



Court of Revision Agenda Municipal Drain 121-2025
Tuesday, April 8, 2025 3 p.m.

Dave Turton, Town of Minto Representative
Jean Anderson, Town of Minto Representative
Doug Hargrave, Howick Township Representative

1. Call to Order
Clerk calls the meeting to order.

2. Appoint Chair
Recommendation:
That _____ (name) is hereby appointed as the chair to the Court of Revision for Municipal Drain 121-2025.

3. Disclosure of Pecuniary Interest and the General Nature Thereof

4. Purpose and Background information (Chair)

The purpose of the Court of Revision meeting is to hear appeals to the schedule of assessment for Minto Drain No. 121 located on Lot 41, Concessions 8, Town of Minto, County of Wellington. The following are attached to the agenda:

- 4.1 Court of Revision Jurisdiction (attached)

- 4.2 Provision By-law – Municipal Drain 121-2025 (attached)

5. Written Appeals of Assessments Received
All appeals are required to be received in writing 10 days (March 29, 2025) prior to the date of the Court of Revisions as per the March 3, 2025 notice.

6. Appeals from Landowners
At the discretion of the Court, persons who have not submitted an appeal in writing 10 days prior to the date of the Court of Revision, may by resolution allow an appeal to be heard on such conditions as to giving notice to all persons interested or as the Court considers just.

7. Engineering Evidence (If required)

Greg Nancekivell, R.J. Burnside & Associates Limited will give evidence regarding each appeal before the Court.

8. Questions from Members

Members of the Court of Revision may ask questions of the Engineer or staff.

9. Appellant Comments

Appellants that have submitted an appeal are permitted to address the Court. Written appeals will be heard in the order they were received. If late appeals are permitted, they will be heard following.

10. Questions from Landowners

Owners of land within the area requiring drainage that appear on the last revised assessment roll of the Town have an opportunity to ask questions

11. Court of Revision Deliberations

The Court of Revision members (if required) will retreat to deliberate the appeals and make the decision in private.

If the Court is considering reducing an assessment adding it to a property whose owner is not present, then the Court of Revision will adjourn and notice sent to the absent parties to allow them to appeal the change, then reconvene per s. 53 of the Act.

12. Court of Revision Decision

All parties to the drain will receive written notice of the Court of Revision decision which will contain additional information on the process to appeal the decision of the Court of Revision to the Ontario Drainage Tribunal.

13. Adjournment



Court of Revision Jurisdiction

The Court of Revision is an appeal body established under the Drainage Act that allows landowners to challenge their drainage assessments. The Court of Revision has one power, to re-allocate funds in a drainage assessment schedule.

The Court may hear appeals on three grounds:

1. Land or road has been assessed too high or low;
2. Land or road should have been assessed but has not;
3. Due consideration has not been given to the land's use.

The Court only has the authority to change the schedule of assessments; they cannot make changes to the technical aspects of the report, and they cannot refer the report back to the engineer for modifications.

Although the Drainage Act requires the owner to give notice of appeal at least ten days prior to the first sitting of the Court of Revision, the Court may pass a resolution at the first sitting to accept verbal appeals at that time.

When considering assessment changes the Court must consider that:

- Total costs of the project must remain the same, which means that if the Court reduces an assessment, the Court re-allocates the shortfall among other assessed property owners.
- If the Court is considering adding to the assessment of one or more properties whose owners are not in attendance, the Court must adjourn and send notice to assessed property owners who were not at the Court of Revision at the time of the re-allocation. This allows the re-assessed landowners to appeal their new assessments.

TOWN OF MINTO
5941 HIGHWAY 89
HARRISTON, ON
N0G 1Z0

Notice of Sitting of Court of Revision
Drainage Act, R.S.O. 1990, c. D.17, subs. 46(1) and (2)

To:

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Re: Municipal Drain 121

(Designation of drainage works)

Take notice that your property is assessed for the construction of the above mentioned drainage works under section 4 of the *Drainage Act*. Attached is a provisional by-law exclusive of the engineer's report. Details of your assessment are contained in the engineer's report dated 2025/02/03, which has been previously sent to you or is available at the municipal office .
Date (yyyy/mm/dd)

An owner of land assessed for the drainage works may appeal to the Court of Revision on any of the following grounds:

- Any land or road has been assessed an amount that is too high or too low;
- Any land or road that should have been assessed has not been assessed; and/or
- Due consideration has not been given to the use being made of the land.


Pursuant to section 52(1) of the *Drainage Act*, objections or appeals to the assessment must be forwarded in writing, to the attention of the undersigned, at least ten (10) days prior to the date of the Court of Revision.

The Court of Revision will take place:

Date (yyyy/mm/dd)	Time	Location
2025/04/08	3:00 PM	Town of Minto Council Chambers

Name of Clerk (Last Name, First Name)
McRobb, Annilene

Name of Municipality
Town of Minto

Signature of Clerk 	Date (yyyy/mm/dd) 2025/03/07
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Right of Appeal – Any owner of land or public utility affected by the above mentioned drainage works may appeal to the Referee regarding legal issues or the Agriculture, Food and Rural Affairs Appeal Tribunal regarding technical issues within forty (40) days of the sending of this notice. *Drainage Act, R.S.O. 1990, c. D.17, subs. 47(1) and 48(1).*

