town, or the Municipality, the Engineer, and their staff from any damages which it may cause or sustain during the progress of the work. It shall not hold them liable for any legal action arising out of any claims brought about by such damage caused by it.

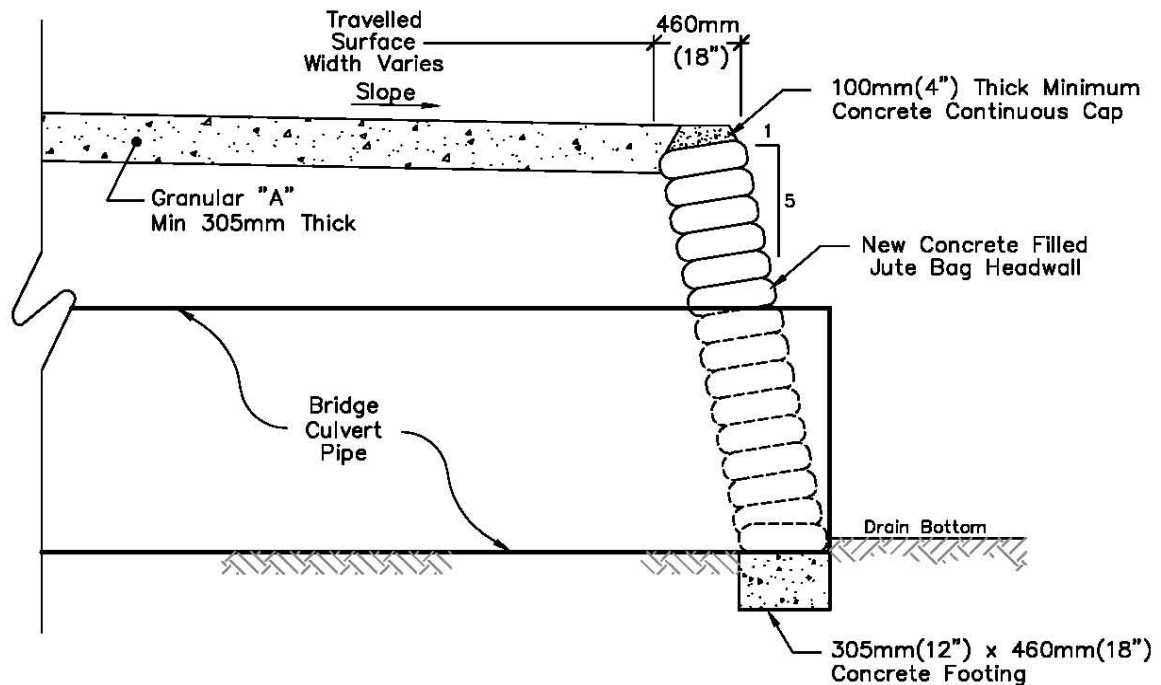
Where applicable, the Contractor and/or landowner constructing the new bridge shall be responsible for any damage caused by them to any portion of the Town road right-of-way. They shall take whatever precautions are necessary to cause a minimum of damage to same and must restore the roadway to its original condition upon completion of the works.

When working along a municipal roadway, the Contractor shall provide all necessary lights, signs, barricades and flagpersons as required to protect the public. All work shall be carried out in accordance with the requirements of the Occupational Health and Safety Act, and latest amendments thereto. If traffic control is required on this project, it is to comply with the M.T.O. Traffic Control Manual for Roadway Work Operations and Ontario Traffic Manual Book 7.

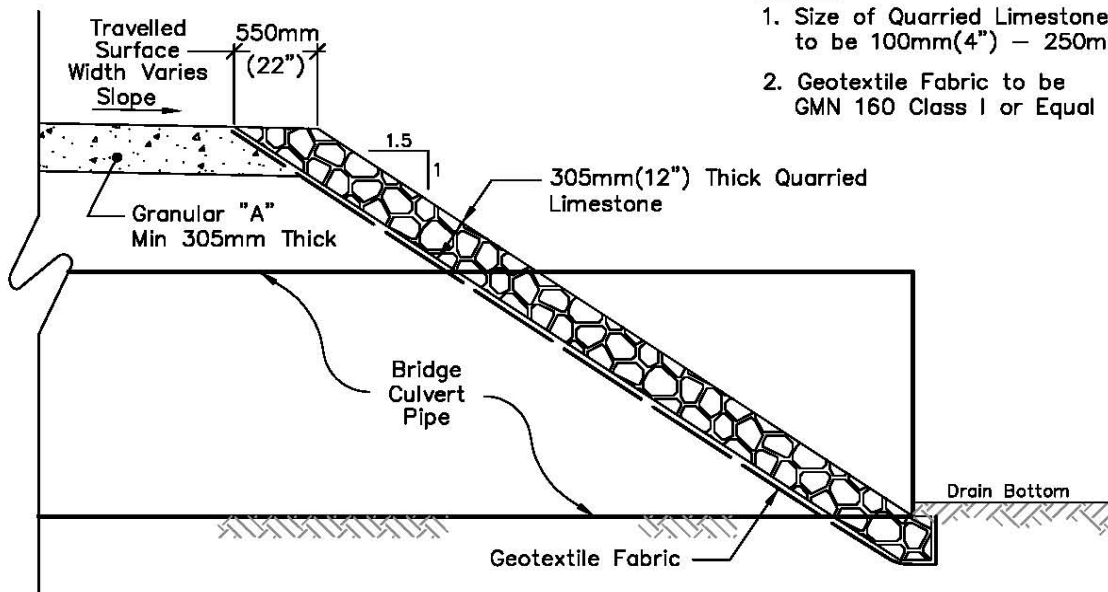
Once the bridge installation has been completed, the drain sideslopes directly adjacent the new headwalls and/or endwalls are to be completely restored including revegetation, where necessary.

All of the work required towards the installation of the bridge shall be performed in a neat and workmanlike manner. The general site shall be restored to its' original condition, and the general area shall be cleaned of all debris and junk, etc. caused by the work

All of the excavation, installation procedures, and parameters as above mentioned are to be carried out and performed to the full satisfaction of the Drainage Superintendent and Engineer.



Typical Jute Bag Headwall

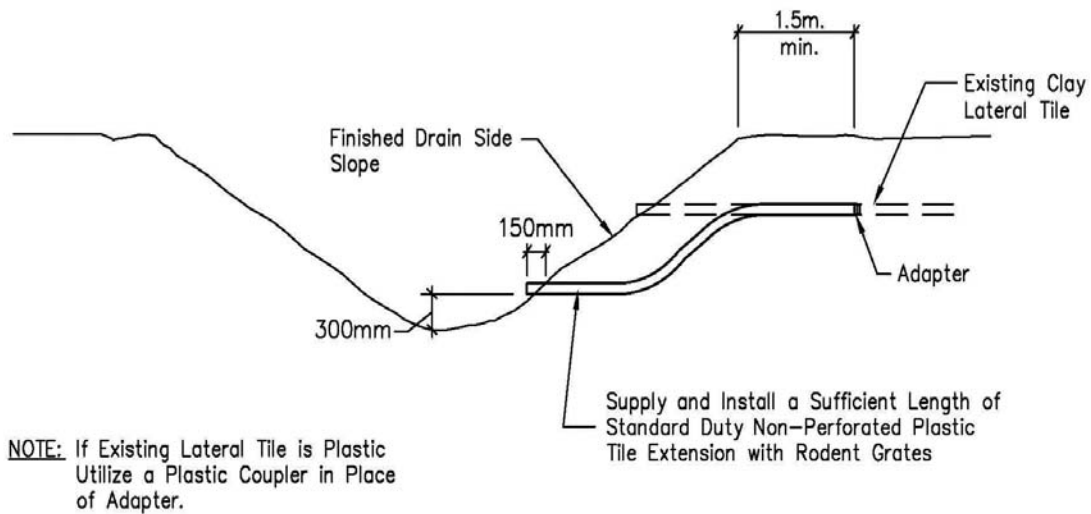


NOTE:

1. Size of Quarried Limestone to be 100mm(4") – 250mm(10")
2. Geotextile Fabric to be GMN 160 Class I or Equal

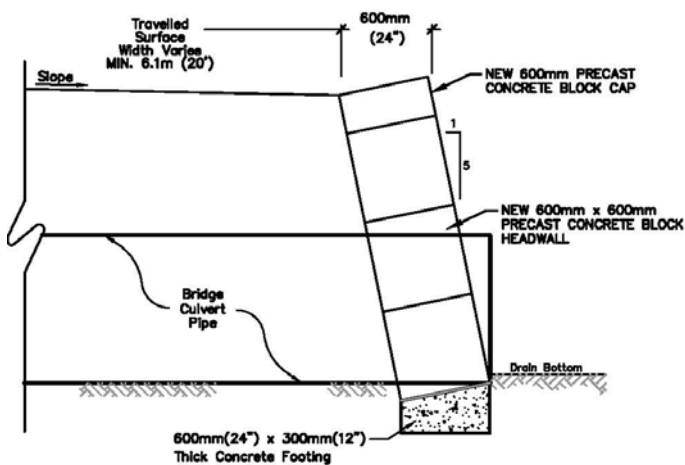
Typical Quarried Limestone End Protection

Rood Engineering Inc.
Consulting Engineers
 9 Nelson Street
 Leamington, Ontario N8H 1G6
 519-322-1621



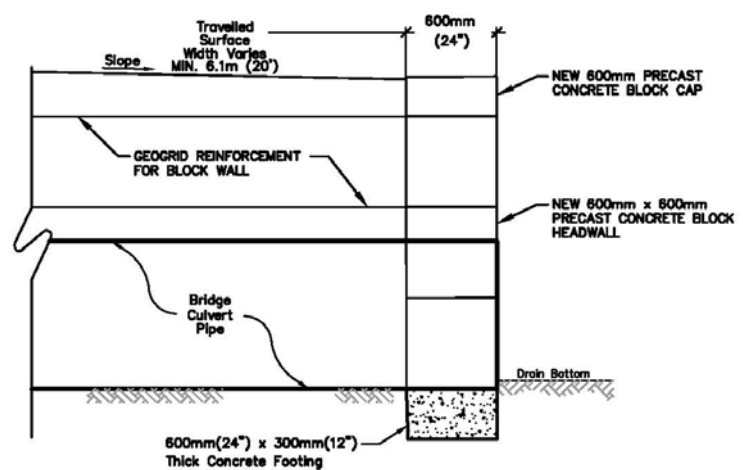
STANDARD LATERAL TILE DETAIL

N.T.S.



TYPICAL PRECAST CONCRETE BLOCK END PROTECTION

Scale = N.T.S.



TYPICAL VERTICAL PRECAST CONCRETE BLOCK END PROTECTION

Scale = N.T.S.

APPENDIX "REI-D"

SPECIAL PROVISIONS

Changes in assessment

Subsequent subdivision of land

65. (1) If, after the final revision of an engineer's assessment of land for a drainage works, the land is divided by a change in ownership of any part, the clerk of the local municipality in which the land is situate shall instruct an engineer in writing to apportion the assessment among the parts into which the land was divided, taking into account the part of the land affected by the drainage works. 2010, c. 16, Sched. 1, s. 2 (26).

Agreement on share of assessment

(2) If the owners of the subdivided land mutually agree on the share of the drainage assessment that each should pay, they may enter into a written agreement and file it with the clerk of the local municipality and, if the agreement is approved by the council by resolution, no engineer need be instructed under subsection (1). 2010, c. 16, Sched. 1, s. 2 (26).

Subsequent connection to drainage works, etc.

(3) If an owner of land that is not assessed for a drainage works subsequently connects the land with the drainage works for the purpose of drainage, or if the nature or extent of the use of a drainage works by land assessed for the drainage works is subsequently altered, the clerk of the local municipality in which the land is situate shall instruct an engineer in writing to inspect the land and assess it for a just proportion of the drainage works, taking into account any compensation paid to the owner of the land in respect of the drainage works. 2010, c. 16, Sched. 1, s. 2 (26).

Subsequent disconnection from drainage works

(4) If an owner of land that is assessed for a drainage works subsequently disconnects the land from the drainage works, the clerk of the local municipality in which the land is situate shall instruct an engineer in writing to inspect the land and determine the amount by which the assessment of the land should change. 2010, c. 16, Sched. 1, s. 2 (26).

Restriction on connection or disconnection

(5) No person shall connect to or disconnect from drainage works without the approval of the council of the municipality. 2010, c. 16, Sched. 1, s. 2 (26).

Notice of instructions

(6) The clerk of the local municipality shall send a copy of the instructions mentioned in subsection (1), (3) or (4) to the owners of the affected lands as soon as reasonably possible. 2010, c. 16, Sched. 1, s. 2 (26).

Engineer's assessment

(7) An engineer who prepares an assessment pursuant to instructions received under subsection (1), (3) or (4) shall file the assessment with the clerk of the local municipality. 2010, c. 16, Sched. 1, s. 2 (26).

Notice of assessment

(8) The clerk of the local municipality shall attach the engineer's assessment to the original assessment and send a copy of both to the owners of the affected lands. 2010, c. 16, Sched. 1, s. 2 (26).

Assessment binding

(9) Subject to subsection (11), the engineer's assessment is binding on the assessed land. 2010, c. 16, Sched. 1, s. 2 (26).

Costs

(10) The costs of the assessment, including the fees of the engineer, shall be paid by the owners of the lands in the proportion fixed by the engineer or, on appeal, by the Tribunal, and subsection 61 (4) applies to these costs. 2010, c. 16, Sched. 1, s. 2 (26).

Appeal of assessment

(11) If the engineer's assessment is for an amount greater than \$500, the owner of the land may appeal to the Tribunal within 40 days after the date the clerk sends a copy of the assessment to the owner. 2010, c. 16, Sched. 1, s. 2 (26).

Use of amount collected

(12) Any amount collected under subsection (3) shall be credited to the account of the drainage works and shall be used only for the improvement, maintenance or repair of the whole or any part of the drainage works. 2010, c. 16, Sched. 1, s. 2 (26).

66. Repealed: 2010, c. 16, Sched. 1, s. 2 (26).

APPENDIX "REI-E"

WATERSHED & KEY PLAN

OF THE

HOSTINE DRAIN & EAST BRANCH

(Geographic Township of Maidstone)

IN THE
MUNICIPALITY OF LAKESHORE
IN THE
COUNTY OF ESSEX • ONTARIO

Gerard Rood
GERARD ROOD, P.ENG.

**ROOD
ENGINEERING
INC.**
CONSULTING ENGINEERS
Leamington, Ontario
519-322-1621



DATE: September 12th, 2024

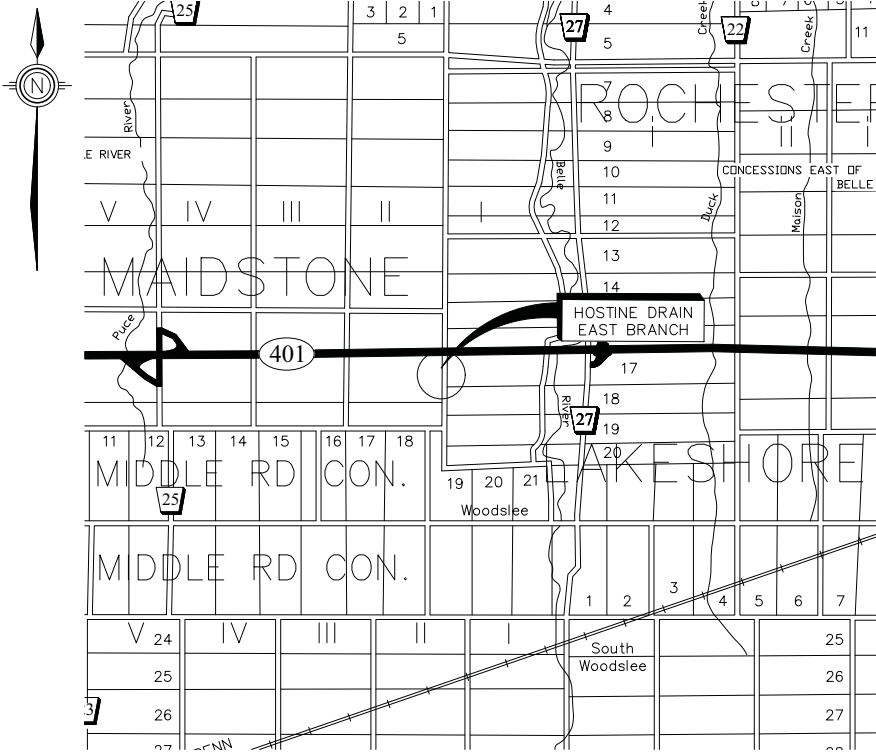
TOWN OF LAKESHORE

MAYOR: Tracey Bailey
CLERK: Brianna Coughlin
DRAINAGE SUPERINTENDENT: Jill Florito

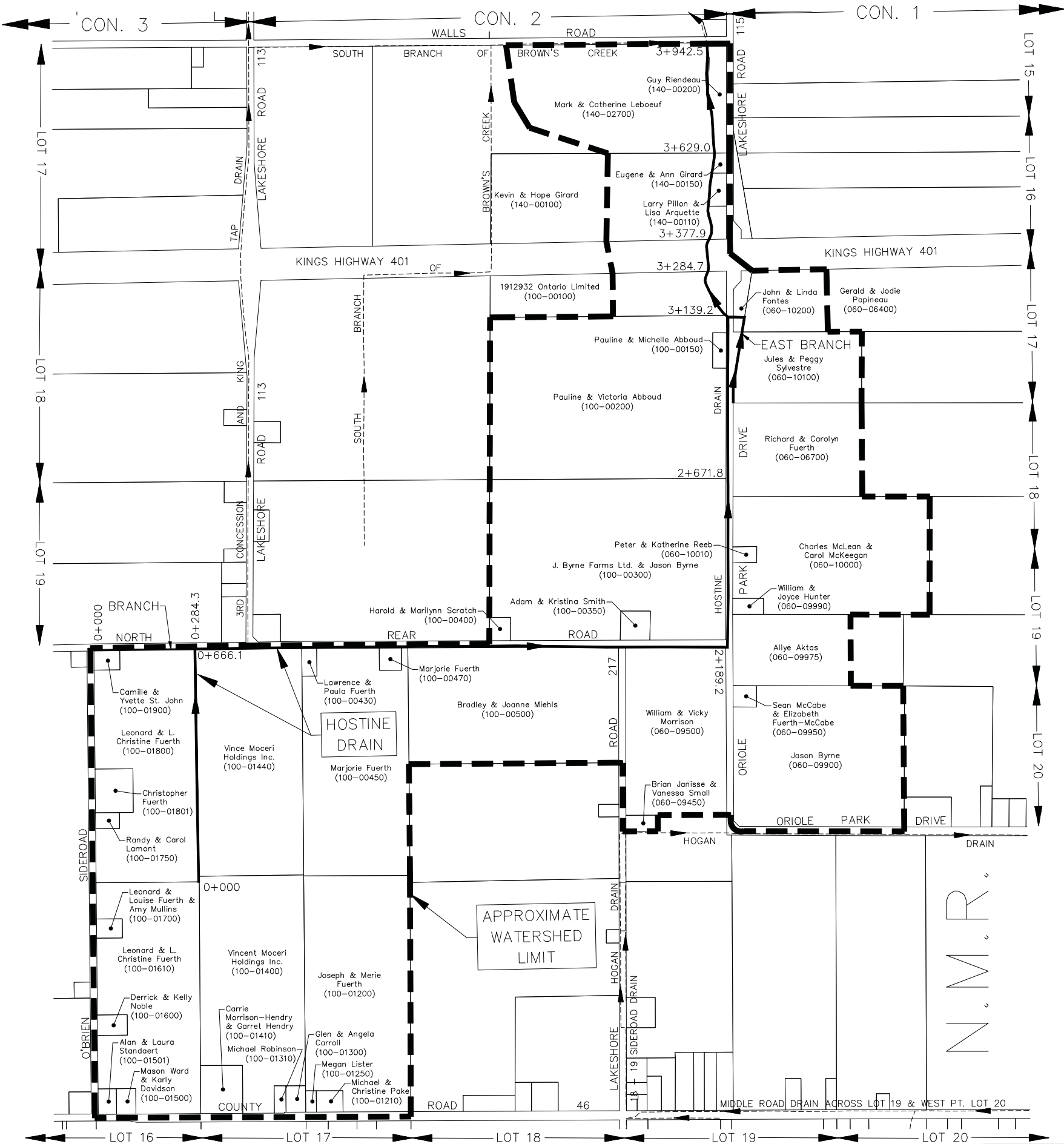
BENCHMARKS:

- 1) TOP OF NAIL IN NORTH FACE OF HYDRO POLE, LOCATED WEST SIDE OF ORIOLE PARK DRIVE, APPROXIMATELY 22.3m NORTH OF EXISTING 700mmØ H.D.P.E.

ELEV. = 184.224m



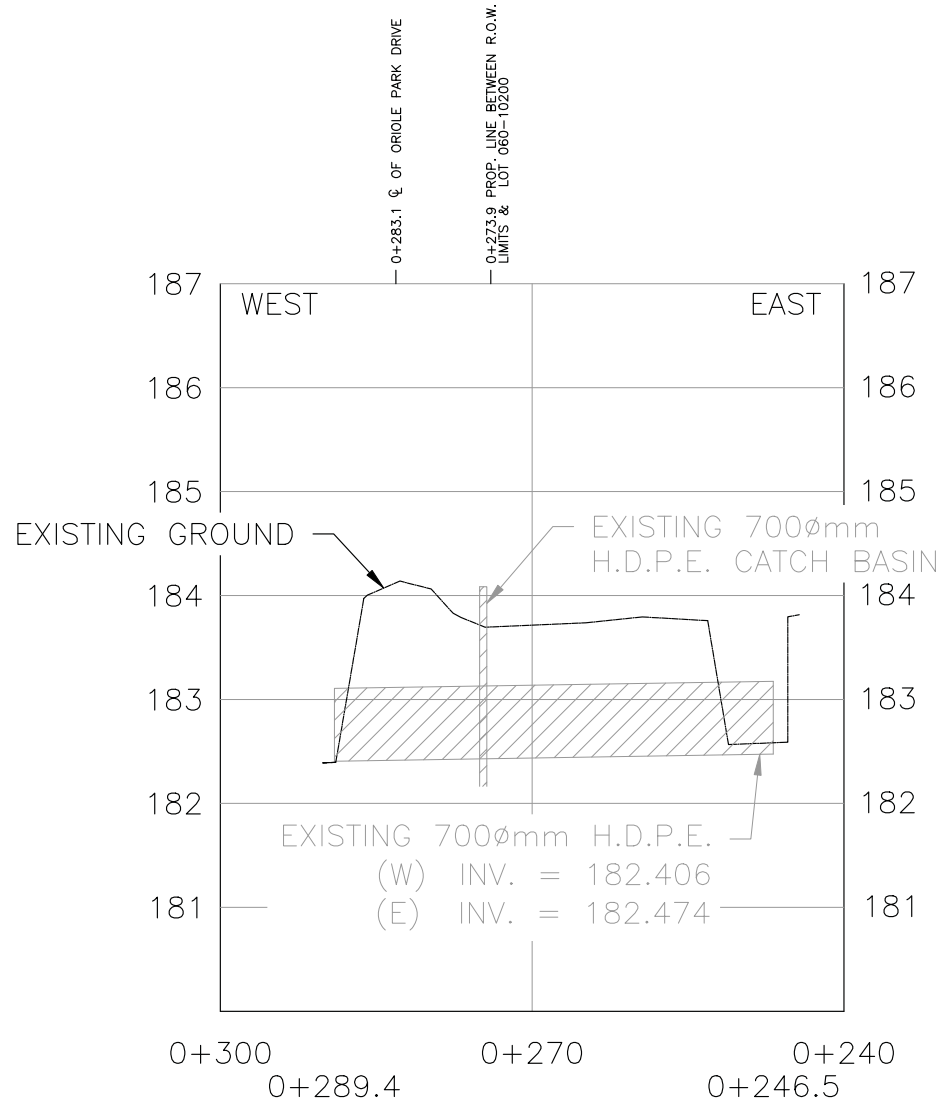
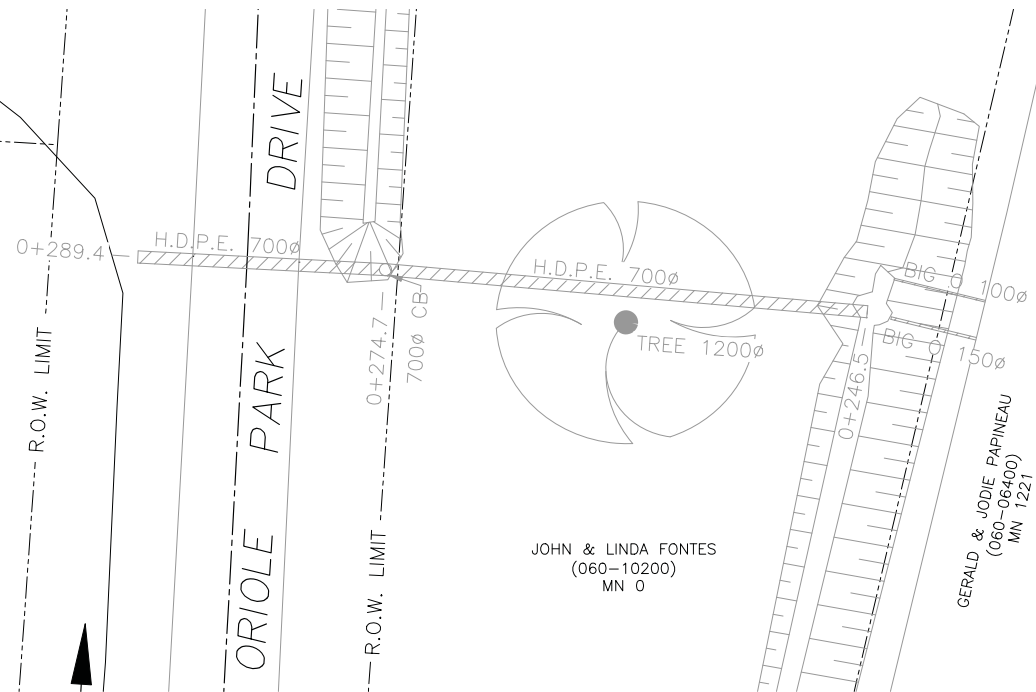
KEY PLAN
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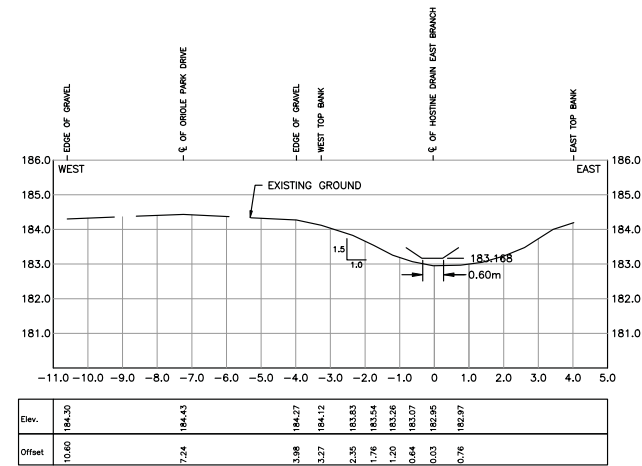
WATERSHED PLAN
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THESE PLANS HAVE BEEN REDUCED
AND THE SCALE THEREFORE VARIES.
FULL SCALE PLANS MAY BE VIEWED
AT THE MUNICIPAL OFFICE.

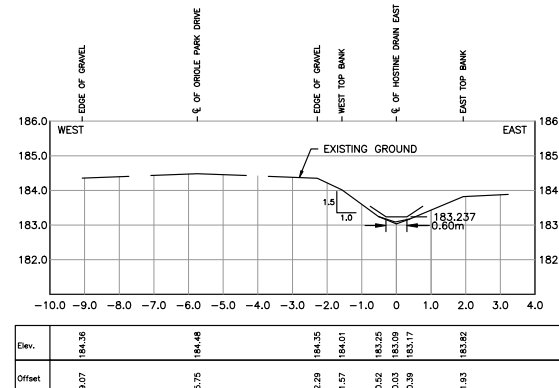
DRAWN BY: P.K.
PLOT CODE: 1:1
COMPUTER FILE: REI2024007
FILE No: REI2024007
SHEET No: 83 of 87



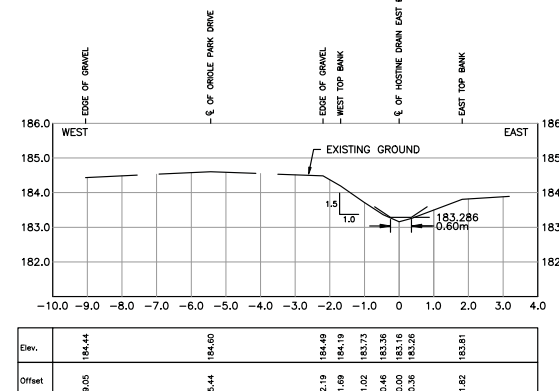
PROFILE - HOSTINE DRAIN EAST BRANCH
SCALE H = 1:300
V = 1:30



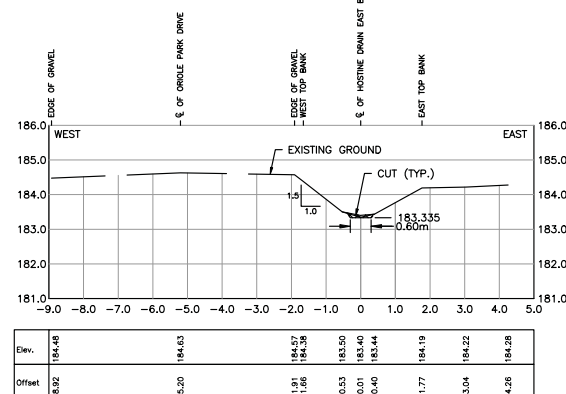
STA. 0+060
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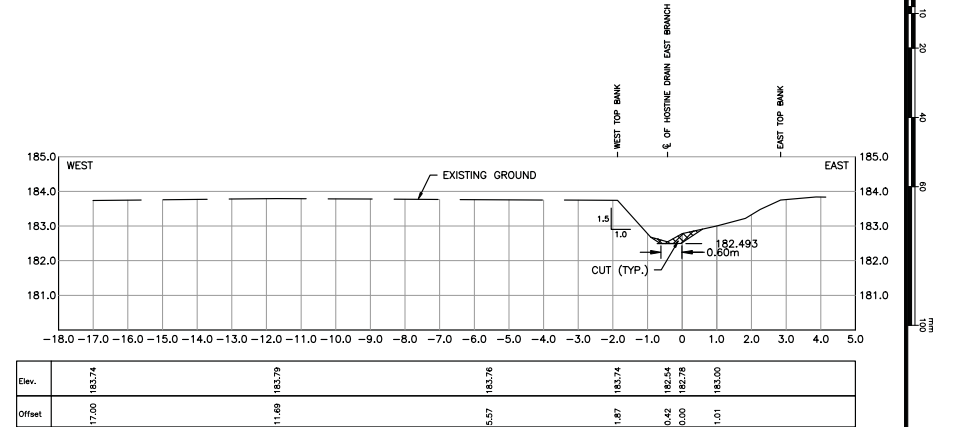
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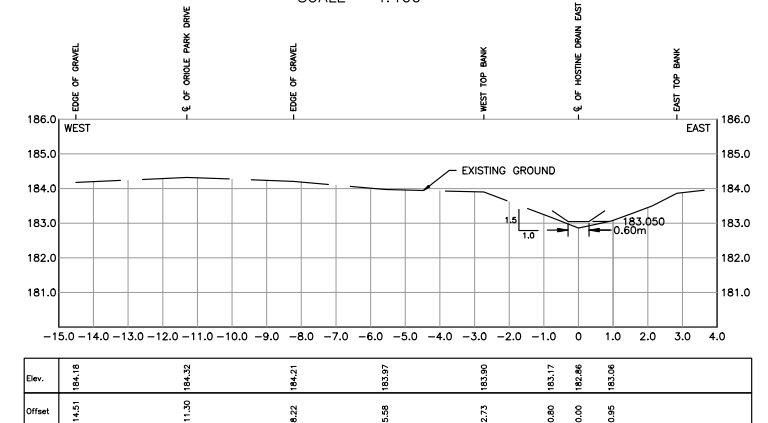
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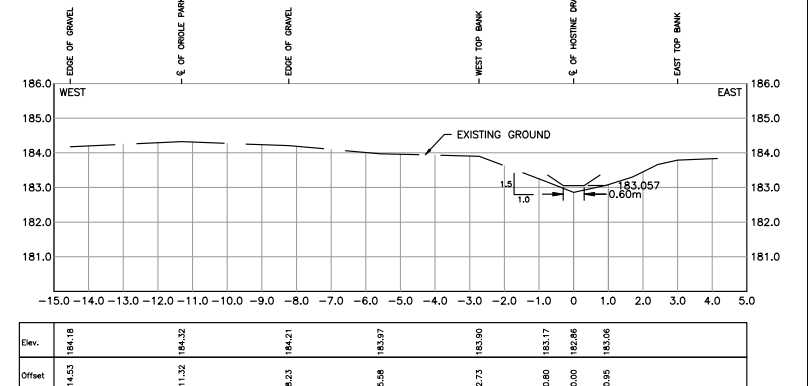
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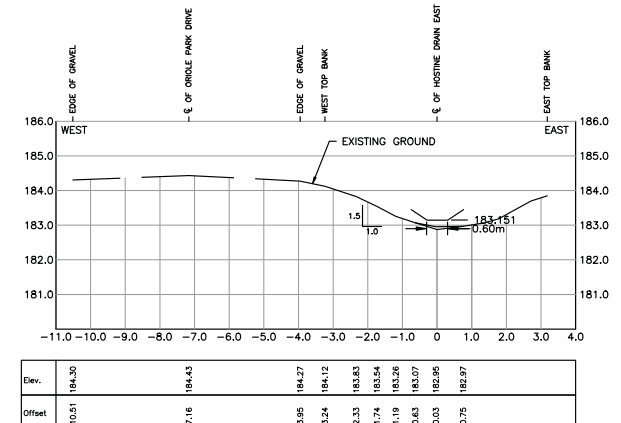
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STA. 0+091.44
SCALE = 1:100



STA. 0+090
SCALE = 1:100



STA. 0+064.44
SCALE = 1:100

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