



## Report to Council

Department: Infrastructure Services

Division: Drainage

Date: October 19, 2020

Prepared by: Lindsay Dean, Drainage Superintendent

Report Number: Drainage-2020-11

Subject: Appointment of an Engineer under Section 78 of the Drainage Act to replace a bridge on the 10-11 Sideroad Drain

Number of Pages: 4

### Recommendation(s)

**That** Drainage-2020-11 entitled Appointment of an Engineer under Section 78 of the Drainage Act to replace a bridge on the 10-11 Sideroad Drain prepared by Lindsay Dean, Drainage Superintendent dated October 19, 2020 be received, and

**That** Council appoint Rood Engineering Incorporated under Section 78 of the Drainage Act for a replacement bridge on the 10-11 Sideroad Drain.

### Purpose

The Town of Essex Drainage Department has been notified of a bridge on the 10-11 Sideroad 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 10-11 Sideroad Drain bridge that requires replacement is located at 2230 County Road 12.

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 10-11 Sideroad 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;
- 3<sup>rd</sup> 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 –November 2020
- On Site Meeting – November 2020
- Preparation and submission of report and notification period –March 2021
- Consideration of the report by the Drainage Board –March 2021

- Preparation of Provisional By-law and Adoption by Council– April 2021
- Court of Revision –May 2021
- 3<sup>rd</sup> and Final Reading of the By-law – June 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.

## **Consultations**

None

## **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.