



Council Meeting – October 28, 2025

Subject: McKoy Drain - Report for Consideration
Report Number: PW-25-011
Division: Environmental and Infrastructure Services
Department: Environmental Services
Ward: Ward 2
Purpose: For Decision

Recommendation(s):

That staff report PW-25-011, McKoy Drain - Report for Consideration be received as information; and

That Council adopt a by-law for the McKoy Drain report dated May 10, 2024, prepared by Bill Dietrich, P.Eng.; and

That staff be directed to send a copy of the provisional by-law and notice of Court of Revision to all affected owners in accordance with the Drainage Act; and

That the Approved Capital Budget be amended to include a \$5,000 allocation for the McKoy Drain, with funding provided from external recoveries (\$5,000); and

Further that upon completion of the Drainage Act appeals periods the Drainage Superintendent be authorized to complete the notifications and process to close the Drainage Act project.

Executive Summary:

The purpose of this report is to inform Mayor and Council that Norfolk County has received the McKoy Municipal Drain Report, and to seek Council's decision on whether to adopt the report by by-law in accordance with the *Drainage Act*.

The McKoy Drain is located in Lots 12 and 13, Concession 2 STR, within the geographic Township of Middleton. Staff had previously brought Report PW-08-35 forward and Council appointed Dietrich Engineering Ltd. to prepare an engineer's report for the proposed abandonment of a portion of the McKoy Drain.

To proceed, Council has the option to adopt the engineer's report and initiate the partial abandonment of the McKoy Drain in accordance with the Drainage Act. The proposed abandonment applies solely to the requesting landowner and will have no adverse

impact on upstream lands. Alternatively, Council may choose to refer the report back to the engineer for revisions.

Based on the findings outlined in the report prepared by Dietrich Engineering Ltd., staff recommend that Council adopt the report by by-law and proceed with the partial abandonment through the *Drainage Act* process to formally close the project.

The adoption of this report will result in a budget amendment to the Capital Plan of \$5,000, which will be funded by external recoveries. As there is no assessment to Norfolk County, this report does not result in financial impacts to the County.

Discussions:

Dietrich Engineering Ltd. was appointed by Council under the Drainage Act under staff report PW-08-35 to prepare a report for the abandonment of a portion of the McKoy Drain.

The McKoy Drain is located in Lots 12 and 13, Concession 2 STR, geographic Township of Middleton. (Refer to Attachment 1)

As a result of appointing the engineer staff are in receipt of the McKoy Municipal Drain 2024 report dated May 10, 2024, prepared by Bill Dietrich, P.Eng. (Attachment 2)

A partial abandonment report under the *Drainage Act* provides for the abandonment of all or part of a municipal drain. The report also provides a revised schedule for future maintenance for the remaining drain. No physical construction work is proposed under this report.

The engineer has evaluated the proposed partial abandonment and determined it will only affect the property that has requested the abandonment and not negatively affect any upstream lands. The existing maintenance schedule included benefit and outlet assessments relative to the abandoned portion. The revised schedule for future maintenance provides a more fair and equitable assessment for future maintenance.

The total estimated cost of the report is \$4 500 which is being assessed 100% to the owner of the property that requested the abandonment.

Council must determine whether to adopt the report under by-law or refer the report back to the engineer to be amended. There is no physical construction component to this project, therefore Council has no decision regarding design or location.

Staff are recommending that Council adopt this report under by-law and proceed through the *Drainage Act* process to close the project.

All affected owners will receive notice of council decision and if dissatisfied with the report will have an opportunity to appeal through the *Drainage Act* appeal bodies.

Finance Comments:

The Approved 2025 Levy Capital Budget does not include an allocation for the reassessment of the McKoy Drain.

Based on the presentation of the Engineer's report, it is recommended that the Capital Budget be amended by \$5,000 to include an engineering budget for this project (rounded to the nearest thousand). The funding source is recommended based on the Engineer's revised assessment schedule, which will result in funding to be provided from landowner assessments (\$5,000). There is no assessment to Norfolk County for this project, as a result there is no funding requirement from the County for this project.

There will be no construction costs associated with this project. Once the remaining steps under the *Drainage Act* are completed, the final billing for this project will be brought forward to Council.

Interdepartmental Implications:

Not applicable.

Consultation(s):

Financial Services were consulted in the preparation of this Report.

Strategic Plan Linkage:

Serving Norfolk - ensuring a fiscally responsible organization with engaged employees who value excellent service

Attachment(s):

- Attachment 1 – Site Plan
- Attachment 2 – McKoy Municipal Drain Report

Approval:

Approved By:
Al Meneses, CAO

Reviewed By:
Andrew Grice, General Manager, Public Works

Prepared By:
Bill Mayes, Drainage Superintendent