



Report to Council

Department: Infrastructure Services
Division: Drainage
Date: September 8, 2020
Prepared by: Lindsay Dean, Drainage Superintendent
Report Number: Drainage-2020-10
Subject: Appointment of an Engineer under Section 78 of the Drainage Act to replace a bridge on the Long Marsh Drain
Number of Pages: 3

Recommendation(s)

That Drainage-2020-10 entitled Appointment of an Engineer under Section 78 of the Drainage Act to replace a bridge on the Long Marsh Drain prepared by Lindsay Dean, Drainage Superintendent dated September 8, 2020 be received, and

That Council appoint Rood Engineering Incorporated under Section 78 of the Drainage Act for a replacement bridge on the Long Marsh Drain.

Purpose

The Town of Essex Drainage Department has been notified of a bridge on the Long Marsh Drain that is out of repair. Upon review it was determined that the current bridge should be replaced using Section 78 of the Drainage Act.

Background and Discussion

The Long Marsh Drain bridge that requires replacement is located at 5150 Smith Road. The records on file indicate that the bridge was installed in 1968 and upon visual inspection is in poor condition to the point that it is unusable for safe passage.

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 Long Marsh Drain is a municipal drain that has been adopted by municipal by-law and a bridge replacement 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 –October 2020
- On Site Meeting – October 2020
- Preparation and submission of report and notification period –January 2021

- Consideration of the report by the Drainage Board –February 2021
- Preparation of 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 replacement bridge and parcels located upstream of the new culvert will be responsible for all cost associated with the construction, engineering and incidental costs.

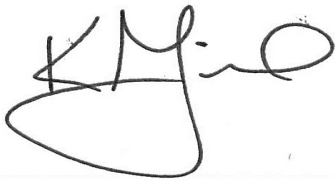
Link to Strategic Priorities

- 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.
- Improve the Town’s capacity to meet the ongoing and future service needs of its citizens while ensuring the corporation is resilient in the face of unanticipated changes or disruptions.

Report Approval Details

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| Document Title: | Appointment of Engineer for Long Marsh Drain Bridge Replacement.docx |
| Attachments: | |
| Final Approval Date: | Sep 14, 2020 |

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



Kevin Girard, Director, Infrastructure Services - Sep 14, 2020 - 10:47 AM



Chris Nepszy, Chief Administrative Officer - Sep 14, 2020 - 11:44 AM