

THIS IS EXHIBIT " AA TO THE AFFIDAVIT OF
BLAISE CHEVALIER , SWORN ON THE 2ND DAY OF
APRIL, 2024.

A COMMISSIONER, ETC.

**Linda Marie Kalp, a Commissioner, etc.
Province of Ontario, for the
Municipality of Chatham-Kent.
Expires August 31, 2026.**

NOTICE OF CONSIDERATION FOR THE REPORT OF THE ENGINEER

You are hereby notified that the Engineer, J. M. Spriet, P. Eng, of Spriet Associates London Limited, appointed to this drain, did on February 19, 2021, file a report proposing the construction of the **Shaw Branch of the Facey East Drain** in the Community of **Zone**. The estimated cost of the drainage work is \$36,500.00. The assessment against your land and your compensation allowances, if any, are shown in the attached report.

The Drainage Board of the Municipality of Chatham-Kent will meet:

DATE: Tuesday, **March 16, 2021**

TIME: **6:15 P.M.**

GoTo Webinar: <https://attendee.gotowebinar.com/register/4793279572906323980>
(see attachment for instructions, please keep for future meetings)

Due to COVID-19 this meeting is being held electronically, appeals must be served in writing to the Drainage Division of the Municipality of Chatham-Kent at least five (5) days prior to the Consideration stating the reason for the appeal. Call for questions or instructions to appeal.

APPEALS AGAINST ASSESSMENT ARE NOT CONSIDERED AT THIS MEETING.

If the report is adopted, you will receive a copy of the provisionally adopted by-law indicating the assessments and notifying you of the date of the first sitting of the Court of Revision. You are hereby requested to take notice that the proposed work included in the report will be commenced after all appeals have been finally resolved.

DATED at the Municipality of Chatham-Kent this 22th day of February, 2021.



Ann Ford
Drainage Analyst
519.352.8401, Ext. 3311

Brigan Barlow

Digitally signed by Brigan
Barlow
Date: 2021.02.22 14:41:30
-05'00'

Brigan Barlow
Manager Drainage Services
Ext. 3320

365031000326400
CANADIAN PACIFIC RAILWAY
C/O PROPERTY TAX DEPARTMENT
1290 CENTRAL PKY W FLR 8TH
MISSISSAUGA ON L5C 4R3

365031000109201
HUSTON FARMS INC
C/O LARRY HUSTON
30087 BRICK RD
THAMESVILLE ON NOP 2K0

365031000109300
MILLER ALEX FRANK
MILLER DARLENE ELLEN
29403 FLORENCE RD
THAMESVILLE ON NOP 2K0

Hydro One Networks Inc
Real Estate Services
Land Use Planning
Attention: Paul Dockrill
PO Box 4300
MARKHAM ON L3R 5Z5

Ministry of Agriculture, Food and Rural Affairs
Att: Drainage Unit
3rd Floor, 1 Stone Road W
GUELPH ON N1G 4Y2

Email, Bell
rachel.marks@bell.ca
aaron.kovacs@bell.ca

Email, Chatham-Kent Public Utilities Commission
Ckamfm@chatham-kent.ca

Email, Public Works

Email, Lower Thames Valley Conservation Authority
Jason.homewood@ltvca.ca
(Valerie.towsley@ltvca.ca
colin.little@ltvca.ca) *Elizabeth.Philip@ltvca.ca*
100 Thames Street
CHATHAM ON N7L 2Y8

Email, Entegrus Services
Attention: Engineering
email - Gary.Aitken@entegrus.com
320 Queen St
CHATHAM ON N7M 5K2

Email, Union Gas
Attention: Mike Cincurak
3840 Rhodes Drive
PO Box 700
WINDSOR ON N9A 6N7

Email, Engie Canada (Wind Farm)
andrew.clifford@engie.com
Attention: Andrew Clifford, East Lake St Clair Wind

Email, Pattern Energy (Wind Farm)
kevin.aikenhead@patternenergy.com
Attention: Kevin Aikenhead

Canadian Pacific Railway
Attention: Rhael Lemenin
2025 McCowan Road
SCARBOROUGH ON M1S 5K3

Email, Enbridge
John.Bridges@enbridge.com

Email, Ministry of Natural Resources and Forestry
mnrf.ayl@ontario.ca

Email, (DFO) Fisheries Protection
fisheriesprotection@dfo-mpo.gc.ca

Notice of Consideration

Mailed: February 22, 2021
Via: Canada Post

Ann Ford, Drainage Analyst

THIS IS EXHIBIT " BB TO THE AFFIDAVIT OF
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A COMMISSIONER, ETC.

**Linda Marie Kalp, a Commissioner, etc.
Province of Ontario, for the
Municipality of Chatham-Kent.
Expires August 31, 2026.**

**Municipality of Chatham-Kent
Recommendations of the Drainage Board
To
Chatham-Kent Council**

Drainage Board Meeting – March 16, 2021

Members present were Chairman Brian Anderson, Vice Chairman Grant Guy, Second Vice Chairman Ron Gelderland, members Louis Roesch, Scott McGeachy, and Steve Gleeson.

A summary of the recommendations of the Board with respect to the drainage matters considered at the March 16, 2021 meeting are set forth below.

Summary of Recommendations of the Drainage Board

1. Ousterhout Drain
Community of Howard

That 3rd and final reading be given to the By-law with respect to the Ousterhout Drain.

2. Vic Pyne Drain
Community of Howard

That 3rd and final reading be given to the By-law with respect to the Vic Pyne Drain.

3. Urquhart Drain and Pump Works
Community of Dover

That 3rd and final reading be given to the By-law with respect to the Urquhart Drain and Pump Works.

4. Reaume-Peltier Pump
Community of Tilbury East

That the Engineer's report on the Reaume-Peltier Pump dated December 10, 2020 be adopted as presented and Council give 1st and 2nd reading to the By-law with respect to the Reaume-Peltier Pump.

5. Poppe Drainage System
Community of Tilbury East

That the Engineer's report on the Poppe Drainage System dated December 10, 2020 be adopted as presented and Council give 1st and 2nd reading to the By-law with respect to the Poppe Drainage System.

6. Shaw Branch of the Facey East Drain
Community of Zone

That the Engineer's report on the Shaw Branch of the Facey East Drain dated February 19, 2021 be adopted as presented and Council give 1st and 2nd reading to the By-law with respect to the Shaw Branch of the Facey East Drain.

That the following engineering appointments be approved:

- Burgess Drain – Spriet Associates London Limited,
- Section 4 Moore Road Drain – Spriet Associates London Limited,
- Section 4 Duffus Drain – Spriet Associates London Limited,
- Allen Pump Works – Spriet Associates London Limited,
- Section 4 Knotts Creek Branch Drain – M. Gerrits Consulting Inc.,
- Malott Drain – M. Gerrits Consulting Inc.,
- Section 4 Road Petition West Branch Larsh Drain Extension – Spriet Associates London Limited
- Section 4 Road Petition Rammelaere Drain East Branch – Spriet Associates London Limited.

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Province of Ontario, for the
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Expires August 31, 2026.**



Municipality of Chatham-Kent Council Agenda – Electronic Meeting





Monday, March 22, 2021

6:00 P.M.






A livestream of the electronic Council Meeting will be available at:

- [Chatham-Kent's Facebook Page](#)
- [YourTV CK's Facebook Page](#)
- [YourTV CK's YouTube Channel](#)







1. [Call to Order](#)
2. [Land Acknowledgement](#)
3. [Land Acknowledgement](#)
4. [Approval of Supplementary Agenda](#)
5. [Disclosures of Pecuniary Interest \(Direct or Indirect\) for Closed Session Agenda Items and the General Nature There Of](#)
6. [Recess to Closed Session - 4:00 p.m.](#)
Councillor Carmen McGregor, Closed Session Chair
That Council moved into a Closed Session Meeting of Council pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reasons:
7. [Disclosures of Pecuniary Interest \(Direct or Indirect\) for Open Session Agenda Items and the General Nature There Of](#)
8. [Recognition](#)
 - a. [Recognition of the 2020 Accessibility Advisory Committee Award Winners \(presented by Mike Gerard, Chair\)](#)
9. [Deputations – items on current agenda](#)
As per By-law 113-2020: 3.10(g) -- Unless otherwise approved by the Chair, an Electronic Meeting shall not permit public deputations, except by way of electronic submission received in advance of the meeting, which shall be submitted to the Municipal Clerk's office at ckclerk@chatham-kent.ca prior to 3:00 p.m. the day of the meeting, and shall be provided to members in advance of the meeting if possible. The Clerk shall verbally read out the written deputation at the beginning of the meeting;
10. [Consent Agenda](#)
11. [Council Meeting Minutes](#)
 - a. [Council Meeting Minutes from its meeting held on March 1, 2021](#)
 - b. [Council Meeting Minutes from its meeting held on March 8, 2021](#)
12. [Committee Reports](#)

- a. [Library Board Minutes from its meeting held on December 15, 2020](#) 
- b. [Blenheim Landfill Liaison Committee minutes from its meeting held on December 8, 2020](#) 
- c. [Ridge Landfill Liaison Committee minutes from its meeting held on December 8, 2020](#) 
- d. [Drainage Board Recommendations from its meeting held on March 16, 2021](#) 




13. [Information Reports](#)

- a. [2020 Statement of Remuneration & Expenses for Elected and Appointed Officials](#) 
- b. [Chatham-Kent Accessibility Advisory Committee 2020-2021 Accessibility Report and Terms of Reference](#) 
- c. [Activities, Leisure, and Learning \(A.L.L.\) for Kids Program Changes](#) 
- d. [Provincial Child Care and Early Years Funding Re-Investment](#) 
- e. [Community Engagement Survey Results](#) 


14. [Tender Awards](#)


- a. [Tender Award: Contract T20-361 – Sinclair Line over Nesbitt Drain Culvert Replacement, Community of Harwich](#) 
- b. [Structural steel repairs to the Tupperville Bridge over the Sydenham River – Community of Tupperville](#) 
- c. [Tender Award: Contract T20-359 Dauphin Road Bridge over Dauphin Internal Drain – Bridge Rehabilitation, Community of Tilbury East](#) 
- d. [Contract T21-110 Road Crack Cleaning and Sealing](#) 
- e. [Tender Award – R21-161 Architectural Services – New Public Works Garage, 25 Creek Road, Chatham](#) 
- f. [Tender Award: Contract T20-342 Third Street Bridge over the Thames River – Bridge Rehabilitation, Community of Chatham](#) 

15. [Public Utilities Commission](#)





- a. [2020 Summary Reports for Drinking Water and Wastewater Systems](#) 
- b. [Preliminary Assessing By-law for George Street Sanitary Sewer Project \(Community of Merlin\)](#) 
- c. [Erieau Road & Bisnett Line Waterline Project and Assessing By-law for \(Community of Blenheim\)](#) 

16. [Community Development](#)

- a. [CKy – CK to the Power of Youth People Advisory Group Update \(presentation by Victoria Bodnar, Coordinator Resident Attraction & Retention and Morena McDonald, CKY Co-Chair\)](#) 

- b. [Chatham-Kent Community Improvement Plan Property Tax Increment Equivalent Grant Application PL202100066 – 2389170 Ontario Limited, 7 McGregor Place, Community of Chatham \(City\)](#) 





17. [Corporate Services](#)

- a. [Njoyn Applicant Tracking System and Employee Recruitment \(presentation by Lucas Chambers, Manager Talent Acquisition & Development\)](#) 
- b. [Customer Relationship Management \(CRM\) Platform Implementation](#) 
- c. [Appointment By-laws](#) 
- d. [Motion by Councillor Ceccacci re Annual Day Sales Licence](#) 






18. [Fire and Emergency Services](#)

- a. [Community Paramedicine for LongTerm Care](#) 

19. [Finance, Budget, Information Technology and Transformation](#)

- a. [2020 Request for Encumbrance Reserve](#) 
- b. [Municipal Owned Halls – Covid-19](#) 
- c. [Farm Tax Ratio](#) 
- d. [Motion by Councillor Bondy re External Audit of Staffing Levels and Departmental Structures](#) 

20. [Infrastructure and Engineering Services](#)

- a. [Revisions to the Special Events manual and Municipal Alcohol Policy](#) 
- b. [Ministry of Transportation Safe Restart Program Funding – Transit](#) 
- c. [2021 Proposed Engineering Lifecycle Reserve Projects](#) 
- d. [Motion by Councillor Ceccacci re Blenheim Dog Park](#) 
- e. [Motion by Councillor Kirkwood-Whyte re McDougall Line Bridge](#) 

21. [Notices of Motion](#)

- a. [Presentation of new Notices of Motion](#)


22. [Closed Session Reports](#)

23. [Approval of Communication Items](#)

- a. [Approval of the March 22, 2021 Council Information Package](#) 

24. [Non Agenda Business](#)

25. [Reading of By-law](#)

- a. [First Reading](#)
- b. [Second Reading](#) 
 - i. By-law to provide for drainage work in the Municipality of Chatham-Kent for the Reaume-Peltier Pump, Community of Tilbury East –

First and Second Reading Only

- ii. By-law to provide for drainage work in the Municipality of Chatham-Kent for the Poppe Drainage System, Community of Tilbury East – First and Second Reading Only
- iii. By-law to provide for drainage work in the Municipality of Chatham-Kent for the Shaw Branch of the Facey East Drain, Community of Zone – First and Second Reading Only
- c. [Council to go into Committee, if Required, to Discuss By-law](#)
- d. [Resumption of Council](#)
- e. [Third and Final Reading](#)
 - i. By-law to authorize the construction of sanitary sewer works and the imposition of a sanitary sewer rate for the payment of the capital cost of the construction of such sanitary works; George Street Sanitary Sewer Project (Community of Merlin)
 - ii. By-law to authorize the construction of a water works and the imposition of a water rate for the payment of the capital cost of the construction of such water works; Erieau Road & Bisnett Line Waterline Project)
 - iii. By-law to amend By-law 16-2020 to provide Appointment of By-law Enforcement Officers for The Corporation of the Municipality of Chatham-Kent
 - iv. By-law to amend By-law 46-2020 to provide staff appointment of a Weed Inspector for The Corporation of the Municipality of Chatham-Kent
 - v. By-law to authorize the execution of the transfer payment agreement for the Safe Restart Agreement (SRA – Phase 1, 2 and 3) between Her Majesty the Queen in the Right of the Province of Ontario Represented by the Minister of Transportation for the Province of Ontario and the Municipality of Chatham-Kent
 - vi. By-law to confirm proceedings of the Council of The Corporation of the Municipality of Chatham-Kent at its meeting held on the 22nd day of March, 2021

26. [Resolution Council in Closed Session & Adjournment](#)

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OF BLAISE CHEVALIER , SWORN ON THE 2ND DAY
OF APRIL, 2024.

A COMMISSIONER, ETC.

**Linda Marie Kalp, a Commissioner, etc.
Province of Ontario, for the
Municipality of Chatham-Kent.
Expires August 31, 2026.**

NOTICE OF COURT OF REVISION ON DRAINAGE WORKS

DRAIN: **Shaw Branch of the Facey East Drain** (Community of Zone)

NOTICE: is hereby given that the sitting of the Court of Revision is scheduled for:

DATE: Tuesday, **May 4, 2021**

TIME: **6:00 P.M.**

LOCATION: <https://attendee.gotowebinar.com/register/7072289001941984525>
(see instructions sent previously)

For hearing appeals made against the assessments indicated in the attached by-law, in the manner provided in the Drainage Act, R.S.O. 1990.

Due to COVID-19 this meeting is being held electronically, assessment appeals must be served in writing to the Drainage Division of the Municipality of Chatham-Kent at least ten (10) days prior to the Court of Revision stating the reason for the appeal. Call for questions or instructions to appeal.

Any person not satisfied with the decision of the Court of Revision may appeal to the Ontario Drainage Tribunal by serving notice on the Director of Drainage, Asset and Waste Management for the Municipality of Chatham-Kent, Mr. Tim Dick, within twenty-one (21) days of the decision of the Court.

DATED at the Municipality of Chatham-Kent this 12th day of April, 2021.



Ann Ford
Drainage Analyst
519.352.8401, Ext. 3311

Brigan Barlow

Digitally signed by Brigan Barlow
Date: 2021.04.12 10:04:26 -04'00'

Brigan Barlow
Manager of Drainage Services
Ext. 3320

By-law Number _____
Of The Corporation
of the Municipality of Chatham-Kent

A By-law to provide for drainage work in the Municipality of Chatham-Kent for the Shaw Branch of the Facey East Drain (Community of Zone)

Finally Passed the ____ day of _____, 2021.

Whereas a requisite number of owners have petitioned the Council of the Municipality of Chatham-Kent in accordance with the provisions of The Drainage Act requesting that the Shaw Branch of the Facey East Drain be constructed and be provided with a sufficient outlet.

And Whereas the Council of the Municipality of Chatham-Kent has procured a Report made by Spriet Associates London Limited, dated February 19, 2021.

And Whereas the estimated total cost of constructing the drainage work is \$36,500.00.

And Whereas \$36,500.00 is the amount to be contributed by the Municipality of Chatham-Kent for construction of the drainage works.

Be it Therefore Enacted by the Municipal Council of the Municipality of Chatham-Kent, pursuant to the provisions of The Drainage Act and amendments thereto as follows:

1. That the Report is hereby adopted and shall be completed in accordance therewith.
2.
 - (1) The Corporation of the Municipality of Chatham-Kent may borrow on the credit of the Corporation the amount of \$36,500.00 being the amount necessary for construction of the drainage works.
 - (2) The Council may authorize the borrowing of monies towards the construction by the issuance and sale of debentures. Pending the sale of the debentures, Council authorizes the Mayor and Treasurer to make such temporary borrowing as may be required in order to meet the payments due to the vendors.
 - (3) The Corporation may issue debentures for the amount borrowed less the total amount of,
 - (a) Grants received under Section 85 of the Act;
 - (b) Commuted payments made in respect of lands and roads assessed within the municipality;
 - (c) Monies assessed in and payable by another municipality, and such debentures shall be made payable within five years from the date of the debenture and shall bear interest at a rate not higher

than the rate charged by the Ontario Municipal Improvement Corporation on the date of sale of such debenture.

- (4) A special equal annual rate sufficient to redeem the principal and interest on the debentures shall be levied upon the lands and roads as set forth in Schedule "A" hereto attached to be collected in the same manner and at the same time as other taxes are collected in each year for five years after the passing of this by-law.
- (5) For paying the amount of nil 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 Chatham-Kent in each year of five years after the passing of this by-law to be collected in the same manner and at the same time as other taxes are collected.
- (6) All assessments of \$500.00 or less are payable in the first year in which the assessment is imposed.
- (7) This by-law comes into force on the passing thereof and may be cited as the Shaw Branch of the Facey East Drain By-law.

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

Read a First and Second Time, Provisionally adopted this 22nd day of March, 2021

Read a Third Time, Enacted this ____ day of _____, 2021

Mayor – Darrin Canniff

Clerk - Judy Smith

SCHEDULE 'A' - ALLOWANCES

SHAW BRANCH OF THE FACEY EAST DRAIN

Municipality of Chatham - Kent
Community of Zone

In accordance with Sections 29 and 30 of the Drainage Act, we determine the allowances payable to owners entitled thereto as follows:

CONCESSION	LOT	ROLL NUMBER (Owner)	Section 29 Right-of-Way	Section 30 Damages	TOTALS
SHAW BRANCH					
3	Pt.3 & 4	1-092-01 (Huston Farms Inc.)	\$ 140.00	\$ 160.00	\$ 300.00
3	Pt.3 & 4	1-093 (A. & D. Miller)	40.00	230.00	270.00
Total Allowances			\$ 180.00	\$ 390.00	\$ 570.00
TOTAL ALLOWANCES ON THE SHAW BRANCH					\$ 570.00
TOTAL ALLOWANCES ON THE SHAW BRANCH OF THE FACEY EAST DRAIN					\$ 570.00

SCHEDULE 'C' - ASSESSMENT FOR CONSTRUCTION

SHAW BRANCH OF THE FACEY EAST DRAIN

Municipality of Chatham - Kent

Community of Zone

Job No. 220060

February 19, 2021

* = Non-agricultural

CON.	LOT	HECTARES AFFECTED	ROLL No. (OWNER)	BENEFIT	OUTLET	TOTAL
SHAW BRANCH						
3	Pt.3 & 4		1-092-01 (Huston Farms Inc.)	\$ 300.00	\$	300.00
3	Pt.3 & 4	9.30	1-093 (A. & D. Miller)	2,870.00	4,731.00	7,601.00
R.O.W.		1.00	3-264 (Canadian Pacific Railway)	5,860.00	2,629.00	8,489.00
TOTAL ASSESSMENT ON LANDS				\$ 9,030.00	\$ 7,360.00	\$ 16,390.00

SPECIAL ASSESSMENT against the Canadian Pacific Railway for the increased cost of
a 16m - 250mm dia. Smooth wall steel pipe under their Railway

\$ 20,110.00**TOTAL ASSESSMENT ON THE SHAW BRANCH**\$ 36,500.00

SCHEDULE 'D' - ASSESSMENT FOR MAINTENANCE

SHAW BRANCH OF THE FACEY EAST DRAIN

Municipality of Chatham - Kent

Community of Zone

Job No. 220060

February 19, 2021

CON.	LOT	HECTARES AFFECTED	ROLL No. (OWNER)	PERCENTAGE OF MAINTENANCE COST
SHAW BRANCH				
3	Pt.3 & 4		1-092-01 (Huston Farms Inc.)	1.3 %
3	Pt.3 & 4	9.3	1-093 (A. & D. Miller)	51.9
R.O.W.		1.0	3-264 (Canadian Pacific Railway)	46.8
				=====
			TOTAL ASSESSMENT ON LANDS	100.0 %
				=====
			TOTAL ASSESSMENT FOR MAINTENANCE OF THE SHAW BRANCH	<u>100.0 %</u>

365031000326400
CANADIAN PACIFIC RAILWAY
C/O PROPERTY TAX DEPARTMENT
1290 CENTRAL PKY W FLR 8TH
MISSISSAUGA ON L5C 4R3

365031000109201
HUSTON FARMS INC
C/O LARRY HUSTON
30087 BRICK RD
THAMESVILLE ON NOP 2K0

365031000109300
MILLER ALEX FRANK
MILLER DARLENE ELLEN
29403 FLORENCE RD
THAMESVILLE ON NOP 2K0

Hydro One Networks Inc
Real Estate Services
Land Use Planning
Attention: Paul Dockrill
PO Box 4300
MARKHAM ON L3R 5Z5

Ministry of Agriculture, Food and Rural Affairs
Att: Drainage Unit
3rd Floor, 1 Stone Road W
GUELPH ON N1G 4Y2

Email, Bell
rachel.marks@bell.ca
aaron.kovacs@bell.ca

Email, Chatham-Kent Public Utilities Commission
Ckamfm@chatham-kent.ca

Email, Public Works

Email, Lower Thames Valley Conservation Authority
Elizabeth.Philip@ltvca.ca
100 Thames Street
CHATHAM ON N7L 2Y8

Email, Entegrus Services
Attention: Engineering
email - Gary.Aitken@entegrus.com
320 Queen St
CHATHAM ON N7M 5K2

Email, Union Gas
Attention: Mike Cincurak
3840 Rhodes Drive
PO Box 700
WINDSOR ON N9A 6N7

Email, Engie Canada (Wind Farm)
andrew.clifford@engie.com
Attention: Andrew Clifford, East Lake St Clair Wind

Email, Pattern Energy (Wind Farm)
kevin.aikenhead@patternenergy.com
Attention: Kevin Aikenhead

Canadian Pacific Railway
Attention: Rhael Lemenin
2025 McCowan Road
SCARBOROUGH ON M1S 5K3

Email, Enbridge
John.Bridges@enbridge.com

Notice of Court of Revision

Mailed: April 12, 2021
Via: Canada Post

Ann Ford, Drainage Analyst

THIS IS EXHIBIT " EE " TO THE AFFIDAVIT
OF BLAISE CHEVALIER , SWORN ON THE 2ND DAY
OF APRIL, 2024.

A COMMISSIONER, ETC.

**Linda Marie Kalp, a Commissioner, etc.
Province of Ontario, for the
Municipality of Chatham-Kent.
Expires August 31, 2026.**

The Corporation of the Municipality of Chatham-Kent Drainage Board Meeting
held at Chatham-Kent Webinar, Chatham Ontario

May 4, 2021

6:00 P.M.

Call to Order

Members present were Chairman Brian Anderson, Vice Chairman Grant Guy, members Louis Roesch, Scott McGeachy, and Steve Gleeson.

Scott McGeachy declared a conflict of interest on the Fenton Farms Drain.

Court of Revision

1. Shaw Branch of the Facey East Drain Community of Zone – 6:19 P.M.

Brigan Barlow, Manager, Drainage Services, reported that no written or verbal appeals had been received.

John M. Spriet stated he had received no appeals.

Louis Roesch moved, Scott McGeachy seconded: **“That the Schedule of Assessment published in the report dated February 19, 2021 on the Shaw Branch of the Facey East Drain be adopted and the Court of Revision on the Shaw Branch of the Facey East Drain be closed.”**

Motion Carried

**Municipality of Chatham-Kent
Recommendations of the Drainage Board
To
Chatham-Kent Council**

RE: Drainage Board Meeting – May 4, 2021

Members present were Chairman Brian Anderson, Vice Chairman Grant Guy, members Louis Roesch, Scott McGeachy, and Steve Gleeson.

Scott McGeachy declared a conflict of interest on the Fenton Farms Drain and did not participate in voting on that drain decision.

A summary of the recommendations of the Board with respect to the drainage matters considered at the May 4, 2021 meeting are set forth below. The provisional by-laws are found elsewhere in the agenda.

Summary of Recommendations of the Drainage Board

1. Reaume-Peltier Pump
Community of Tilbury East

That 3rd and final reading be given to the By-law with respect to the Reaume-Peltier Pump.

2. Poppe Drainage System
Community of Tilbury East

That 3rd and final reading be given to the By-law with respect to the Poppe Drainage System.

3. Shaw Branch of the Facey East Drain
Community of Zone

That 3rd and final reading be given to the By-law with respect to the Shaw Branch of the Facey East Drain.

4. Burgess Drain Realignment
Community of Chatham Township

That the Engineer's report on the Burgess Drain Realignment dated April 6, 2021 be adopted as presented and Council give 1st and 2nd reading to the By-law with respect to the Burgess Drain Realignment.

5. Fenton Farms Drain
Community of Orford

That the Engineer's report on the Fenton Farms Drain dated April 6, 2021 be adopted as presented and Council give 1st and 2nd reading to the By-law with respect to the Fenton Farms Drain.

6. Ted Teetzel Drain & Branches
Community of Orford

That the Engineer's report on the Ted Teetzel Drain & Branches dated January 7, 2021 be adopted as presented and Council give 1st and 2nd reading to the By-law with respect to the Ted Teetzel Drain & Branches.

7. Foxton Drain Guttridge Branch and Foxton Drain
Community of Raleigh

That the Engineer's report on the Foxton Drain Guttridge Branch and Foxton Drain dated April 8, 2021 be adopted as presented and Council give 1st and 2nd reading to the By-law with respect to the Foxton Drain Guttridge Branch and Foxton Drain.

That the following engineering appointments be approved: Taylor Drain – Spriet Associates London Limited, Hartford Mead Drain – Spriet Associates London Limited, DeCow Drain – Spriet Associates London Limited, Ellewood Drain – Spriet Associates London Limited, and Crowell Creek South Branch Drain - Spriet Associates London Limited.

THIS IS EXHIBIT " FF" TO THE AFFIDAVIT OF
BLAISE CHEVALIER , SWORN ON THE 2ND DAY OF
APRIL, 2024.

A COMMISSIONER, ETC.

**Linda Marie Kalp, a Commissioner, etc.
Province of Ontario, for the
Municipality of Chatham-Kent.
Expires August 31, 2026.**

By-law Number 93-2021

**Of The Corporation
of the Municipality of Chatham-Kent**

A By-law to provide for drainage work in the Municipality of Chatham-Kent for the Shaw Branch of the Facey East Drain (Community of Zone)

Finally Passed the 31st day of May, 2021.

Whereas a requisite number of owners have petitioned the Council of the Municipality of Chatham-Kent in accordance with the provisions of The Drainage Act requesting that the Shaw Branch of the Facey East Drain be constructed and be provided with a sufficient outlet.

And Whereas the Council of the Municipality of Chatham-Kent has procured a Report made by Spriet Associates London Limited, dated February 19, 2021.

And Whereas the estimated total cost of constructing the drainage work is \$36,500.00.

And Whereas \$36,500.00 is the amount to be contributed by the Municipality of Chatham-Kent for construction of the drainage works.

Be it Therefore Enacted by the Municipal Council of the Municipality of Chatham-Kent, pursuant to the provisions of The Drainage Act and amendments thereto as follows:

1. That the Report is hereby adopted and shall be completed in accordance therewith.
2.
 - (1) The Corporation of the Municipality of Chatham-Kent may borrow on the credit of the Corporation the amount of \$36,500.00 being the amount necessary for construction of the drainage works.
 - (2) The Council may authorize the borrowing of monies towards the construction by the issuance and sale of debentures. Pending the sale of the debentures, Council authorizes the Mayor and Treasurer to make such temporary borrowing as may be required in order to meet the payments due to the vendors.
 - (3) The Corporation may issue debentures for the amount borrowed less the total amount of,
 - (a) Grants received under Section 85 of the Act;
 - (b) Commuted payments made in respect of lands and roads assessed within the municipality;
 - (c) Monies assessed in and payable by another municipality, and such debentures shall be made payable within five years from the date of the debenture and shall bear interest at a rate not higher than the rate charged by the Ontario Municipal Improvement Corporation on the date of sale of such debenture.

- (4) A special equal annual rate sufficient to redeem the principal and interest on the debentures shall be levied upon the lands and roads as set forth in Schedule "A" hereto attached to be collected in the same manner and at the same time as other taxes are collected in each year for five years after the passing of this by-law.
- (5) For paying the amount of nil 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 Chatham-Kent in each year of five years after the passing of this by-law to be collected in the same manner and at the same time as other taxes are collected.
- (6) All assessments of \$500.00 or less are payable in the first year in which the assessment is imposed.
- (7) This by-law comes into force on the passing thereof and may be cited as the Shaw Branch of the Facey East Drain By-law.

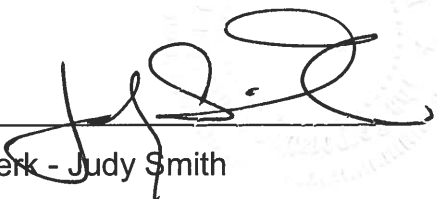
This By-law shall come into full force and effect upon the final passing thereof.

Read a First and Second Time, Provisionally adopted this 22nd day of March, 2021

Read a Third Time, Enacted this 31st day of May, 2021



Mayor – Darrin Canniff



Clerk - Judy Smith

THIS IS EXHIBIT " GG " TO THE AFFIDAVIT
OF BLAISE CHEVALIER , SWORN ON THE 2ND DAY
OF APRIL, 2024.

A COMMISSIONER, ETC.

**Linda Marie Kalp, a Commissioner, etc.
Province of Ontario, for the
Municipality of Chatham-Kent.
Expires August 31, 2026.**

Emily Crawford

From: Jack Carello <Jack_Carello@cpr.ca>
Sent: July 6, 2021 11:33 AM
To: Blaise Chevalier
Cc: Ann Ford; brandon@spriet.on.ca; John M Spriet; Rheal Lemelin; Brian Chowdhury
Subject: RE: Shaw Branch of Facey Drain East Branch (Zone Rd 2 - Bothwell) - CP Mile +/- 47.59 Windsor Sub.
Attachments: CP Utility Application Form 2021.docx; CP Flagging Application Form-2021.docx

Hi Blaise,

To follow the utility protocol, CP will require an agreement to be put in place to cover this pipe installation and all future maintenance. Attached the latest utility application form to commence the process. All submission and payments are being handled electronically in these times of uncertainty. Keep in mind that all expenses for this proposed installation will be borne by the applicant including CP flagging fees.

Regards,



Jack Carello, Civil Eng. Tech, SR/WA
Manager Utilities & Flagging
Engineering - Eastern & Western
Region
1290 Central Pkwy West – Suite 800
Mississauga ON L5C 4R3
O 905-803-3417 C 416-992-2676

From: Blaise Chevalier <blaisec@chatham-kent.ca>
Sent: Tuesday, June 15, 2021 3:40 PM
To: Rheal Lemelin <Rheal_Lemelin@cpr.ca>; Jack Carello <Jack_Carello@cpr.ca>
Cc: Ann Ford <ANNF@chatham-kent.ca>; brandon@spriet.on.ca; John M Spriet <john@spriet.ca>
Subject: RE: Shaw Branch of Facey Drain East Branch (Zone Rd 2 - Bothwell) - CP Mile +/- 47.59 Windsor Sub.

This email did not originate from Canadian Pacific. Please exercise caution with any links or attachments.

Hey Rheal and Jack,

Just following up in regards to this project now that it has cleared some of it's legislated timelines we're in a position to get organized for construction. I'm sure you have it somewhere but I've attached a copy of the plan as refresher. Clarke Construction will be the general contractor completing the work.

I'm wondering who I should be speaking with to get organized for an encroachment permit for working in the CP Rail right-of-way and what forms/information I should have the contractor submit.

Thanks,

Blaise Chevalier
Drainage Superintendent

Drainage, Asset and Waste Management
Municipality of Chatham-Kent

315 King St. West, PO Box 640
Chatham, ON N7M 5K8
Phone: 519.360.1998 Ext. 3318 Fax: 519.436.3240
E-mail: blaisec@chatham-kent.ca
www.chatham-kent.ca



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From: Rheal Lemelin <Rheal_Lemelin@cpr.ca>
Sent: February 10, 2021 1:47 PM
To: Blaise Chevalier <blaisec@chatham-kent.ca>; Jack Carello <Jack_Carello@cpr.ca>
Cc: Ann Ford <ANNF@chatham-kent.ca>; brandon@spriet.on.ca; John M Spriet <john@spriet.ca>
Subject: RE: Shaw Branch of Facey Drain East Branch (Zone Rd 2 - Bothwell) - CP Mile +/- 47.59 Windsor Sub.

If possible make 10"

From: Blaise Chevalier <blaisec@chatham-kent.ca>
Sent: Wednesday, February 10, 2021 12:51 PM
To: Jack Carello <Jack_Carello@cpr.ca>
Cc: Ann Ford <ANNF@chatham-kent.ca>; brandon@spriet.on.ca; John M Spriet <john@spriet.ca>; Rheal Lemelin <Rheal_Lemelin@cpr.ca>
Subject: RE: Shaw Branch of Facey Drain East Branch (Zone Rd 2 - Bothwell) - CP Mile +/- 47.59 Windsor Sub.

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Hi Jack,

Thanks for the response - to confirm, is that inclusive of 12" (meaning 12" and smaller)? The current sizing proposal is for a 12" diameter crossing.

Thanks,

Sent with BlackBerry Work
(www.blackberry.com)

From: Jack Carello <Jack_Carello@cpr.ca>
Date: Wednesday, Feb 10, 2021, 9:33 AM
To: Blaise Chevalier <blaisec@chatham-kent.ca>

Cc: Ann Ford <ANNF@chatham-kent.ca>, brandon@spriet.on.ca <brandon@spriet.on.ca>, John M Spriet <john@spriet.ca>, Rheal Lemelin <Rheal_Lemelin@cpr.ca>
Subject: RE: Shaw Branch of Facey Drain East Branch (Zone Rd 2 - Bothwell) - CP Mile +/- 47.59 Windsor Sub.

Hi Blaise,

If the proposed installation pipe stays under 12" then a Geotechnical report and track settlement plan would not be required.

Regards,



Jack Carello, Civil Tech, SR/WA
Manager Utilities & Flagging
Engineering - Eastern & Western
Region
1290 Central Pkwy West – Suite 800
Mississauga ON L5C 4R3
O 905-803-3417 C 416-992-2676

From: Blaise Chevalier <blaisec@chatham-kent.ca>
Sent: February 8, 2021 12:37 PM
To: Rheal Lemelin <Rheal_Lemelin@cpr.ca>; Jack Carello <Jack_Carello@cpr.ca>
Cc: Ann Ford <ANNF@chatham-kent.ca>, brandon@spriet.on.ca; John M Spriet <john@spriet.ca>
Subject: RE: Shaw Branch of Facey Drain East Branch (Zone Rd 2 - Bothwell) - CP Mile +/- 47.59 Windsor Sub.

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Good afternoon gentlemen,

Thanks for coming down and meeting with us Rheal, despite the new position (and slightly larger geographic area).

Spriets are currently working towards finishing a preliminary report and wanted to confirm that a geotechnical report is NOT required from your end. I just wanted to follow up with you two since, as Rheal indicated at our meeting, it was a little unclear whether this work falls under Rheal or Jack's department. I know Rheal indicated that this wouldn't be required for him.

Can you confirm this?

Thanks,

Blaise Chevalier
Drainage Superintendent
Drainage, Asset and Waste Management
Municipality of Chatham-Kent

315 King St. West, PO Box 640
Chatham, ON N7M 5K8
Phone: 519.360.1998 Ext. 3318 Fax: 519.436.3240
E-mail: blaisec@chatham-kent.ca
www.chatham-kent.ca



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From: Rheal Lemelin <Rheal_Lemelin@cpr.ca>
Sent: January 19, 2021 1:51 PM
To: Blaise Chevalier <blaisec@chatham-kent.ca>; Jack Carello <Jack_Carello@cpr.ca>
Cc: Ann Ford <ANNF@chatham-kent.ca>; brandon@spriet.on.ca; John M Spriet <john@spriet.ca>
Subject: RE: Shaw Branch of Facey Drain East Branch (Zone Rd 2 - Bothwell) - CP Mile +/- 47.59 Windsor Sub.

Hi Blaise, I can meet with you on Feb February 03 around 11:00 at the nearest road crossing of mile 47.59 Windsor Sub.

Rheal Lemelin | Manager Bridge Maintenance Toronto | 2025 McCown Rd., Scarborough, ON. M1S 5K3
C 416 525 9094 | O 416 609 7880



From: Blaise Chevalier <blaisec@chatham-kent.ca>
Sent: Wednesday, January 13, 2021 11:36 AM
To: Rheal Lemelin <Rheal_Lemelin@cpr.ca>; Jack Carello <Jack_Carello@cpr.ca>
Cc: Ann Ford <ANNF@chatham-kent.ca>; brandon@spriet.on.ca; John M Spriet <john@spriet.ca>
Subject: RE: Shaw Branch of Facey Drain East Branch (Zone Rd 2 - Bothwell) - CP Mile +/- 47.59 Windsor Sub.

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Hi Rheal,

With the new COVID regulations coming into effect, I was wondering if a site visit was still a possibility for you? Just hoping to keep this project moving along if possible.

Thanks,

Blaise Chevalier
Drainage Superintendent
Drainage, Asset and Waste Management
Municipality of Chatham-Kent

315 King St. West, PO Box 640
Chatham, ON N7M 5K8
Phone: 519.360.1998 Ext. 3318 Fax: 519.436.3240
E-mail: blaisec@chatham-kent.ca
www.chatham-kent.ca



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From: Blaise Chevalier
Sent: December 18, 2020 3:07 PM
To: Rheal Lemelin <Rheal_Lemelin@cpr.ca>; 'Jack Carello' <Jack_Carello@cpr.ca>
Cc: Ann Ford <ANNF@chatham-kent.ca>; brandon@spriet.on.ca; John M Spriet <john@spriet.ca>
Subject: RE: Shaw Branch of Facey Drain East Branch (Zone Rd 2 - Bothwell) - CP Mile +/- 47.59 Windsor Sub.

Good morning Rheal,

Just following up to our call we had earlier this week with Jack. Based on our discussion, Jack suggested it might be beneficial to have a site visit to review the proposal with you as all as any potential alternatives.

Would you happen to have some availability in the new year to meet at this location?

Thanks,

Blaise Chevalier
Drainage Superintendent
Drainage, Asset and Waste Management
Municipality of Chatham-Kent

315 King St. West, PO Box 640
Chatham, ON N7M 5K8
Phone: 519.360.1998 Ext. 3318 Fax: 519.436.3240
E-mail: blaisec@chatham-kent.ca
www.chatham-kent.ca



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From: Jack Carello <Jack_Carello@cpr.ca>
Sent: December 3, 2020 5:10 PM
To: Blaise Chevalier <blaisec@chatham-kent.ca>
Cc: Ann Ford <ANNF@chatham-kent.ca>; brandon@spriet.on.ca; John M Spriet <john@spriet.ca>; Rheal Lemelin <Rheal_Lemelin@cpr.ca>
Subject: RE: Shaw Branch of Facey Drain East Branch (Zone Rd 2 - Bothwell) - CP Mile +/- 47.59 Windsor Sub.

Let's try the week after. Mon/Tues btwn 1pm – 3pm.

From: Rheal Lemelin <Rheal_Lemelin@cpr.ca>
Sent: December 2, 2020 5:13 PM
To: Jack Carello <Jack_Carello@cpr.ca>
Cc: Blaise Chevalier <blaisec@chatham-kent.ca>; Ann Ford <ANNF@chatham-kent.ca>; brandon@spriet.on.ca; John M Spriet <john@spriet.ca>
Subject: Re: Shaw Branch of Facey Drain East Branch (Zone Rd 2 - Bothwell) - CP Mile +/- 47.59 Windsor Sub.

Hi Jack, I will not be back to work till next Thursday, off on bereavement leave.

Rheal

Sent from my iPhone

On Dec 2, 2020, at 5:10 PM, Jack Carello <Jack_Carello@cpr.ca> wrote:

Next Wed/Thurs btwn 10:30 & noon works for me.

Rheal - Do these dates/times work with your schedule.

From: Blaise Chevalier <blaisec@chatham-kent.ca>
Sent: December 1, 2020 7:37 PM
To: Jack Carello <Jack_Carello@cpr.ca>
Cc: Ann Ford <ANNF@chatham-kent.ca>; brandon@spriet.on.ca; John M Spriet <john@spriet.ca>; Rheal Lemelin <Rheal_Lemelin@cpr.ca>
Subject: RE: Shaw Branch of Facey Drain East Branch (Zone Rd 2 - Bothwell) - CP Mile +/- 47.59 Windsor Sub.

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Hi Jack,

That works for me - do you have any potential dates/times that would work for you and I can coordinate with Spriets?

Thanks

Sent with BlackBerry Work
(www.blackberry.com)

From: Jack Carello <Jack_Carello@cpr.ca>
Date: Tuesday, Dec 01, 2020, 5:09 PM
To: Blaise Chevalier <blaisec@chatham-kent.ca>
Cc: Ann Ford <ANNF@chatham-kent.ca>, brandon@spriet.on.ca <brandon@spriet.on.ca>, John M Spriet <john@spriet.ca>, Rheal Lemelin <Rheal_Lemelin@cpr.ca>
Subject: RE: Shaw Branch of Facey Drain East Branch (Zone Rd 2 - Bothwell) - CP Mile +/- 47.59 Windsor Sub.

Hi Blaise,

It would be best to set up a conference call to discuss this proposal further.

Regards,

<image002.png>

Jack Carello, SR/WA
Manager Utilities & Flagging
Engineering Public Works
1290 Central Pkwy West – Suite 800
Mississauga ON L5C 4R3
O 905-803-3417 C 416-992-2676

From: Blaise Chevalier <blaisec@chatham-kent.ca>
Sent: November 27, 2020 1:44 PM
To: Jack Carello <Jack_Carello@cpr.ca>
Cc: Ann Ford <ANNF@chatham-kent.ca>; brandon@spriet.on.ca; John M Spriet <john@spriet.ca>
Subject: RE: Shaw Branch of Facey Drain East Branch (Zone Rd 2 - Bothwell)

This email did not originate from Canadian Pacific. Please exercise caution with any links or attachments.

Hi Jack,

Glenna Hall had forwarded me your way a few weeks ago. I just wanted to forward a copy the preliminary drawings for this project I just received from Spriet Associates to add to this file. I know she said you guys are likely backed up to January for new files at this point so just let me know once you've had the chance to get a look at this.

Thanks,

Blaise Chevalier
Drainage Superintendent
Drainage, Asset and Waste Management
Municipality of Chatham-Kent

315 King St. West, PO Box 640
Chatham, ON N7M 5K8
Phone: 519.360.1998 Ext. 3318 Fax: 519.436.3240
E-mail: blaisec@chatham-kent.ca

<image003.png>

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From: Glenna Hall <Glenna_Hall@cpr.ca>
Sent: November 18, 2020 6:15 PM
To: Blaise Chevalier <blaisec@chatham-kent.ca>
Cc: Ann Ford <ANNF@chatham-kent.ca>; brandon@spriet.on.ca; Jack Carello <Jack_Carello@cpr.ca>
Subject: FW: Shaw Branch of Facey Drain East Branch (Zone Rd 2 - Bothwell)

Hello Blaise,

I've copied in your regional contact Jack Carello who will be able to assist with your general queries.

Please note due to end of year wrap-ups and higher than usual application requests, newly submitted utility application forms will be reviewed beginning of year 2021, unless in the case of an emergency.

Regards,
Glenna

From: Blaise Chevalier <blaisec@chatham-kent.ca>
Sent: Wednesday, November 18, 2020 9:39 AM
To: Glenna Hall <Glenna_Hall@cpr.ca>
Cc: Ann Ford <ANNF@chatham-kent.ca>; Brandon Widner <brandon@spriet.on.ca>
Subject: Shaw Branch of Facey Drain East Branch (Zone Rd 2 - Bothwell)

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Hi Glenna,

I've been given your contact information from our drainage consultant, Spriet Associates, who indicated they had worked with you on previous Drainage Act projects. They had recommended I reach out to you first as you may be able to direct me through the appropriate channels at CP Rail.

We've received a petition under Section 4 of the Drainage Act for outlet to a property located at the north-east corner of the intersection of Zone Rd 2 and the CP rail line, located between the villages of Bothwell and Kent Bridge. Based on preliminary site reviews and survey, the proposed project scope generally includes the installation of a new rail crossing consisting of a 400mm diameter pipe (there is an existing 900mm diameter concrete in the same vicinity) and some drainage swale improvements.

I've attached a site map detailing the location (yellow line). Can you advise who we should be reaching out to at CP at this point for review and comments?

Thanks.

Blaise Chevalier

Drainage Superintendent

Drainage, Asset and Waste Management

Municipality of Chatham-Kent

315 King St. West, PO Box 640

Chatham, ON N7M 5K8

Phone: 519.360.1998 Ext. 3318 Fax: 519.436.3240

E-mail: blaisec@chatham-kent.ca

www.chatham-kent.ca

<image003.png>

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nomme ci-dessus. Toute diffusion, distribution, reproduction ou utilisation comme reference du contenu du message par une autre personne que le destinataire est formellement interdite. Si vous avez recu ce courriel par erreur, veuillez le detruire immediatement et en informer l' expéditeur a l' adresse ci-dessus. ----- IMPORTANT NOTICE - AVIS IMPORTANT -----

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UTILITY CROSSING APPLICATION FORM

Applicant: Click or tap here to enter text. **Date:** Click or tap to enter a date.

Description of Utility Crossing location:

City/Town: Click or tap here to enter text.	Lot: Click or tap here to enter text.	Concession/Legal Land Desc.: Click or tap
Township: Click or tap here to enter text.	County: Click or tap here to enter text.	Province: Choose an item.
GPS Coordinates of exact utility crossing (latitude/longitude, decimal degrees <u>only</u>): Latitude: Click or tap here to enter text. Longitude: - Click or tap here to enter Name of Road where the utility is crossing CP tracks: Click or tap here to enter text.		
Railway Mileage & Subdivision if known: Click or tap here to enter text.		

Utility Owner Information:

Full Legal Name Of Utility Crossing Owner: Click or tap here to enter text.	
Address: Click or tap here to enter text.	Province: Choose an item.
City/Town: Click or tap here to enter text.	Postal Code: Click or tap
Contact/Signatory: Click or tap here to enter text.	
Phone: Click or tap here to enter text.	
Email Address: Click or tap here to enter text.	
24HR Owner Utility Emergency Response Number: Click or tap here to enter Approximate start date of proposed utility installation work: Click or tap to ent Number of days a CP flagman will be required for: (click) Days Purpose of utility installation: Click or tap here to enter text.	
Does applicant have an existing pipeline, hydro/power/fibre line crossing over/under the railway tracks at this <u>exact</u> location? Choose an item.	
Does applicant have an existing permit / agreement in place with CP for this existing installation? Choose an item. Provide copy of document or CP file number with application.	
Will existing utility be removed from the railway corridor? Choose an item.	
Who owns the property where the utility i.e. pipe/cable/conduit/hydro line etc. crosses the railway tracks? (Check off box beside the property owner.) Municipal <input type="checkbox"/> County <input type="checkbox"/> City <input type="checkbox"/> Region <input type="checkbox"/> CP <input type="checkbox"/>	
Description of work/notes: Click or tap here to enter text.	

Drawing No.: Click or tap here to enter text. **Date:** Click or tap to enter

UTILITY CROSSING FEES

Description	Payment to include with application:	One-time fee to be invoiced (aerial):	One-time fee to be invoiced (below ground):
<u>Utility Crossing Permits</u> Over/Under railway tracks and crossing within Regional/Municipal roads and property not owned by the railway.	Application & Engineering review Fee (Non-refundable) \$700.00 + taxes*	One-time Permit Fee: \$575.00 + taxes* Fee will be invoiced to applicant once approved	One-time Permit Fee: \$575.00 + taxes* Fee will be invoiced to applicant once approved.
<u>Utility Crossing Agreements</u> Over/Under railway tracks & crossing within Canadian Pacific owned lands/right of way.	Application & Engineering review Fee (Non-refundable) \$700.00 + taxes*	One-Time Aerial Crossing Fees: (Hydro/Power, Fibre, Coaxial etc.) \$2,000.00 + taxes*	One-Time Pipe Crossing Fees: (Natural Gas, Oil, Sewer, Watermain, Storm Culverts etc.) ~ less than 30"(750mm) outer diameter of casing: \$2,000.00 + taxes* ~ 30" (750mm) to less than 96"(2400mm) outer diameter of casing: \$5,000.00 + taxes* Fee will be invoiced to applicant once approved.

OTHER APPLICATION FEES

Railway property/title searches	\$400.00 + taxes*	Non-refundable
Utility searches and or copies of agreements/permits	\$200.00 + taxes*/document	Non-refundable
Permit / Drawing Revisions (Substitution of Prints)	\$525.00 + taxes*	Non-refundable
Additional Engineering review fees	\$400.00 + taxes*	Non-refundable
Assignments	\$500.00 + taxes*/agreement	Non-refundable

Express Fee*: (Permit/Agreements/Assignments reviewed within 10 business days):
Add \$1,200.00 + taxes* to Application/Documentation & Engineering Review Fee above.

Check off the box to the right if requesting this level of service:

☐

Fast Track Fee*: (Permit/Agreements/Assignments reviewed within 5 business days):
Add \$2,000.00 + taxes* to Application/Documentation & Engineering Review Fee above.

Check off the box to the right if requesting this level of service:

☐

***Express / Fast Track utility applications do not apply to installations that require Geotechnical review.**

Above-mentioned fees do not apply to utility crossings within major rail yards, or running parallel within the railway right of way.

CP reserves the right to review these fees from time to time. CP does not grant easements for utility crossings over/under the railway right of way.

Typical utility crossing application turnaround time: 30-60 business days.

***GST and any provincial sales taxes must be included with all fees. Tax rate is based on physical location of the utility installation.**

Underground Pipe Crossing Information:

Does CP Geotechnical Protocol apply to this installation?	Choose an item.
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If yes – Applicant to send a copy of the Geotechnical report along with a track settlement monitoring plan to CP Geotechnical Service provider for review and installation oversight. All additional fees associated with this review and onsite supervision will be borne by the applicant. Refer to CP Geotechnical Protocol for all required details before submitting.

Number of new underground pipes crossing CPR tracks: Click or tap here to enter text.
 Material being carried in pipe i.e. storm, watermain, gas etc.: Click or tap here
 Depth below base of rail to top of steel casing pipe: no. m carrier pipe: no. m
 Depth below bottom of ditch to top of pipe: no. m
 Angle of crossing to the tracks: Click (shall not be less than 45 degrees)
 Number of tracks being crossed: Click or tap here to enter text.
 Number of manholes within CPR property: Click or tap here
 Number of shut off valves within CPR property: Click or tap here to
 Will existing pipe be removed or grouted in place? Click or tap here

Bridge Information:

Does pipe cross underneath a Railway Bridge?	Choose an item.
Depth below grade to top of steel casing pipe: click m	
Distance from edge of bridge abutments to centerline of steel casing pipe: no. m	
Distance from edge of bridge footings to centerline of steel casing pipe: no. m	
Installation should not come within the Zone of Potential Influence or that of any part of a railway bridge structure (footings, abutments, columns, piers, etc.). A cross-section of proposed installation must be provided along with Engineer's report if encroaching into these areas.	

Pipe Specifications:

<u>Pipe Specifications:</u>		Carrier Pipe (mm)	Casing Pipe (mm)
Outside Diameter		Click or tap here	Click or tap here
Wall Thickness		Click or tap here	Click or tap here
Pipe Material		Click or tap here	Click or tap here
Specification & Grade		Click or tap here	Click or tap here
Type of Joint		Click or tap here	Click or tap here
Coating		Click or tap here	Click or tap here
Cathodic Protection		Click or tap here	Click or tap here
Specified Min. Yield Strength		Click or tap here	Click or tap here
Max operating pressure		Click or tap here	Click or tap here
Max operating temperature		Click or tap here	Click or tap here
Max surge & test pressure		Click or tap here	Click or tap here
Min. Operating Temperature		Click or tap here	Click or tap here
Vents: Click or tap		Are Both Ends of the pipe sealed?	Choose an item.
Types of Seals:	Click or tap here to enter text.		
Distance of shut off valves to closest track centerline: Click or tap here to enter text.m			
Distance from nearest point of sending/receiving pits to the nearest rail: Click or tap herem			
Sending pit: Click or tap m Receiving pit:Click or tap m			
Excavation pits should be placed outside the railway corridor and not come within 10m of the nearest rail. If not practical, provide a detailed summary along with shoring/bracing design.			

Method of installation: Click or tap here to enter text.

Steel casing pipe to conform to Cooper E80 railway loading and must span the complete railway right of way width.

Aerial/Underground Wire Crossing Information:

Aerial Information:

- **Number of NEW wires crossing over the tracks:** Click or tap here to enter text.
Hydro/Power: no. **Neutral:** no. **Fibre:** no. **Fibre count:** no.
- **Number of existing hydro wires / power lines / fibre optic cables crossing over the tracks:** no.
- **Maximum voltage of proposed hydro/power crossing:** no. **EMF output:** no.
- **Height above top of rail to proposed installation:** no. m
No cable/wire shall be less than 7.6m from top of rail to lowest wire including sag. If crossing within railway yards lowest wire with sag should not be less than 10m from top of rail.
- **Number of poles being placed within CPR property:** Click (Property plan must be shown.)
Pole Owner: Click or tap here to enter text.
- **If not the Pole Owner, does your company have permission/permit to use these poles? .**
(provide permission document with application)
- **Number of cabinets within Railway property:** Click or tap here to enter text.
- **Number of guy wires within railway property:** Click or tap here to enter text.
- **Angle of crossing to the tracks:** Click degrees (should not be less than 45 degrees)
- **Number of tracks crossed by installation:** Click or tap here to enter text.

Underground Cable/Wire Crossing Information:

- **Number of wires/cables within the conduit/casing crossing under the tracks:** Click
- **Type of wires/cable crossing underneath the tracks i.e. fiber, hydro etc.** Click
- **Number of manholes, cabinets on railway property:** Click
- **If fibre optic cable duct, Fibre Count:** Click or tap here to enter text.
- **Provide material specification of casing pipe/conduit i.e. HDPE, PVC etc.** Click or tap here
- **Depth below base of rail to top of conduit/casing:** Click m **(must not be less than 1.52m)**
- **Conduit outside diameter:** Click mm **Wall thickness:** Click mm
- **Steel casing pipe outside diameter:** Click mm **Wall thickness:** Click mm
- **Distance from nearest point of sending/receiving pits to nearest rail:**
Excavation pits should be placed outside the railway corridor and not come within 10m of the nearest rail.
Sending pit: Click m **Receiving pit:** Click m
- **Method of installation: Jack & Bore, Directional drilling etc.:** Click or tap here to enter text.

Bridge Information :

- **Does conduit/pipe cross underneath a Railway Bridge?** Choose an item.
- **Depth below grade to top of casing pipe:** Click m
- **Distance from edge of bridge abutments to centerline of conduit/casing pipe:** Click m
- **Distance from edge of bridge footings to centerline of conduit/casing pipe:** Click m
Installation should not come within the Zone of Potential Influence or that of any part of a railway bridge structure (footings, abutments, columns, piers, etc.) A cross-section of proposed installation must be provided along with Engineers report if encroaching into the zone.

Drawing No.: Click or tap here to enter text. **Date:** Click or tap to enter

UTILITY PACKAGE TO INCLUDE

- ☐ CP Utility Application Form
- ☐ PDF drawing to scale and stamped, (11 X 17 in color preferred).
- Complete installation should be shown on 1 drawing with plan view, profile and cross-section along with an aerial image showing exact crossing location with a solid red line across the rail corridor. (see attached examples) Please do not forward full-sized contract drawings.
- ☐ Advance payment made in the amount of \$700 plus taxes to cover the Non-refundable Application & Engineering Review Fee, to be made by EFT or Wire Payment – see payment details on the following page.
- **Geotechnical report if pipe outer diameter is 300mm or larger or if soil conditions are not conducive to the proposed bore. Ensure items 13.4 to 13.12 within table 5 of the Geotechnical protocol checklist are addressed and the track settlement-monitoring plan is within the report being submitted in order to avoid delays.**
- **1 copy of the complete Geotech package is to be sent to CP Geotechnical service provider for initial review. All additional fees undertaken by CP service provider i.e. review and installation oversight will be borne by the applicant and paid directly to CP service provider.**
- Payment confirmation must accompany Utility Application, including taxes and any applicable provincial tax. Tax rate is based on physical location of the installation.
- The One-Time Permit or Agreement Fee will be invoiced once document is fully executed. If unsure of payment process or fee, send email to the regional contact below.
- Insufficient information will result in review delays and additional review fees.
- **No permit/agreement will be processed unless proof of payment is included with application.**



I have verified all required information and payment are being provided with this application and understand any missing items will result in delays or rejection of my application.

Email completed package to:

<u>Western Canada (BC, AB, SK)</u>	<u>Eastern Canada (MB, ON)</u>
Attn: Graeme Dales, Supervisor, Utilities & Flagging (West) (graeme_dales@cpr.ca) Canadian Pacific 7550 Ogden Dale Rd SE Calgary, AB T2C 4X9	Attn: Jack Carello SR/WA Manager Utilities & Flagging Engineering Eastern Region (jack_carello@cpr.ca) Canadian Pacific 1290 Central Parkway West, Suite 800 Mississauga, ON L5C 4R3

***GST and any provincial sales taxes must be included with all fees. Tax rate is based on physical location of the utility installation.**

CP Banking Information

For: EFT - Electronic Funds Transfer Instructions

Company Name: Canadian Pacific Railway Company
Company Address: 7550 Ogden Dale Rd. SE
Calgary, AB, T2C 4X9
Company Transit: 00109
Company Account #: 1967-771
Institution #: 001
Bank Address: Bank of Montreal
350 7th Avenue SW
Calgary, AB T2P 0X4

For: Wire Payment Instructions

Beneficiary Name: Canadian Pacific Railway Company
Beneficiary Address: 7550 Ogden Dale Rd. E
Calgary, AB T2P 04X
Beneficiary Transit and Account #: 00101967771
Bank Routing Code: 000100109
Beneficiary Address: Bank of Montreal
350 7th Avenue SW
Calgary, AB T2P 0X4

**Bank of Montreal Swift Code: BOFMCAM2 International Banking, Head Office
Montreal, QC**

**Bank of Montreal's USD Corresponding Bank: Wells Fargo Bank (FKA
Wachovia Bank),**

SWIFT CODE: PNBPU3NNYC, ABA/Routing #: 026005092



Flagman information sheet - *Customer copy*

Flagging protection is required any time a third party is conducting work on or around CP property and track which has the potential to pose a risk to the safe operation of trains and surrounding workers.

No work will be allowed, nor will personnel be permitted on the property unless proper arrangements are made in advance. CP police will be dispatched to address trespassing on CP property.

In addition, locates must be taken into account prior to any ground disturbance. Please contact your regional locate company as well as CP's CALLB4UDIG group at Call_B4UDig@cpr.ca or 1-800-387-1833 to ensure all underground utilities in the area are protected.

Flagging resources will be supplied at CP's discretion, when they are available.

Notice Period

- For flagging requests of 30 days or more in duration, 12 months advance notice is required.
- For requests less than 30 days in duration, at least 90 day notice should be provided.
- For requests less than 5 days in duration, at least 2 weeks' notice should be provided.
- Cancellations must be received no less than 48 hours prior or 1 day full charge will occur.

When requesting flagging, it is incumbent on the applicant to provide all of the required information or the application may be rejected. An agreement for cost recovery must be in place before flagging services are provided.

Flagging flat rate: \$1,576/day + taxes (up to an 8 hour shift)

Note that the shift includes booking-in time at the flagperson's headquarters and travel time to and from the job site. The actual hours on site will vary by location. In addition, the flagperson's presence on site does not guarantee working time. The company will make every effort to accommodate the planned work but safe unhindered railway operations are paramount and available working hours will vary.

- 1) Minimum charge
 - a. 8 hour shift – Includes travel time to and from site.
 - b. Any exception to the minimum of 8 hour flat rate must be confirmed by CP Representative sign-off in advance.
- 2) The \$1,576 + taxes fee includes:
 - a. Flagperson for up to 8 hours (07:00 – 15:00)
 - b. Overhead expenses
 - c. Standard vehicle/transportation (includes vehicle rental and gas if necessary)
 - d. Crew Radios
 - e. Flagperson's expenses including when necessary: Lodging, Fringe Benefits and expenses
- 3) What the flat rate fee does NOT include:
 - a. OT hours worked – overtime rate is: \$237/hr + taxes - CP Roadmaster to provide approval.
 - b. Flagging on Weekend & Statutory Holidays
 - c. Specialty vehicles (i.e.: High Rail Bus or non-standard vehicle and or remote control flags, etc.)

Flagging Rates:	Days	Flat Fee + Taxes	General Comments
5 & 2 Shift*	Mon - Fri	\$1,576.00 + Taxes	Standard - 8 hours shift – no overtime (07:00 – 15:00)
4 & 3 Shift**	Mon-Thurs	\$1,970.00 + Taxes	10 hours shifts must be approved by CP under contract
7 & 7 Shift***	Tues- Mon	\$2,461.00 + Taxes	11 ½ hrs shifts must be approved by CP under contract

All flagging shall be billed per the above UNLESS there is an existing agreement in force, in which case the terms of the agreement will be honored until such time that it is cancelled, expires or is subject to renewal.



Flagging Work Order Template

CP Permit/Agreement No*:

Approval Date*: Click or tap to enter a date.

CP CALLB4UDIG Ticket No*:

(*please provide, if applicable)

1) Description of CP Work:

* Requested Flagging Start date: (Click or tap to enter a date.) * Requested Flagging End date: (Click or tap to enter a date.) Requested dates above are not guaranteed to be scheduled. Refer to notice period on page 1.	No. of days to be charged for CP flagging:()
* Meeting Point: Click or tap here to enter text. * Street Location (or nearest intersection): Click or tap here to enter text.	
Mileage & Subdivision: Click or tap here to enter text.	
Description of work/notes: Click or tap here to enter text.	

2) Company to be charged for CP flagging (**MUST** be with the Agency or Permit/Agreement holder only):

* Company Name: Click or tap here to enter text.	
* Address (in full): Click or tap here to enter text.	
* PRIMARY CONTACT NAME (Requestor of Work): Click or tap here to enter text.	
* Telephone: Click or tap here to enter text.	* Email: Click or tap here to enter text.
* PO or Customer Ref #: Click or tap here (must be provided to book flagging)	

3) 3rd Party Work Done By i.e. being performed other than Applicant.

* Company Name: Click or tap here to enter text.	
* Description of 3rd Party Work/notes: Click or tap here to enter text.	
* NAME (Person responsible from 3rd Party): Click or tap here to enter text.	
* Telephone: Click or tap here to enter text.	* Email: Click or tap here to enter text.
* PO or Project #: Click or tap here to enter	* Dates Required: Click or tap here to enter

* Note: Any item marked with an asterisk (*) is a mandatory field.

CP USE ONLY: Is there parallel fibre? Details: Click or tap here to enter text.

Overtime/Holiday Authorization Form

* Company Name: Click or tap here to enter text.
* Dates OT flagging required: Click or tap here to enter text.
* PO or Customer Ref #: Click or tap here to enter text.

This flagging form must be signed by both parties if work is being conducted other than permit holder. Scheduling will not proceed without both signatures.

Click or tap here to enter text.

Agreement/Permit holder - Name (print)

Signature

Date

Click or tap here to enter text.

3rd Party/Contractor or Sub - Name (print)

Signature

Date