



Report to Council

Department: Infrastructure Services

Division: Drainage

Date: August 4, 2020

Prepared by: Lindsay Dean, Drainage Superintendent

Report Number: Drainage-2020-06

Subject: Appointment of an Engineer under Section 78 of the Drainage Act to install a new culvert over the 13th Concession West Drain

Number of Pages: 3

Recommendation(s)

That Drainage-2020-06 entitled Appointment of an Engineer under Section 78 of the Drainage Act to install a new culvert over the 13th Concession West Drain prepared by Lindsay Dean, Drainage Superintendent dated July 20, 2020 be received, and

That Council appoint Rood Engineering Incorporated under Section 78 of the Drainage Act to install a new culvert over the 13th Concession West Drain.

Purpose

The Town of Essex has received a request to install a new culvert for Mr. Henry Martin over the 13th Concession West Drain.

Background and Discussion

The 13th Concession West Drain runs along the north side of the 13th Concession Road in a westerly direction from Walker Sideroad to its outlet into the West Townline Drain at County Road 11.

Under Section 78 of the Drainage Act, Council may appoint an engineer to make repairs or improvements to existing municipal drains that have been passed under municipal by-law. The 13th Concession West Drain is a municipal drain that has been adopted by municipal by-law and any new culverts added to this municipal drain would qualify under this section of the act.

Prior to the appointment of an engineer, notice must be sent to the Conservation Authority and after 30 days an engineer may be appointed to this project. An engineer appointment under Section 78 of the Drainage Act, gives the engineer authority to review the drainage works and prepare a report outlining their recommendations.

The procedures and appeals under Section 78 are followed in the same manner as Petition Drains, Section 4 of the Drainage Act. The general procedure is as follows:

- Council appointment of an engineer to prepare a report;
- Conduct an on-site meeting with affected landowners;
- Meeting to consider the report and passing of the provisional by-law;
- Court of Revision;
- 3rd and Final Reading of the by-law;
- Construction of drainage works.

Schedule

Should Council approve to proceed with the report and appoint an Engineer, the estimated schedule will be as follows:

- Council approval and appointment of Engineer –September 2020
- On Site Meeting – September 2020

- Preparation of the Report – January 2021
- Submission of Report and notification period –February 2021
- Consideration of the Report by the Drainage Board –February 2021
- Provisional By-law and Adoption by Council – March 2021
- Court of Revision –April 2021
- 3rd and Final Reading of the By-law – May 2021
- Construction (dependent on weather and agency approvals)- Summer 2021

Financial Impact

The landowner receiving the culvert will be responsible for all costs associated with the construction, engineering and incidental costs.

Link to Strategic Priorities

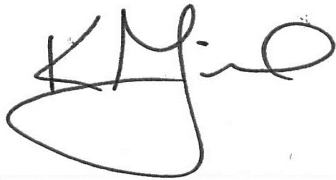
- ☒ Manage, invest and plan for sustainable municipal infrastructure which meets current and future needs of the municipality and its citizens.
- ☐ Create a safe, friendly and inclusive community which encourages healthy, active living for people of all ages and abilities.
- ☐ Provide a fiscal stewardship and value for tax dollars to ensure long-term financial health to the municipality.
- ☐ Manage responsible and viable growth while preserving and enhancing the unique rural and small town character of the community.
- ☐ Improve the experiences of individuals, as both citizens and customers, in their interactions with the Town of Essex.

Report Approval Details

Document Title:	Appointment of Engineer for 13th Concession West Drain New Culvert Installation.docx
Attachments:	
Final Approval Date:	Jul 23, 2020

This report and all of its attachments were approved and signed as outlined below:

Norm Nussio, Manager Operations and Drainage - Jul 21, 2020 - 2:29 PM

A handwritten signature in black ink, appearing to read 'Norm Nussio', written over a light blue horizontal line.

Kevin Girard, Director, Infrastructure Services - Jul 23, 2020 - 9:49 AM

A handwritten signature in black ink, appearing to read 'Chris Nepszy', written over a light blue horizontal line.

Chris Nepszy, Chief Administrative Officer - Jul 23, 2020 - 12:27 PM