

THIS IS EXHIBIT " A" 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.**

- a) *the permitted uses shall include retail stores, offices, personal service shops, small goods repair shops, restaurants, warehousing and storage facilities, and dwelling units. Retail stores shall exclude supermarkets and the sale of department store-type merchandise shall be discouraged;*
- b) *the total gross floor area of all non-residential uses shall not exceed 925 sq. m;*
- c) *the gross floor area of any individual retail store shall not exceed 250 sq. m;*
- d) *not more than three dwelling units are permitted and such units need not be occupied by an owner/operator of the business or building caretaker;*
- e) *two or more of the non-residential uses may be combined under one roof.*

### **3.10 AGRICULTURAL AREA POLICIES**

Traditional and value-added agriculture and associated activities make an important contribution to the economy of Chatham-Kent, and they dominate the rural landscape of the Municipality. Of about 600,000 acres in the former townships, over 550,000 acres are under cultivation; that number has remained steady since 1971. Virtually all of this acreage is considered to be prime agricultural land. By comparison, in Ontario as a whole, the area of land under cultivation has been reduced by about 15% over the same period.

Most of the land in the rural area of Chatham-Kent is prime agricultural land, and the Provincial Policy Statement requires that these lands be protected for agricultural uses unless appropriate justification is provided for alternative uses.

The number of individually owned farm operations has decreased by over half, but the family farm type of operation (over 98%) still dominates through partnerships, joint ventures and family corporations. Reflecting the decrease in farm operations is the steady decline in the rural population and, in particular, the rural farm population. This phenomenon is raising concerns about the loss of social and physical infrastructure (e.g., schools), important quality of life issues for the rural community.

Most of the land in the rural area of Chatham-Kent is prime agricultural land and the Provincial Policy Statements require that these lands be protected for agricultural uses unless appropriate justification is provided for alternative uses. In Chatham-Kent, prime agricultural lands surround all of the growth centres, including the Primary and Secondary Urban Centres and Hamlets. Any expansions to the boundaries of the growth centres onto adjacent prime agricultural lands to accommodate urban development will require planning justification under the Provincial Policy Statements to address a need for the proposed uses and availability of lower capability lands.

The Economic Opportunity Study concluded that in the agri-food sector, the major opportunity is in food production rather than food processing. Opportunities in food production exist in the areas of biotechnology and greenhousing. The Study recommended that to enhance the food sector, Chatham-Kent should:

- create and enhance partnerships with existing research and knowledge-based groups in the area including the University of Guelph through Ridgetown College.
- capitalize on the Municipality's position as a dominant tomato-producing region including exploring the concept of a Centre of Excellence.
- develop new export markets in product areas that offer high growth potential for products such as tomatoes and cucumbers (United States), floriculture (United States), pork (Asia, United States), etc.
- be a conduit of information linking local growers, processors and exporters with government programs and agencies.
- link local proposals based on solid business plans with investors in the community.

The Agricultural Economic Impact and Development Study concurred that the greenhouse industry generates significant economic activity and employment for Chatham-Kent/Essex, and that the region has a comparative advantage in greenhouse production due to a favourable climate, proximity to markets and access to gas and water. The Study identified the following priorities for farm operators:

- Having access to good infrastructure services (i.e., roads, water, gas, utilities, etc.) to facilitate continued expansion of the greenhouse industry in Chatham-Kent.
- Having access to professionals with expertise in the development of new products and markets to assist farmers in recognizing and capitalizing upon market opportunities.
- Having access to well-trained, skilled workers who will enhance the region's competitive advantage.
- Having access to municipal government, which will convey the concerns of agricultural producers regarding the impacts of development encroachment on agricultural lands.
- Having access to specialized training on human resource management practices.

The Greenhouse Development Feasibility Study found that there are no constraints in Chatham-Kent to preclude the expansion of greenhouse farming. The Study concluded that the weather is favourable, the needed infrastructure services are either available or can

be provided and the impact on the local economy is significant. The Study estimated that the economic multiplier spending associated with greenhouse farming is at a factor of five or six times the operating cost of a greenhouse facility. The Study found that the most important considerations for establishing locations for greenhouse farms are:

- a good and reliable source of water;
- an adequate fuel supply; and
- access to three-phase electrical power.

The Study concluded that the variables associated with greenhouse farming are too great to identify locations in advance. Each potential site should be evaluated based on its ability to provide a water supply, natural gas and three-phase electrical power. Once the adequacy of utilities has been confirmed, then other locational criteria such as road access, proximity to market, size of the proposed parcel and price of land should be considered. Environmental issues associated with greenhouses include the disposal of waste (i.e., plastic from plastic greenhouses, disposal of vines, noise, fertilized water, etc.). The major social issues associated with greenhouses revolve around the use of migrant workers to work the farms (i.e., the housing of a large number of workers onsite) and the need for supporting social and community services.

The intention of this Official Plan is to make provisions for the long-term protection of the agricultural industry in Chatham-Kent. Agriculture is a cornerstone of Chatham-Kent's economy. The policies affirm that agriculture is a predominant activity in the Municipality.

***It shall be the objective of Chatham-Kent to:***

- 3.10.1.1 Support a healthy and viable agricultural industry as a cornerstone of the Municipality's economy.***
- 3.10.1.2 Ensure that non-agricultural uses that may result in conflicts with agriculture are directed to growth centres and less productive farming areas.***
- 3.10.1.3 Support Chatham-Kent's agricultural industry, including local food production and distribution systems, farmers' markets and farm-gate sales, to provide healthy and accessible foods that serve the needs of Chatham-Kent residents.***

***It shall be the policy of Chatham-Kent that:***

- 3.10.2.1 Agricultural Areas that comprise prime agricultural lands (Class 1–3) and/or specialty crop lands shall also be designated on Schedule "A" Series – Land Use to this Official Plan.***
- 3.10.2.2 The Agricultural Area designation means that the primary use shall be agriculture, farm-related industrial and farm-related commercial uses and accessory uses.***

THIS IS EXHIBIT "B" 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.**

Glencoe 9<sup>th</sup> May 1892

To the Municipal Council  
of the Township of Zone  
Gentlemen:-

We beg to report that in accordance with instructions, we have taken levels for the repairing and cleaning of the Fairy Lake Drain in Zone Municipality and that of Brandon. The instructions did not ask for a re-assessment in connection therewith and from what the parties on the ground told us we do not think that one is necessary, but that the work will be done in accordance with previous By-law.

We have prepared a profile showing the drain and proposed cleaning (in duplicate)

We might say that we have not asked the bottom to be made as wide as the original called for in places as we do not consider such necessary, there being a comparatively small amount of territory draining through the same and the fall in the drain is comparatively large and we think the width given on the profile will be found quite sufficient to carry off the water.

The work is to be performed in accordance with the depths and other dimensions given on the profile. The earth to be cast evenly on both sides at least 3 feet clear of the edge of the drain, and where no trimming of the sides is required, all the earth is to be cast 3 feet clear of the edge of the old drain. No earth to be cast in the sides of the old drain. The slopes to be one foot horizontal to one foot vertical.

New culverts will be required at both places where the drain crosses the Concession Road. The one near the head may be a tile culvert.

We estimate the cost of the work to be as follows:-

Excavating from Stake

0 to 20 = 160 rods @ 40¢ = \$64.00  
 20 - 42 = 176 " @ 35¢ = 61.60  
 42 - 60 = 144 " @ 35¢ = 50.40  
 60 - 73 = 104 " @ 25¢ = 26.00  
 73 - 95 = 176 " @ 30¢ = 52.80  
 95 - 120 = 200 " @ 30¢ = 60.00

Total Excavation in Zone = 314.80  
 " " " Camden

from Station 120 to 130 7/8 = 8 7/8 rods @ 50¢ = 43.50

Total Cost of Excavation \$ 358.30

2 Culverts 50.00

Assistance on Survey 7.00

Clerk's fees 7.00

Letting & superintending 24.70

Levels, Estimates &c (in duplicate) <sup>\$30.00</sup> 30.00

Total Estimated Cost \$ 477.00

All of which is respectfully submitted.  
 We have the honor to be

Sincerely  
 Your obedient servants  
 Coad & Robertson

477 00

486 25

407 5

10632

Henry White & Son  
Cleaning  
Removal of Stone

March 9<sup>th</sup> May 1892

Charles Robinson

Gloucester



Glencoe 9<sup>th</sup> May 1892

To the Municipal Council  
of the Township of Zone  
Gentlemen:

We beg to report that in accordance with instructions we have taken levels for the repairing & cleaning of the Tacey Creek Drain in your Municipality and that of Camden. The instructions did not ask for a re-assessment in connection therewith and from what the parties on the ground told us at the time of survey we do not think that one is necessary but that the work will be done in accordance with previous By-law.

We have prepared a profile showing the drain and proposed cleaning (in duplicate)

We might say that we have not asked the bottom width to be made as wide as the original calling for <sup>in places</sup> as we do not consider such necessary there being a comparatively small amount of territory draining through the same and the fall in the drain is comparatively large and we think the widths given on profile will be found quite sufficient to carry off the water.

The work is to be performed in accordance with the depths and other dimensions given on the profile. The earth to be cast evenly on both sides at least 3 feet clear of the edge of the drain and where no trimming of the sides is required all the earth is to be cast 3 feet clear of the edge of the old drain. No earth to be cast in the sides of the old drain. The slopes to be one foot horizontal to one foot vertical.

New culverts will be required at both places where the drain crosses the Concession Road. The one near the head may be a tile culvert.

THIS IS EXHIBIT "C" 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.**



To the Municipal Council  
of the Township of Zone  
Gentlemen :

I beg to state that in accordance with instructions received from your Hon Body I have made an examination of the Facey Drain in your municipality with a view to putting the said drain in a proper state of repair.

Over the course of the drain I have planted stakes at intervals of two chains or eight rods and have taken levels from which the accompanying profile has been prepared and which profile shows the work I would propose and recommend. The plan accompanying this report shows the location of the drain and the lands affected by the proposed repair.

The fall in the drain is good and when the work is done the lands will have good drainage.

I estimate the cost of the work to be as follows :-

Excavation and spreading	
St 0 to St 52; 820 Cu Yds @ 11 Cts	\$ 90.20
" 52 " " 114; 1070 " " @ 11 "	117.70
" 114 " " 171; 980 " " @ 11 "	107.80
" 171 " " 206.5; 290 " " @ 11 "	<u>31.90</u>
	\$ 347.60
Assistance on survey	11.75
Printing and distributing Bylaw	8.25
Clerk's Fees	9.00
Survey , plans and report	40.00
Letting and superintending	14.40
Final inspection by engineer	<u>9.00</u>
Total estimated cost	\$ 440.00

This sum I assess and charge against the lands and roads in any way liable to assessment under The Drainage Act , as per the annexed schedule of assessment.

All of which is respectfully submitted.

I have the honor to be , Gentlemen.

Your obedient servant.

*A. S. Code O.S.S., C.E.*

Dated at Alvinston this 21 st day of September A.D. 1909.

Specification.

1. This specification comprises the repair to the Facey drain in the Township of Zone in accordance with the accompanying plan and profile from station 0 to station 206.5 , a distance of 826 rods.
  2. The depths shown on the profile are to be measured from the surface of the ground at the side of the planted and numbered stakes. These stakes are planted at intervals of two chains or eight rods and are numbered 0, 2, 4 etc from the head of the drain. The bottom excavation-s shown on the profile do not in any way govern the work and are given for estimating quantities only.
  - 3 The bottom of the drain is to be brought to a regular and even grade between the points of change shown on the profile so that no water will stand in the bottom. The side slopes are to be one to one cut straight from top to bottom.
  4. The earth from the drain is to be cast about evenly on both sides four feet clear from the edge of the drain and through the cleared lands is to be spread back not deeper than one foot and should crop be in at the time of repair then the contractor is to spread the earth after the removal of crop.
- All ditches runs or watercourses are to be ~~if~~ left open their full size and no earth is to be thrown against fences along the drain.
5. Any bridges crossings or fences which the contractor may find necessary to remove are to be replaced by him immediately upon completion of that ~~part~~ portion of the drain.
  6. A good and workmanlike job is to be made of the whole work to the satisfaction of the commissioner in charge and the engineer making the final inspection.

Schedule of Assessment. Facey Drain. Township of Zone.

Con	Lot or Part	Acres	Value of Benefit	Value of Outlet Liability	Name of Owner
2.	E $\frac{1}{2}$ ex Ry	2 99	2.50	4.00	
	E $\frac{1}{2}$ " "	3 94	9.00	9.00	
	S $\frac{1}{2}$ E $\frac{1}{2}$	4 50	11.50	12.00	
	S $\frac{1}{2}$ W $\frac{1}{2}$	4 50		1.00	
	N $\frac{1}{2}$ E $\frac{1}{2}$	4 50	10.50	13.00	
	S $\frac{1}{2}$ E $\frac{1}{2}$	5 50	14.50	14.50	
	E $\frac{1}{2}$ N $\frac{1}{2}$ E $\frac{1}{2}$	5 25	16.00	11.50	Gragg
	W $\frac{1}{2}$ N $\frac{1}{2}$ E $\frac{1}{2}$	5 25	2.50	6.50	Linclair
	E $\frac{1}{2}$	6 100	23.00	18.00	Farrell
3.	W $\frac{1}{2}$	1 100	10.00	2.50	
	W $\frac{1}{2}$	2 100	23.00	7.00	
	E $\frac{1}{2}$	2 100		3.00	
	S $\frac{1}{2}$ W $\frac{1}{2}$	3 50	8.00	5.00	
	S $\frac{1}{2}$ E $\frac{1}{2}$	3 50		2.00	
	N $\frac{1}{2}$ W $\frac{1}{2}$	3 50	8.00	6.00	
	N $\frac{1}{2}$ E $\frac{1}{2}$	3 50		1.50	
	W $\frac{1}{2}$ ex Ry	4 93	2.00	11.50	
	E $\frac{1}{2}$	4 100		5.00	
	W $\frac{1}{2}$ ex Ry	5 99	2.00	24.00	Featherston
	Pt. W. Ry E $\frac{1}{2}$	5 37		5.00	"
	Pt E Ry E $\frac{1}{2}$	5 56		3.00	Puddledu
	S $\frac{1}{2}$ W $\frac{1}{2}$	6 50	2.50	16.00	Belton
	Pt N Ry S $\frac{1}{2}$ E $\frac{1}{2}$	6 49 $\frac{1}{2}$		5.50	Chapman
	N $\frac{1}{2}$	6 100	5.50	30.00	Thompson
	W $\frac{1}{2}$	7 100		9.50	
	S $\frac{1}{2}$ E $\frac{1}{2}$	7 50		6.50	
	N $\frac{1}{2}$ E $\frac{1}{2}$	7 50		5.50	
	S $\frac{1}{2}$ E $\frac{1}{2}$	8 50		2.00	
	W $\frac{1}{2}$	8 100		1.00	
	C.P.R.		2.50	4.00	
Total	for Benefit		\$ 153.00	\$ 245.00	
"	" Outlet Liability		245.00		
	On Lands		\$ 398.00		

On Lands ( Forward )	\$	398.00	
Roads of Municipality			
Con Road 2/3	\$	24.00	
" " 3/4		2.00	
Sideroad 5/6	16.00	<u>42.00</u>	
Total Assessment.	\$	440.00	

Engineer's Report

F A C E Y M D R A I N

Township of Zone

Dated September 21 st 1909

A.S.Code O.L.S., C.E.

Alvinston Ont



# BY-LAW NO.

A By-Law to provide for the improvement of the Facey Creek Drain in the Township of Zone and for borrowing on the credit of the Municipality of Zone the sum of \$440.00 being the sum necessary for completing the same. Provisionally adopted 28th day of Sept. 1909.

Whereas a notice was served on the Council of the Township of Zone by Charles Little a ratepayer on the Facey Drain asking for the improvement of the said drain to prevent damage to his lands and crops,

And whereas there upon the Council of the Township of Zone procured an examination to be made by A. S. Code, C.E., of Alvinson, of the said drain to be improved under Section No. 75 of the Ontario Drainage Act, and have also procured plans, estimates and assessments by the said A. S. Code of the real property to be benefitted by the said improvement stating as nearly as he can the proportion of benefit outlet liability or injuring liability which in his opinion will be derived in consequence of such improvement by every road or lot or portion of lot the assessment so made being the assessment herein after by this By-Law enacted to be assessed and levied upon the roads or lots or parts of lots herein after in that behalf specially set forth and described and the report of the said A. S. Code in respect thereof and of the said improvement being as follows:

## ENGINEER'S REPORT.

To the Municipal Council of the Township of Zone.

GENTLEMEN.—I beg to state that in accordance with instructions received from your Honorable Body I have made an examination of the Facey Drain in your municipality with a view to putting the said drain in a proper state of repair.

Over the course of the drain I have planted stakes at intervals of two chains or eight rods and have taken levels from which the accompanying profile has been prepared and which profile shows the work I would propose and recommend. The plan accompanying this report shows the location of the drain and the lands affected by the proposed repair.

The fall in the drain is good and when the work is done the lands will have good drainage.

I estimate the cost of the work to be as follows:

### Excavation and Spreading.

Sto to St 52; 820 cu yds @ 11c...	\$ 90.20
St 52 to st 114, 1070 "	11c... 117.70
St 114 to st 171, 980 "	11c... 107.80
St 171 to st 206.5, 290 "	11c... 31.90
	<u>\$347.60</u>
Assistance on survey .....	\$ 11 75
Printing and distributing by-laws.....	8 25
Clerk's fees .....	9 00
Surveys, plans and report .....	40 00
Letting and Superintending.....	14 40
Final inspection by Engineer....	9 00

Total estimated cost \$440 00

This sum I assessed and charged against the lands and roads in any way liable to assessment under the Drainage Act, as per the annexed Schedule of Assessment.

All of which is respectfully submitted,  
I have the honor to be Gentlemen,

Your obedient Servant,

A. S. CODE, O.L.S.C.E.

Dated at Alvinson 21st Sept. A.D., 1909.

### SPECIFICATION.

1—This specification comprises the repair to the Facey Drain in the Township of Zone in accordance with the accompanying plan and profile from station 0 to station 206 5 a distance of 826 rods.

2—The depths shown on the profile are to be measured from the surface of the ground at the side of the planted and numbered stakes. These stakes are planted at intervals of two chains or eight rods and are numbered 0, 2, 4 etc from the head of the drain, the bottom excavations shown on the profile do not in any way govern the work and are given for estimating quantities only.

3—The bottom of the drain is to be brought to a regular and even grade between the points of change shown on the profile so that no water will stand on the bottom, the side slopes are to be one to one cut straight from top to bottom.

4—The earth from the drain to be cast about evenly on both sides four feet from the edge of the drain and through the cleared lands is to be spread back not deeper than one foot, and should crops be in at the time of the repair, then the contractor is to spread the earth after the removal of crops. All ditches runs or watercourses are to be left open their full size, and no earth is to be thrown against fences along the drain.

5—Any bridges, crossings or fences, which the contractor may find necessary to remove, are to be replaced by him immediately upon completion of that portion of the drain.

6—A good and workmanlike job is to be made of the whole work to the satisfaction of the Commissioner in charge, and the Engineer making the final inspection.

## Schedule of Assessment Facey Drain Township of Zone.

Con.	Lot or Pt.	Acres.	Value of Benefit.	Value of Outlet.
2	e h Ex Ry 2	99	\$2 50	\$ 4 00
"	" 3	94	9 00	9 00
2	s h e h 4	50	11 50	12 00
2	s h w h 4	50		1 00
2	n h e h 4	50	10 50	13 00
2	s h e h 5	50	14 50	14 50
2	e h n h e h 5	25	16 00	11 50
2	w h f n h f e h 5	25	2 50	6 50
2	e h 6	100	23 00	18 00
3	w h 1	100	10 00	3 50
3	w h 2	100	23 00	7 00
3	e h 2	100		3 00
3	s h w h 3	50	8 00	5 00
3	s h e h 3	50		4 00
3	n h w h 3	50	8 00	6 00
3	n h e h 3	50		1 50
3	w h Ex Ry 4	93	2 00	11 50
3	e h f 4	100		5 00
3	w h Ex Ry 5	99	2 00	24 00
3	p w Ry e h 5	37		5 00
3	p t e Ry e h 5	56		3 00
3	s h w h 6	50	2 50	16 00
3	R N R s h e h 6	49 1-2		5 50
3	n h 6	100	5 50	30 00
3	w h 7	100		9 50
3	s h e h 7	50		6 50
3	e h n e q r 7	25		
3	w h n e q r 7	25		
3	s h e h 8	50		2 00
3	n w q r 8	50		
6	s w q r 8	50		
	C. P. R.		2 50	4 00
	Total for Benefit .....		\$153 00	
	Total for Outlet Liability .....			245 00

On Lands.....\$398 00

Roads of Municipality:—

Con. Road 2-3.....\$ 24 00

" 3-4.....2 00

Sideroad 5-6.....16 00

Total Assessment.....\$440 00

Be it therefore enacted by the Municipal Council of the Township of Zone in Council Assembled under and by virtue of the Municipal Drainage Act of Ontario.

1—That the Engineer's Report, Plans, Estimates and Assessments for the improvement of the Facey Creek Drain, in the Township of Zone, be and is hereby adopted, and that the work connected therewith be made and constructed in accordance therewith.

2—That the Reeve of the said Township of Zone may borrow on the credit of the Corporation of the Township of Zone the sum of \$440.00, Four Hundred and Forty Dollars, being the amount necessary for the work, and may issue debentures of the corporation to that amount, in sums of not less than \$50.00 each, and payable within 5 years from the date thereof, with interest at the rate of 5 per cent. per annum, that is to say in 5 equal annual payments. Such debentures shall be issued in bulk form, each debenture representing interest and unpaid principal, without coupons being attached for the payment of interest, said debentures shall be payable at the Merchants Bank in the Town of Bothwell.

3—That for the purpose of paying the sum of \$398.00, being the amount charged against the said lands so to be benefited as aforesaid, other than lands and roads belonging to or controlled by the municipality, and to cover interest thereon for 5 years at the rate of per cent. per annum, the following special rates over and above all other rates shall be assessed and levied in the same manner and at the same time as taxes are levied upon the undermentioned lots and parts of lots, and the amount of the said special rates and interest assessed as aforesaid against each lot or part of lot respectively shall be divided into 5 equal parts, and one such part shall be assessed and levied as aforesaid in each year for 5 years after the final passing of this by-law, during which the said debentures have to run.

4—That for the purpose of paying the sum of \$42.00, being the amount assessed as aforesaid against the roads of the municipality, and to cover interest thereon for 5 years at the rate of 5 per cent. per annum, a sufficient rate on the the \$ to procure the required yearly amount therefor over and above all other rates, shall be levied and collected at the same time and in the same manner as other taxes are levied and collected on the whole rateable property in the Township of Zone in each year for 5 years after the final passing of this bylaw, during which the said debentures have to run.

Con.	Lot or Pt.	Acres.	Value of Benefit.	Value of Outlet.	To cover Int. at 5 per cent. for 5 yrs.	Total Annual Special Paym't.	Owners Name.
2	e h f Ex Ry 2	99	2 50	4 00	1 00	7 50	A. Monteith
2	e " 3	94	9 00	9 00	2 80	20 80	W. Buchanan
2	s h f e h f 4	50	11 50	12 00	3 65	27 15	E. Harper
2	s h f w h f 4	50		1 00	15	15	"
2	n h f e h f 4	50	10 50	13 00	3 65	27 15	Geo. Boothroyd
2	s h f e h f 5	50	14 50	14 50	4 50	33 50	J. Sinclair
2	e h f n h f e h f 5	25	16 00	11 50	4 25	31 75	Geo. Cragg
2	w h f n h f e h f 5	25	2 50	6 50	1 40	10 40	C. Willis
2	e h f 6	100	23 00	18 00	6 35	47 35	David Little
3	w h f 1	100	10 00	2 50	1 95	14 45	J. Anderson
3	w h f 2	100	23 00	7 00	4 65	34 65	J. Thompson
3	e h f 2	100		3 00	45	3 45	Alex. Nickle
3	s h f w h f 3	50	8 00	5 00	2 00	15 00	Frank House
3	s h f e h f 3	50		2 00	30	2 30	Nelson Watts
3	n h f w h f 3	50	8 00	6 00	2 15	16 15	Geo. Watts

THIS IS EXHIBIT "D" 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 455-63.

A BY-LAW to provide for the repair and improvement of the East Branch Facey Drain of Zone Township in the County of Kent and for borrowing on the credit of the Municipality, the sum of \$2,156.00 for completing same.

Provisionally adopted February 4th, 1963.

FINALLY PASSED this            day of            , 1963.

WHEREAS Martin Stacho, owner of SE¼, Lot 6, Concession 3 and Thos Snobelen, owner of E½ Lot 4, Concession 3 have petitioned the Council of the Township of Zone to have the East Branch Facey Drain repaired and improved;

AND WHEREAS the Council has procured a report made by E. C. Brisco Jr., C. E. and the report is as follows:-

Chatham, Ontario,  
January 15th, 1963.

To the Reeve and Council,  
Township of Zone.

Gentlemen:-

In compliance with your instructions, I have made an examination and survey of the open portion of the East Branch of the Facey Drain. I submit herewith a plan, profile and specification for its repair and improvement. The plan shows the location of the drain and the lands affected by it; the profile and specification show the dimensions, grades, disposal of material and other particulars of the work.

I determine the amounts to be paid to owners under Section 8 of the Municipal Drainage Act for construction or enlargement of farm bridges to the extent rendered necessary by the work, or of or severance in lieu thereof, and for damages to lands and crops (if any) occasioned by disposal of material, as follows:-

Con.	Lot or Part	Owner	Allowances for	
			Bridges or Severance	Damage
3	N½ W½	3 Florence Bjillard	\$ 35.00	\$ 10.00
	W½ S. Ry.	4 Florence Bjillard	45.00	50.00
	Pt. S. Ry.	5 Martin Featherstone	35.00	40.00
	SE¼	6 Martin Stacho	35.00	20.00
	N½ ex. SE			
	Corner	6 Earl Benjamin	35.00	25.00
	SE¼	7 Cleto Elliott	10.00	15.00
			<u>\$ 195.00</u>	<u>\$ 160.00</u>

The following is my estimate of the cost of the work and incidental expenses:

4200 Cu. Yds. Excavation and Levelling	\$ 1,300.00
Tile Repair	50.00
Allowances under Section 8	355.00
Survey, Plans and Report	190.00
Assistance and Expenses	76.00
By-Law	50.00
Clerk's Fees	50.00
Letting and Superintending	85.00
	<u>\$ 2,156.00</u>

I assess the estimated cost against lands and roads as shown in the annexed schedule.

After completion the work is to be maintained by the Municipality at the expense of the lands and roads herein assessed and in the same relative proportions, subject to any variations made under the Municipal Drainage Act.

Respectfully submitted,

E.C. BRISCO, JR.,  
B.A.Sc., O.L.S., M.E.I.C.

Chatham, Ontario,  
January 15th, 1963.

SCHEDULE OF ASSESSMENT  
EAST BRANCH OF THE FACEY DRAIN  
TOWNSHIP OF ZONE

Con.	Lot or Part.	Acres Affected	Owner	Benefit	
3	N½ W½	3	5	Florence Bjillard	\$ 15.00
	W½ S. Ry.	4	61	Florence Bjillard	155.00
	W½ N. Ry.	4	20	Harvey Shaw	40.00
	E½	4	40	Thos. Snobelen	120.00
	Pt. Lots 3, 4 & 5	8		C. P. Railway	50.00
	Pt. V. Ry.	5	70	Martin Featherstone	360.00
	Pt. E. Ry.	5	30	S. A. Lister	120.00
	SE¼	6	40	Martin Stacho	240.00
	N½ ex. S.E. Corner 6	35		Earl Benjamin	245.00
	SE¼	7	35	Cleta Elliott	245.00
	NE¼	7	40	Martin Stacho	240.00
	SE¼	8	20	Martin Stacho	120.00
4	W¼	8	10	George Case	60.00
Total on lands.....					\$ 2,010.00
3-4 Con. Rd.			County of Kent	35.00	
5-6 Side Rd.			Zone Township	111.00	
Total on Roads.....					\$ 146.00

Chatham, Ontario,  
January 15th, 1963.

SPECIFICATION FOR REPAIRING AND IMPROVING

EAST BRANCH FACEY DRAIN

TOWNSHIP OF ZONE

DESCRIPTION OF WORK:

This specification and the report, plan and profile bearing the same date, apply to and govern the repair and improvement of 8700 lineal feet of open drain.

GENERAL CONDITIONS:

Tenders will be received and contracts awarded only in the form of a lump sum for the completion of the whole work or of specified sections thereof in accordance with the plan, profile and specification. No bid will be considered, nor will any contract be awarded, on the basis of classification or of unit prices. Contractors must estimate for themselves the quantity and value of the work required. They are expected to examine the locality and also the plan, profile and specifications; they will be at liberty, before bidding, to examine any data in the possession of the Municipality or of the Engineer.

All the work included in any contract must be completed on or before the date fixed at the time of letting and must, at the time of completion and final inspection, be in first class condition and comply fully with the specification. Final inspection will be made by the Commissioner of Engineer within twenty days after the Commissioner has received notice in writing from the contractor that the work is completed, or as soon thereafter as weather conditions permit.

Contractors will be held liable for any damages or expenses occasioned by their failure to complete the work on time and for any expenses of inspecting, superintending, reletting or restaking due to their neglect or failure to prosecute the work satisfactorily or to do it properly, also for any damages occasioned by leaving fences open or by any negligence in carrying on the work. Any such expenses or damages may be deducted by the Commissioner from the amount of the contract or may be recovered by the Municipality from the contractor and his sureties.

STAKES:

Stakes are set one hundred feet apart along the course of the drain numbered consecutively 1, 1, 2, 3, etc. from the outlet of the tile near the centre of the south east quarter of lot 7, Concession 3 to the outlet into the main Facey Drain on the north west corner of Lot 3, Concession 3. Contractors will be held responsible for the preservation of stakes in their original positions during the progress of the work and also for seeing that bench marks are not

destroyed, defaced, or covered with excavated material.

#### ALIGNMENT:-

The centre of the present drain is to be taken generally as the centre of the repairs and improved drain but any short or irregular bends that have formed in the banks of the drain are to be corrected. The alignment of the finished work is to be satisfactory to the Commissioner in charge.

#### PROFILE:-

Excavation must be made at least to the depth intended by the grade line shown on the profile, which grade line is governed by the bench marks. The profile shows in figures, for the convenience of contractors and others, the approximate depths from the surface of the ground at the points where the numbered stakes are set, and the approximate depth of excavation below the bottom of the present drain as observed at the time of survey, but bench marks govern. The bottom width of the drain is to be three feet throughout. Side slopes are to be one and one half to one, the top width of the excavation to exceed the specified bottom width by three times the depth at all places. Contractors will not be restricted to the exact dimensions specified but must excavate clear of the specified cross sections and may excavate such additional depth or width as may be required to accommodate the use of suitable excavating equipment or to allow for sediment or caving prior to final inspection.

#### DISPOSAL OF MATERIAL:

All excavated material is to be placed on the immediately adjoining farm lands. It is to be kept at least six feet clear of the top edge of the drain and beyond this distance deposited over a width of not less than sixteen feet. On all lands that are cultivated or are reasonably free of brush, stumps or timber, excavated material is to be further levelled by bulldozer, or other suitable equipment, sufficiently to permit cultivation. No excavated material is to be placed in ditches, tiles or depressions intended to conduct water into the drain. The Commissioner in charge of the work will be the sole judge as to proper disposal of material under the contract and this specification.

#### OBSTRUCTIONS:

Any brush, timber, logs, stumps, stones, or other obstructions in the course of the work, and brush along the banks thereof, must be removed to a sufficient distance to be clear of the excavated material. No brush or trees are to be left inside the slopes of the drain whether they come within the limits of the required excavation or not. Brush removed from the drain and banks thereof is to be burned if sufficiently dry, otherwise it may be left in piles satisfactory to the Commissioner. Contractors will be permitted to cut standing timber along the banks of the drain to the extent that may, in the opinion of the Commissioner, be reasonably necessary for the operation of excavating equipment.

#### FENCES:

Where the contractor finds it necessary to remove any fences for the purpose of excavating the drain or disposing of material, he is to replace them promptly in as good condition as that in which they are found, or as the old material permits. He is not to leave any fences open when he is not at work in the immediate vicinity.

#### HIGHWAY CULVERT:

The existing culvert under the 5-6 Side Road need not be disturbed but is to be thoroughly cleaned of all sediment or other deposited material as part of the contract.

#### RAILWAY CULVERT:

The existing culvert under the Canadian Pacific Railway need not be disturbed but requires about 8" of earth removed in order to meet the grade line. This will be done by the Contractor as part of the contract, unless the Railway wishes to exercise its option and do the work on its right-of-way, in which case the Railway

will be allowed the sum of twenty five dollars (\$25.00) and this amount deducted from the contract for excavation.

TILE REPAIR:

Examination at the time of survey indicated that minor repairs are required on the tile portion of the drain. This is to be done by the contractor to the satisfaction of the commissioner, who will be the sole judge of the quantity and quality of work done under this paragraph of the specification.

COMMISSIONER:

Where the word "commissioner" is used in this specification, it shall mean the person or persons appointed by the Council of the Township of Zone to superintend the work.

E. C. BRISCO, JR.,  
B.A.Sc., O.L.S., M.E.I.C.

Chatham, Ontario,  
January 15th, 1963.

AND WHEREAS the Council is of the opinion that the drainage of the area described is desirable;

THEREFORE the Council of the Township of Zone, pursuant to the provisions of the Municipal Drainage Act enacts as follows:-

1. The report is hereby adopted and the drainage works as therein indicated and set forth are hereby authorized and shall be completed in accordance therewith.
2. The Corporation of the Township of Zone may borrow on the credit of the Corporation the sum of \$2,156.00, being the funds necessary for the drainage works not otherwise provided for; provided that such sum shall be reduced by the amount of grants and commuted payments with respect to lands and roads assessed, and may issue debentures of the Corporation to that amount in sums of not less than \$50.00 each and payable within three years from the date of such debentures with interest at the rate of 6 per centum per annum; such debentures to be payable at the Bank of Montreal in the Town of Bothwell.
3. For paying the sum of \$2,010.00, the amount charged against lands for benefit, apart from lands and roads belonging to or controlled by the Municipality and for covering interest thereon for three years, at the rate of 6 per centum per annum, the following total special rates over and above all other rates shall be assessed, levied and collected (in the same manner and at the same time as other taxes are levied and collected) upon and from the undermentioned parcels of land and parts of parcels and the amounts of the total special rates and interest against each parcel or part of parcel respectively shall be divided into three equal parts, and one such part shall be assessed, levied and collected as aforesaid in each year for three years, after the final passing of this By-Law, during which the debentures have to run, provided that no greater amount shall be levied than is required after taking into account and crediting the amount of grants under subsection 3 of section 5 of the Provincial Aid to Drainage Act and commuted payments with respect to lands and roads assessed.

SCHEDULE OF ASSESSMENT

EAST BRANCH FACEY DRAIN

Con.	Lot or Part	Acres Affec.	Assess't.	Est. Grant	Net Assess't	Interest	Total	Annual Payment
3	NW 1/4 3	5	\$ 5.00	\$ 5.00	\$ 10.00	\$ 1.22	\$ 11.22	\$ 3.74
	W 1/2 SRY 1/4	61	155.00	51.67	103.33	12.65	115.98	38.65
	W 1/2 N. Ry 1/4	20	40.00	13.33	26.67	3.27	29.94	9.98
	E 1/2 1/4	40	120.00	40.00	80.00	9.79	89.79	29.93
	Pt. 3, 4, 5	8	50.00	16.66	33.34	4.10	37.44	12.48
	Pt. W. Ry.							
	5	70	360.00	120.00	240.00	29.37	269.37	89.79
	Pt. E. Ry.							
	5	30	120.00	40.00	80.00	9.79	89.79	29.93
	SE 1/4 6	40	240.00	80.00	160.00	19.55	179.55	59.85
	N 1/2 6	35	245.00	81.67	163.33	19.97	183.30	61.10
	SE 1/4 7	35	245.00	81.67	163.33	19.97	183.30	61.10
	NW 1/4 7	40	240.00	80.00	160.00	19.55	179.55	59.85
	SE 1/4 8	20	120.00	40.00	80.00	9.79	89.79	29.93
4	W 1/2 8	10	60.00	20.00	40.00	4.83	44.83	14.96

Total on Lands \$2,020.00 \$670.00 \$ 1,340.00 \$ 163.90 \$1,503.90 \$ 501.30

3-4 Con. Rd.  
County of Kent 35.00 11.67 23.33

5-6 Side Rd.  
Twp. of Zone 111.00 37.00 74.00

Total Assessment \$2,156.00 \$718.67 \$1,437.33




4.  
(a) For paying the sum of \$35.00, the amount charged against the roads and lands of the County of Kent.


4.  
(b) For paying the sum of \$111.00, the amount charged against the roads and lands of the Municipality, a special rate, sufficient to produce the required amount therefore, shall over and above all other rates, be levied and collected (in the same manner and at the same time as other taxes are levied and collected) upon and from the whole rateable property in the Township of Zone after the final passing of this By-Law.

5. This By-Law and notices shall be printed and a copy thereof mailed to each of the assessed owners and shall come into force upon and after the final passing thereof, and may be cited as the "Repair and Improvement of the East Branch Facey Drain By-Law", 1963.

  
CLAIR LUNN - REEVE

  
F.S. BODKIN - CLERK

I, F. S. Bodkin - Clerk of the Township of Zone, do hereby certify that the foregoing is a true copy of By-Law Number 455-63, providing for the repair and improvement of the East Branch Facey Drain, provisionally adopted the 4th day of February, 1963 and finally passed the            day of            , 1963.

  
F.S. BODKIN - CLERK

### NOTICE

NOTICE is hereby given that the Court of Revision will hold its first sitting at the Zone Township Hall on Monday, the 1st day of April, 1963, at 2:00 o'clock in the afternoon for the hearing and trial of complaints and appeals made against the above assessment or any part thereof, in the manner provided for by the Municipal Drainage Act, a notice of such complaint or appeal to be served on the Clerk of the said Municipality at least ten days before the first sitting of the said Court of Revision.

AND FURTHER NOTICE is hereby given that anyone intending to appeal to have the said By-Law or any part thereof quashed, must, not later than ten days after the final passing thereof, serve a notice in writing upon the Reeve or other head officer, and upon the Clerk of the said Municipality of his intention to make application for that purpose to the Drainage Referee, during the six weeks ensuing the final passing of this By-Law.

Dated this 4th day of February, 1963.

  
F.S. BODKIN - CLERK

# WEST BRANCH

Resolved that the Council of the Township of West Branch do authorize the purchase of the East Branch Facey Drain and the Township of West Branch do authorize for borrowing on the credit of the Municipality, the sum of \$2,156.00 for completing same.

Respectfully adopted February 4th, 1963.

WILLIAM P. BROWN, Mayor of West Branch, 1963.

Resolved that the Council of the Township of West Branch do authorize the purchase of the East Branch Facey Drain and the Township of West Branch do authorize for borrowing on the credit of the Municipality, the sum of \$2,156.00 for completing same.

Resolved that the Council of the Township of West Branch do authorize the purchase of the East Branch Facey Drain and the Township of West Branch do authorize for borrowing on the credit of the Municipality, the sum of \$2,156.00 for completing same.

Chatham, Ontario,  
January 15th, 1963.

Resolved that the Council of the Township of West Branch do authorize the purchase of the East Branch Facey Drain and the Township of West Branch do authorize for borrowing on the credit of the Municipality, the sum of \$2,156.00 for completing same.

In compliance with your instructions, I have made an examination and survey of the East Branch of the Facey Drain. I submit herewith a plan, profile and specification for its repair and improvement. The plan shows the location of the drain and the lands affected by it; the profile and specification show the dimensions, grades, disposal of material and other particulars of the work.

I determine the amounts to be paid to owners under Section 8 of the Municipal Drainage Act for construction or enlargement of farm bridges to the extent rendered necessary by the work, or of or severance in lieu thereof, and for damages to lands and crops (if any) occasioned by disposal of material, as follows:

				Allowances for	
				Bridges or Severance Damage	
Lot	Part	Owner			
1	SW 1/4	Florence Bjillard	\$ 35.00	\$ 10.00	
2	SW 1/4	Florence Bjillard	45.00	50.00	
3	SW 1/4	Martin Featherstone	35.00	40.00	
4	SW 1/4	Martin Stacho	35.00	20.00	
5	SW 1/4	Earl Benjamin	35.00	25.00	
6	SW 1/4	Greta Elliott	10.00	15.00	
			\$ 195.00	\$ 160.00	

The following is my estimate of the cost of the work and incidental expenses:

4200 Cu. Yds. Excavation and Levelling	\$ 1,300.00
Tile Repair	50.00
Allowances under Section 8	355.00
Survey, Plans and Report	190.00
Assistance and Expenses	76.00
By-Law	50.00
Clerk's Fees	50.00
Letting and Superintending	85.00
	<u>\$ 2,156.00</u>

I assess the estimated cost against lands and roads as shown in the annexed schedule.

After completion the work is to be maintained by the Municipality at the expense of the lands and roads herein assessed and in the same relative proportions, subject to any variations made under the Municipal Drainage Act.

Respectfully submitted,

E.C. BRISCO, JR.,  
B.A.Sc., O.L.S., M.E.I.C.

Chatham, Ontario,  
January 15th, 1963.

SCHEDULE OF ASSESSMENT  
EAST BRANCH OF THE FACEY DRAIN  
TOWNSHIP OF ZONE

Con.	Lot or Part	Acres Affected	Owner	Benefit
3	NE 1/4 W 1/2	5	Florence Bjillard	\$ 15.00
	W 1/2 S. Ry.	61	Florence Bjillard	155.00
	W 1/2 N. Ry.	20	Harvey Shaw	40.00
	E 1/2	40	Thos. Snobelen	120.00
	Pt. Lots 3, 4 & 5	8	C. P. Railway	50.00
	Pt. V. Ry.	70	Martin Featherstone	360.00
	Pt. E. Ry.	30	S. A. Lister	120.00
	SE 1/4	40	Martin Stacho	240.00
	NE 1/2 ex. S.E. Corner 6	35	Earl Benjamin	245.00
	SE 1/4	35	Oleta Elliott	245.00
	NE 1/4	40	Martin Stacho	240.00
	SE 1/4	20	Martin Stacho	120.00
4	W 1/2	10	George Case	60.00
Total on lands:.....				\$ 2,010.00
3-4 Con. Rd. County of Kent				35.00
5-6 Side Rd. Zone Township				111.00
Total on Roads:.....				\$ 146.00
TOTAL ASSESSMENT:.....				<u>\$ 2,156.00</u>

- 3 -  
E. C. BRISCO, JR.,  
B.A.Sc., O.L.S., M.E.I.C.

Chatham, Ontario,  
January 15th, 1963.

SPECIFICATION FOR REPAIRING AND IMPROVING  
EAST BRANCH FACEY DRAIN  
TOWNSHIP OF ZONE

DESCRIPTION OF WORK:

This specification and the report, plan and profile bearing the same date, apply to and govern the repair and improvement of 8700 lineal feet of open drain.

GENERAL CONDITIONS:

Tenders will be received and contracts awarded only in the form of a lump sum for the completion of the whole work or of specified sections thereof in accordance with the plan, profile and specification. No bid will be considered, nor will any contract be awarded, on the basis of classification or of unit prices. Contractors must estimate for themselves the quantity and value of the work required. They are expected to examine the locality and also the plan, profile and specifications; they will be at liberty, before bidding, to examine any data in the possession of the Municipality or of the Engineer.

All the work included in any contract must be completed on or before the date fixed at the time of letting and must, at the time of completion and final inspection, be in first class condition and comply fully with the specification. Final inspection will be made by the Commissioner of Engineer within twenty days after the Commissioner has received notice in writing from the contractor that the work is completed, or as soon thereafter as weather conditions permit.

Contractors will be held liable for any damages or expenses occasioned by their failure to complete the work on time and for any expenses of inspecting, superintending, reletting or retaking due to their neglect or failure to prosecute the work satisfactorily or to do it properly, also for any damages occasioned by leaving fences open or by any negligence in carrying on the work. Any such expenses or damages may be deducted by the Commissioner from the amount of the contract or may be recovered by the Municipality from the contractor and his sureties.

STAKES:

Stakes are set one hundred feet apart along the course of the drain numbered consecutively 1, 1, 2, 3, etc. from the outlet of the tile near the centre of the south east quarter of lot 7, Concession 3 to the outlet into the main Facey Drain on the north west corner of Lot 3, Concession 3. Contractors will be held responsible for the preservation of stakes in their original positions during the progress of the work and also for seeing that bench marks are not

desto

destroyed, defaced, or covered with excavated material.

#### ALIGNMENT:-

The centre of the present drain is to be taken generally as the centre of the repaired and improved drain but any short or irregular bends that have formed in the banks of the drain are to be corrected. The alignment of the finished work is to be satisfactory to the Commissioner in charge.

#### PROFILE:-

Excavation must be made at least to the depth intended by the grade line shown on the profile, which grade line is governed by the bench marks. The profile shows in figures, for the convenience of contractors and others, the approximate depths from the surface of the ground at the points where the numbered stakes are set, and the approximate depth of excavation below the bottom of the present drain as observed at the time of survey, but bench marks govern. The bottom width of the drain is to be three feet throughout. Side slopes are to be one and one half to one, the top width of the excavation to exceed the specified bottom width by three times the depth at all places. Contractors will not be restricted to the exact dimensions specified but must excavate clear of the specified cross sections and may excavate such additional depth or width as may be required to accommodate the use of suitable excavating equipment or to allow for sediment or caving prior to final inspection.

#### DISPOSAL OF MATERIAL:

All excavated material is to be placed on the immediately adjoining farm lands. It is to be kept at least six feet clear of the top edge of the drain and beyond this distance deposited over a width of not less than sixteen feet. On all lands that are cultivated or are reasonably free of brush, stumps or timber, excavated material is to be further levelled by bulldozer, or other suitable equipment, sufficiently to permit cultivation. No excavated material is to be placed in ditches, tiles or depressions intended to conduct water into the drain. The Commissioner in charge of the work will be the sole judge as to proper disposal of material under the contract and this specification.

#### OBSTRUCTIONS:

Any brush, timber, logs, stumps, stones, or other obstructions in the course of the work, and brush along the banks thereof, must be removed to a sufficient distance to be clear of the excavated material. No brush or trees are to be left inside the slopes of the drain whether they come within the limits of the required excavation or not. Brush removed from the drain and banks thereof is to be burned if sufficiently dry, otherwise it may be left in piles satisfactory to the Commissioner. Contractors will be permitted to cut standing timber along the banks of the drain to the extent that may, in the opinion of the Commissioner, be reasonably necessary for the operation of excavating equipment.

#### FENCES:

Where the contractor finds it necessary to remove any fences for the purpose of excavating the drain or disposing of material, he is to replace them promptly in as good condition as that in which they are found, or as the old material permits. He is not to leave any fences open when he is not at work in the immediate vicinity.

#### HIGHWAY CULVERT:

The existing culvert under the 5-6 Side Road need not be disturbed but is to be thoroughly cleaned of all sediment or other deposited material as part of the contract.

#### RAILWAY CULVERT:

The existing culvert under the Canadian Pacific Railway need not be disturbed but requires about 8" of earth removed in order to meet the grade line. This will be done by the Contractor as part of the contract, unless the Railway wishes to exercise its option and do the work on its right-of-way, in which case the Railway

will be allowed the sum of twenty five dollars (\$25.00) and this amount deducted from the contract for excavation.

TILE REPAIR:

Examination at the time of survey indicated that minor repairs are required on the tile portion of the drain. This is to be done by the contractor to the satisfaction of the commissioner, who will be the sole judge of the quantity and quality of work done under this paragraph of the specification.

COMMISSIONER:

Where the word "commissioner" is used in this specification, it shall mean the person or persons appointed by the Council of the Township of Zone to superintend the work.

E. C. BRISCO, JR.,  
B.A.Sc., O.L.S., M.E.I.C.

Chatham, Ontario,  
January 15th, 1963.

AND WHEREAS the Council is of the opinion that the drainage of the area described is desirable;

THEREFORE the Council of the Township of Zone, pursuant to the provisions of the Municipal Drainage Act enacts as follows:-

1. The report is hereby adopted and the drainage works as therein indicated and set forth are hereby authorized and shall be completed in accordance therewith.
2. The Corporation of the Township of Zone may borrow on the credit of the Corporation the sum of \$2,156.00, being the funds necessary for the drainage works not otherwise provided for; provided that such sum shall be reduced by the amount of grants and committed payments with respect to lands and roads assessed, and may issue debentures of the Corporation to that amount in sums of not less than \$50.00 each and payable within three years from the date of such debentures with interest at the rate of 6 per centum per annum; such debentures to be payable at the Bank of Montreal in the Town of Hothell.
3. For paying the sum of \$2,010.00, the amount charged against lands for benefit, apart from lands and roads belonging to or controlled by the Municipality and for covering interest thereon for three years, at the rate of 6 per centum per annum, the following total special rates over and above all other rates shall be assessed, levied and collected (in the same manner and at the same time as other taxes are levied and collected) upon and from the undermentioned parcels of land and parts of parcels and the amounts of the total special rates and interest against each parcel or part of parcel respectively shall be divided into three equal parts, and one such part shall be assessed, levied and collected as aforesaid in each year for three years, after the final passing of this By-Law, during which the debentures have to run, provided that no greater amount shall be levied than is required after taking into account and crediting the amount of grants under subsection 3 of section 5 of the Provincial Aid to Drainage Act and committed payments with respect to lands and roads assessed.

# SCHEDULE OF ASSESSMENT

## EAST BRANCH FACEY GRAIN

Con.	Part	Lot or Acres	Assess't.	Est. Grant	Net Assess't	Interest	Total	Annual Payment
3	WMA 3	5	\$ 15.00	\$ 5.00	\$ 10.00	\$ 1.22	\$ 11.22	\$ 3.74
	WMA SRY 4	61	135.00	51.67	103.33	12.65	115.98	36.66
	WMA H. Ry. 4	20	50.00	13.33	25.67	3.27	29.94	9.98
	WMA 4	40	120.00	40.00	80.00	9.79	89.79	29.93
	PL. 3, 4, 5	6	50.00	15.66	33.34	4.10	37.44	12.48
	PL. W. Ry.							
		5 70	360.00	120.00	240.00	29.37	269.37	89.79
	PL. H. Ry.							
		5 30	120.00	40.00	80.00	9.79	89.79	29.93
	SEA 6	40	240.00	80.00	160.00	19.55	179.55	59.85
	MA 6	35	245.00	81.67	163.33	19.97	183.30	61.10
	SEA 7	35	245.00	81.67	163.33	19.97	183.30	61.10
	MA 7	40	240.00	80.00	160.00	19.55	179.55	59.85
	SEA 8	20	120.00	40.00	80.00	9.79	89.79	29.93
4	WMA 8	10	60.00	20.00	40.00	4.88	44.88	14.96

Total on Lands \$2,010.00 \$670.00 \$ 1,340.00 \$ 163.90 \$1,503.90 \$ 501.30


3-4 Con. Rd.  
 County of Kent 35.00 11.67 23.33  
 5-6 Side Rd.  
 Top. of Zone 111.00 37.00 74.00  
 Total Assessment \$2,156.00 \$718.67 \$1,437.33

4.  
(a) For paying the sum of \$35.00, the amount charged against the roads and lands of the County of Kent.


4.  
(b) For paying the sum of \$111.00, the amount charged against the roads and lands of the Municipality, a special rate, sufficient to produce the required amount therefore, shall over and above all other rates, be levied and collected (in the same manner and at the same time as other taxes are levied and collected) upon and from the whole rateable property in the Township of Zone after the final passing of this By-Law.

5. This By-Law and notices shall be printed and a copy thereof mailed to each of the assessed owners and shall come into force upon and after the final passing thereof, and may be cited as the "Repair and Improvement of the East Branch Facey Drain By-Law", 1963.

  
CLAIR LUNN - REEVE

  
F.S. BODKIN - CLERK

I, F. S. Bodkin - Clerk of the Township of Zone, do hereby certify that the foregoing is a true copy of By-Law Number 455-63, providing for the repair and improvement of the East Branch Facey Drain, provisionally adopted the 4th day of February, 1963 and finally passed the                      day of                      , 1963.

  
F.S. BODKIN - CLERK

### NOTICE

NOTICE is hereby given that the Court of Revision will hold its first sitting at the Zone Township Hall on Monday, the 1st day of April, 1963, at 2:00 o'clock in the afternoon for the hearing and trial of complaints and appeals made against the above assessment or any part thereof, in the manner provided for by the Municipal Drainage Act, a notice of such complaint or appeal to be served on the Clerk of the said Municipality at least ten days before the first sitting of the said Court of Revision.

AND FURTHER NOTICE is hereby given that anyone intending to appeal to have the said By-Law or any part thereof quashed, must, not later than ten days after the final passing thereof, serve a notice in writing upon the Reeve or other head officer, and upon the Clerk of the said Municipality of his intention to make application for that purpose to the Drainage Referee, during the six weeks ensuing the final passing of this By-Law.

Dated this 4th day of February, 1963.

  
F.S. BODKIN - CLERK



# Canadian Pacific

OFFICE OF THE SUPERINTENDENT

File: V.148.71

LONDON, Ontario,  
May 21, 1964.

Mr. F. S. Bodkin,  
Clerk,  
Township of Zone,  
THAMESVILLE, Ontario.

Dear Sir:

This is in connection with the East Branch of the Facey Drain and with particular reference to where it crosses under our track through a culvert at Mileage 47.3, Windsor Subdivision.-

The culvert in question is an 8' x 4'-6" reinforced concrete box with a concrete floor. The culvert needs some extensive repairs to the headwalls and in fact it is too short now that the track has been lifted and crushed stone ballast installed. It has occurred to us that a 48" corrugated metal pipe would provide sufficient opening, and we would appreciate your advising if there would be any objection to this arrangement. If there is none, please advise if there is any possibility that the bottom of the drain will be lowered. At the present time the bed of stream is some 8" or 9" above the bottom of the culvert.

Yours truly,

  
Superintendent.

July 8th, 1964.

To the Reeve and Council  
of the Township of Zone.

Re: Railway Culvert  
East Branch of Facey Drain.

In accordance with your instructions, I have examined the railway culvert in Lot 4, Concession 3, where the above mentioned drain crosses.

At present, there is a concrete box culvert 8 ft. span by 4' 6" high opening, which is in poor repair.

I would not approve the installation of a four foot pipe to replace this culvert. This would give a cross section of only 12.5 feet as opposed to the present 36 square feet.

However, I believe the present opening is larger than necessary, and would be prepared to approve a five foot diameter pipe.

Yours very truly,



E. C. Brisco, Jr.,  
B.A.Sc., O.L.S., M.E.I.C.