

Municipality Of Chatham-Kent
Infrastructure and Engineering Services
Public Works

To: Mayor and Members of Council

From: Ryan Brown
Director of Public Works

Date: May 12, 2021

Subject: Encroachment – Private Sanitary Pump Station and Force Main – 8260 Middle Line, Charing Cross

Recommendations

It is recommended that:

1. The Director of Public Works be authorized to enter into an encroachment agreement, to be drafted and approved by the Director of Legal Services, for the installation of a privately owned sanitary pump station and force main on the municipal highway known as Middle Line at 8260 Middle Line, legally described as parts of PIN 00870-0136.
2. The attached by-law confirming the encroachment (Appendix B), be approved.

Background

Administration has received a request from the owner of Wiet Peeters Farm Products Limited to facilitate the design and contract administration for the construction of a privately owned sanitary pump station and new force main for the purpose of expanding sanitary services from their existing mushroom growing facility to a new proposed facility.

Currently, there are two bunkhouses at this new facility and two additional bunkhouses are being proposed. The existing municipal sanitary sewer ends approximately 600 meters to the east of the property on Middle Line. Administration has confirmed that only domestic waste water from the plant and the bunkhouses will be connected to the municipal sanitary sewer.

Comments

The pump station will be located on private property at 8260 Middle Line. The existing facility to the north will be connected by gravity sewer across the road and the force main will be located within Chatham-Kent right-of-way along Middle Line. In reviewing the encroachment described in Appendix A (attached), it has been confirmed by the

Public Works Department that the encroachment will not obstruct the Municipality in maintaining the right-of-way.

The cost for design, contract administration, and construction of this project be the responsibility of Wiet Peeters Farm Products Limited. Wiet Peeters Farm Products Limited will retain ownership and responsibility for all operation and maintenance associated with this infrastructure.

Areas of Strategic Focus and Critical Success Factors

The recommendations in this report support the following areas of strategic focus:

Economic Prosperity:

Chatham-Kent is an innovative and thriving community with a diversified economy

A Healthy and Safe Community:

Chatham-Kent is a healthy and safe community with sustainable population growth

People and Culture:

Chatham-Kent is recognized as a culturally vibrant, dynamic, and creative community

Environmental Sustainability:

Chatham-Kent is a community that is environmentally sustainable and promotes stewardship of our natural resources

The recommendations in this report support the following critical success factors:

Financial Sustainability:

The Corporation of the Municipality of Chatham-Kent is financially sustainable

Open, Transparent and Effective Governance:

The Corporation of the Municipality of Chatham-Kent is open, transparent and effectively governed with efficient and bold, visionary leadership

Has the potential to support all areas of strategic focus & critical success factors

Neutral issues (does not support negatively or positively)

Consultation

The Engineering and Transportation Division and the Public Utilities Commission (PUC) were consulted and are involved in overseeing the construction of the pump station and sanitary forcemain.

Legal Services has reviewed the encroachment by-law and found it acceptable. Legal Services will draft an encroachment agreement between the Municipality, the PUC and Wiet Peeters Farm Products Ltd.

Financial Implications

There are no financial implications resulting from the recommendations.

Prepared by:

Ryan Brown
Director, Public Works

Reviewed by:

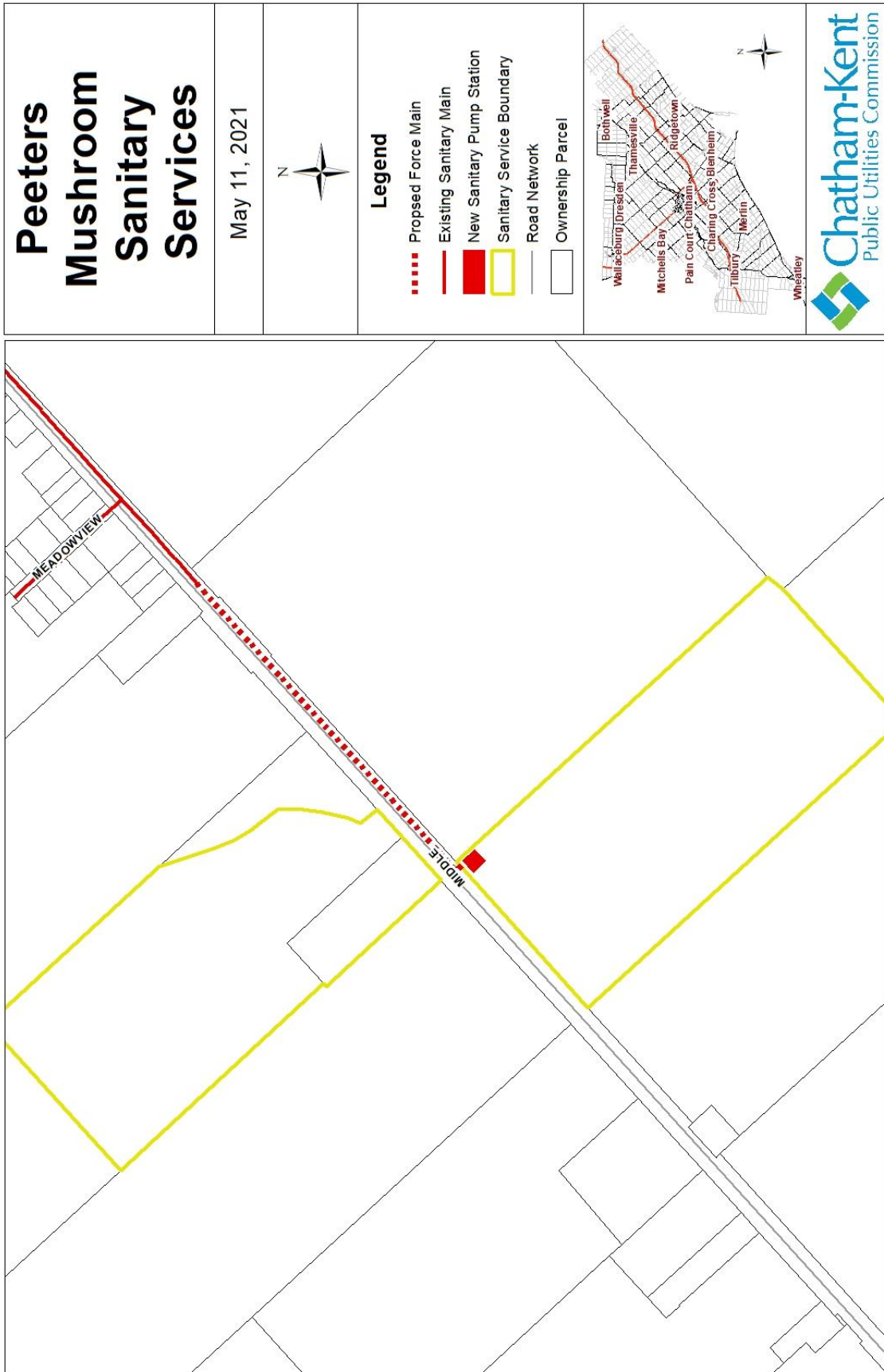
Thomas Kelly, P.Eng., MBA
General Manager
Infrastructure and Engineering Services

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

David Taylor
Director, Legal Services

Attachments: Appendix A: Site Plan drawings– 8260 Middle Line
Appendix B: By-Law

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BY-LAW NUMBER _____

OF THE CORPORATION OF THE
MUNICIPALITY OF CHATHAM-KENT

A By-law to permit the encroachment of a sanitary force main on the municipal highway known as Middle Line at 8260 Middle Line, legally described as part of PIN 00870-0136.

FINALLY PASSED THE ___ day of _____, 2021.

WHEREAS WIET PEETERS FARM PRODUCTS LIMITED. (the "Owner") is the registered owner of 8267 Middle Line, Charing Cross, ON N0P 1G0 being PIN 00870-0155 (the existing facility), legally described as legally described as PART OF LOTS 22 & 23, CONCESSION 11, GEOGRAPHIC TOWNSHIP OF RALEIGH, DESIGNATED AS PARTS 1, 2, 3 & 5, 24R3078 AND PART 3, 24R4049, EXCEPT PART 2, 24R7139, TOGETHER WITH EASEMENT AS IN 389350 OVER PART OF LOT 23, CON 11, RALEIGH, DESIGNATED AS PART 4, 24R3078, SUBJECT TO EASEMENT AS IN 389577 OVER PART OF LOT 23, CON 11, RALEIGH, DESIGNATED AS PART 2 , 24R3078 IN FAVOUR OF PART OF LOT 23, CON 11, RALEIGH, DESIGNATED AS PART 1, 24R2890 EXCEPT PARTS 1, 2, 3 & 5, 24R3078 ; CHATHAM-KENT and the new facility at 8260 Middle Line, Charing Cross N0P 1G0 in the Municipality of Chatham-Kent, PIN 00866-0104, legally described as NE 1/2 OF THE NW 1/2 OF LOT 22, CON. 12 (RALEIGH) EXCEPT PLANS DP-200 & DP-530; SUBJECT TO EASEMENT AS IN RA34793 IN FAVOUR OF THE HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO CHATHAM-KENT ("the Owner's Property").

AND WHEREAS the Municipality is the registered owner of the municipal roadway Middle Line being PIN 00870-0136 (the "Municipality's Property"), which abuts the Owner's Property.

AND WHEREAS the sanitary forcemain will cross under the municipal right-of-way which will encroach upon the Municipality's Property. Said encroachment is depicted on Schedule B attached hereto (hereinafter referred to as the "Encroachment").

AND WHEREAS the Owner has applied for permission to maintain the Encroachment.

BE IT THEREFORE ENACTED by the Council of the Corporation of the Municipality of Chatham-Kent as follows:

1. The Owner shall be entitled to maintain the Encroachment on the Municipality's Property in accordance with the terms of the encroachment agreement between the parties.
2. That the permission granted by this By-law shall enure to the benefit of and the obligations resulting therefrom as herein set out to be binding upon the heirs, executors, administrators, successors and assigns of the Owner and of the Corporation of the Municipality of Chatham-Kent.
3. The Owner shall, as a condition of the granting of permission hereunder, enter into an Agreement with the Corporation, and the General Manager of Infrastructure and Engineering Services is authorized to execute such Agreement.
5. This By-law affects the lands described in Schedule A annexed hereto.
6. This By-law shall come into force and effect upon being finally passed.

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

READ A FIRST, SECOND AND THIRD TIME this ____ day of _____, 2021.

Mayor – Darrin Canniff

Clerk – Judy Smith

SCHEDULE A

PIN 00870-0136 being part of Middle Line, Municipality of Chatham-Kent, legally described as RD ALLOWANCE BETWEEN CONS 11 & 12 (RALEIGH), FROM THE SW LIMIT OF THE RD ALLOWANCE BETWEEN LTS 18 & 19, CON 11 (RALEIGH) TO THE SW LIMIT OF THE RD ALLOWANCE BETWEEN RALEIGH& HARWICH TOWNSHIPS (TOWNLINE); PT LTS 1, 6, 7, 12, 13, 14 & 15, PLAN 183; PT LTS 1, 2, 3, 4 &5, NW MIDDLE RD, PLAN 186; PT LTS 6, 7 & 8, PLAN 490; PT LTS 19, 20, 21, 22, 23 & 24, CON 11, (RALEIGH); PT LTS 19, 10, 21, 22, 23, 24 & 25, CON 12 (RALEIGH) AS IN D161, D197, D200, D530, D1081 (COUNTY RD #8) (MIDDLE RD) S/T RA34791, RA34793, RA34795 RALEIGH

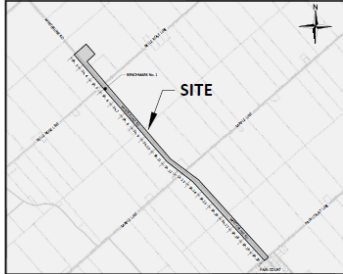
SCHEDULE B

WINTERLINE PUMP STATION AND FORCEMAIN SERVICING 24907 WINTERLINE ROAD

COMMUNITY OF DOVER
TENDER No. T20-377



INDEX	
No.	DESCRIPTION
1	GENERAL NOTES, LEGEND AND PUMPING STATION & DETAILS
2	PUMP AND FORCEMAIN 1 FROM STA. 0+00 TO STA. 0+400
3	PUMP AND FORCEMAIN 2 FROM STA. 0+400 TO STA. 0+800
4	PUMP AND FORCEMAIN 3 FROM STA. 0+800 TO STA. 0+900
5	PUMP AND FORCEMAIN 4 FROM STA. 0+900 TO STA. 1+000
6	PUMP AND FORCEMAIN 5 FROM STA. 1+000 TO STA. 1+100
7	PUMP AND FORCEMAIN 6 FROM STA. 1+100 TO STA. 1+200
8	PUMP AND FORCEMAIN 7 FROM STA. 1+200 TO STA. 1+300
9	PUMP AND FORCEMAIN 8 FROM STA. 1+300 TO STA. 1+400
10	PUMP AND FORCEMAIN 9 FROM STA. 1+400 TO STA. 1+500
11	PUMP AND FORCEMAIN 10 FROM STA. 1+500 TO STA. 1+600
12	PUMP AND FORCEMAIN 11 FROM STA. 1+600 TO STA. 1+700
13	PUMP AND FORCEMAIN 12 FROM STA. 1+700 TO STA. 1+800
14	PUMP AND FORCEMAIN 13 FROM STA. 1+800 TO STA. 1+900
15	PUMP AND FORCEMAIN 14 FROM STA. 1+900 TO STA. 2+000
16	PUMP AND FORCEMAIN 15 FROM STA. 2+000 TO STA. 2+100
17	PUMP AND FORCEMAIN 16 FROM STA. 2+100 TO STA. 2+200
18	PUMP AND FORCEMAIN 17 FROM STA. 2+200 TO STA. 2+300
19	PUMP AND FORCEMAIN 18 FROM STA. 2+300 TO STA. 2+400
20	PUMP AND FORCEMAIN 19 FROM STA. 2+400 TO STA. 2+500
21	PUMP AND FORCEMAIN 20 FROM STA. 2+500 TO STA. 2+600
22	PUMP AND FORCEMAIN 21 FROM STA. 2+600 TO STA. 2+700
23	PUMP AND FORCEMAIN 22 FROM STA. 2+700 TO STA. 2+800
24	PUMP AND FORCEMAIN 23 FROM STA. 2+800 TO STA. 2+900
25	PUMP AND FORCEMAIN 24 FROM STA. 2+900 TO STA. 3+000



BENCHMARKS		
BM No.	DESCRIPTION	COORDINATES/ ELEVATION
1	BENCHMARK (TOP OF OPERATING PILE) ALONG MAIN, FRONT WINTERLINE ROAD	8254.4 (174.02)

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