



Court of Revision

Notice of Meeting

October 10, 2024, 5:00 pm

Location: Shaheen Room at Essex Centre Sports Complex

60 Fairview Ave West, Essex

**East Townline Drain- North and South Branches, Repairs and
Improvements, Geographic Township of Colchester North,
Project REI2024D019, Town of Essex, County of Essex**

In accordance with Section 46, Subsection 2 of the Drainage Act, R.S.O. 1990, Chapter D. 17, as amended 2010, I enclose herewith a copy of the Town's Provisional By-Law No. 2372, which was given two readings at a regular meeting of the Council of The Corporation of the Town of Essex on September 16, 2024. In addition, Addendum 1 to sheet 2 of the drawings is included as discussed at the Meeting to Consider.

Notice is hereby given that a Court of Revision will be held on Thursday, **October 10th, 2024, at 5:00 PM**, at Shaheen Room at Essex Centre Sports Complex to hear and consider any appeals against your assessment, which you may make, under the attached By-Law. The said appeal is to be made by a notice given to the undersigned, 10 days prior to the sittings of the Court, or any other complaints in respect to any matter in the said By-Law in which the Court has jurisdiction.

Pursuant to Section 54 (1) of the Drainage Act, R.S.O. 1990, Chapter D. 17, as amended 2010, notice is hereby given that anyone intending to appeal the decision of the Court of Revision to the Drainage Tribunal must do so within twenty-one days after the Court pronounces its decision. The notice of appeal in writing must be in writing, addressed to the Clerk of the Tribunal and served upon the Clerk of the Municipality.



Joe Malandrucolo, Clerk, Town of Essex
Date of Notice: September 18, 2024

The Corporation of the Town of Essex

By-Law Number 2372

**Being a by-law to provide for Repairs and
Improvements to the East Townline Drain –
North and South Branches**

WHEREAS the Town of Essex Drainage Department recommended that Council appoint a Drainage Engineer to prepare a drainage report for the East Townline Drain – North and South Branches: Repairs and Improvements, Geographic Township of Essex, Project REI2024D019, Town of Essex, County of Essex;

AND WHEREAS Section 78 of the Drainage Act, R.S.O. 1990, Chapter D. 17, as amended, states that the Council of any municipality whose duty it is to maintain and repair the drainage works or any part thereof, may on the report of an Engineer appointed by it, complete the drainage works as set forth in such report;

AND WHEREAS an Engineer's Drainage report dated July 18, 2024, and considered by the Drainage Board at its September 5, 2024, Consideration of Report meeting, has been procured and made by Gerard Rood, Professional Engineer, Rood Engineering Inc. and that the said report is attached hereto and forms part of this by-law as Schedule "A" hereto;

AND WHEREAS the Council of the Corporation of the Town of Essex is of the opinion that the said drainage works and/or improvements are warranted and desirable;

NOW THEREFORE be it resolved that the Council of The Corporation of the Town of Essex hereby enacts as follows:

1. That the Engineer's Drainage report dated July 18, 2024, and considered by the Drainage Board at its September 5, 2024, Consideration of Report meeting and attached hereto as Schedule "A" to this By-Law is hereby adopted and that the said drainage works and/or improvements as therein indicated and set forth are hereby authorized and shall be completed in accordance therewith.
2. That the Corporation of the Town of Essex may borrow on the credit of the Corporation in the amount of \$36,311.00, the amount necessary for the construction of said drainage works.
3. That the Corporation may issue debentures for the amount borrowed less the total amount of:
 - Grants received under Section 85 of the Drainage Act, R.S.O. 1990, Chapter D. 17, as amended;
 - Commuted payments made in respect of lands and roads assessed within the Municipality;
 - Money paid under Section 61(3) of the Drainage Act, R.S.O. 1990, Chapter D. 17, as amended;

and such debentures shall be made payable: a) in the case of assessments in value of between \$1,500.00 and \$7,499.99 within (5) five years from the date of the debenture and shall bear interest at a rate not higher than 2% more than the municipal lending rates as posted by Infrastructure Ontario on the date of sale of such debenture(s); or b) in the case of assessments in value of \$7,500.00 and greater, within (10) ten years from the date of the debenture and shall bear interest at a rate not higher than 2% more

than the municipal lending rates as posted by Infrastructure Ontario on the date of sale of such debenture(s).

4. That a special equal annual rate sufficient to redeem the principal and interest on the debentures shall be levied upon the lands and roads as set forth in the Schedule, to be collected in the same manner as other taxes collected in each year for (5) five or (10) ten years (as applicable) after the passing of this by-law.
5. For paying the amount assessed upon the lands and roads belonging to or controlled by the Municipality, a special rate sufficient to pay the amount assessed plus interest thereon, shall be levied upon the whole rateable property in the Town of Essex, in each year for five years after the passing of this by-law to be collected in the same manner and at the same time as other taxes are collected.
6. All assessments of \$1,499.99 or less are payable in the first year in which the assessment is imposed.
7. The by-law comes into force on the passing thereof and may be cited as "East Townline Drain – North and South Branches: Repairs and Improvements".

Read a first and a second time and provisionally adopted on September 16, 2024.



Mayor



Clerk

Read a third time and finally passed on [Month Day, Year].

Mayor

Clerk

BRIDGE COST SHARING

1. East Townline Drain - North Branch

<u>Bridge</u>	<u>Owners</u>	<u>Special Benefit to Owner</u>	<u>Outlet Upstream</u>
i.	Neil & Catherine Summerfield (320-00200)	26.9%	19.3%
	Nathan & Cynthia Reed (320-00225)	26.9%	
	Joey & Elizabeth Rudge (320-00250)	26.9%	
ii.	Town of Essex (Oak Drive)	98.0%	2.0%
iii.	County of Essex (County Rd 23)	98.0%	2.0%
iv.	County of Essex (County Rd 23)	98.0%	2.0%

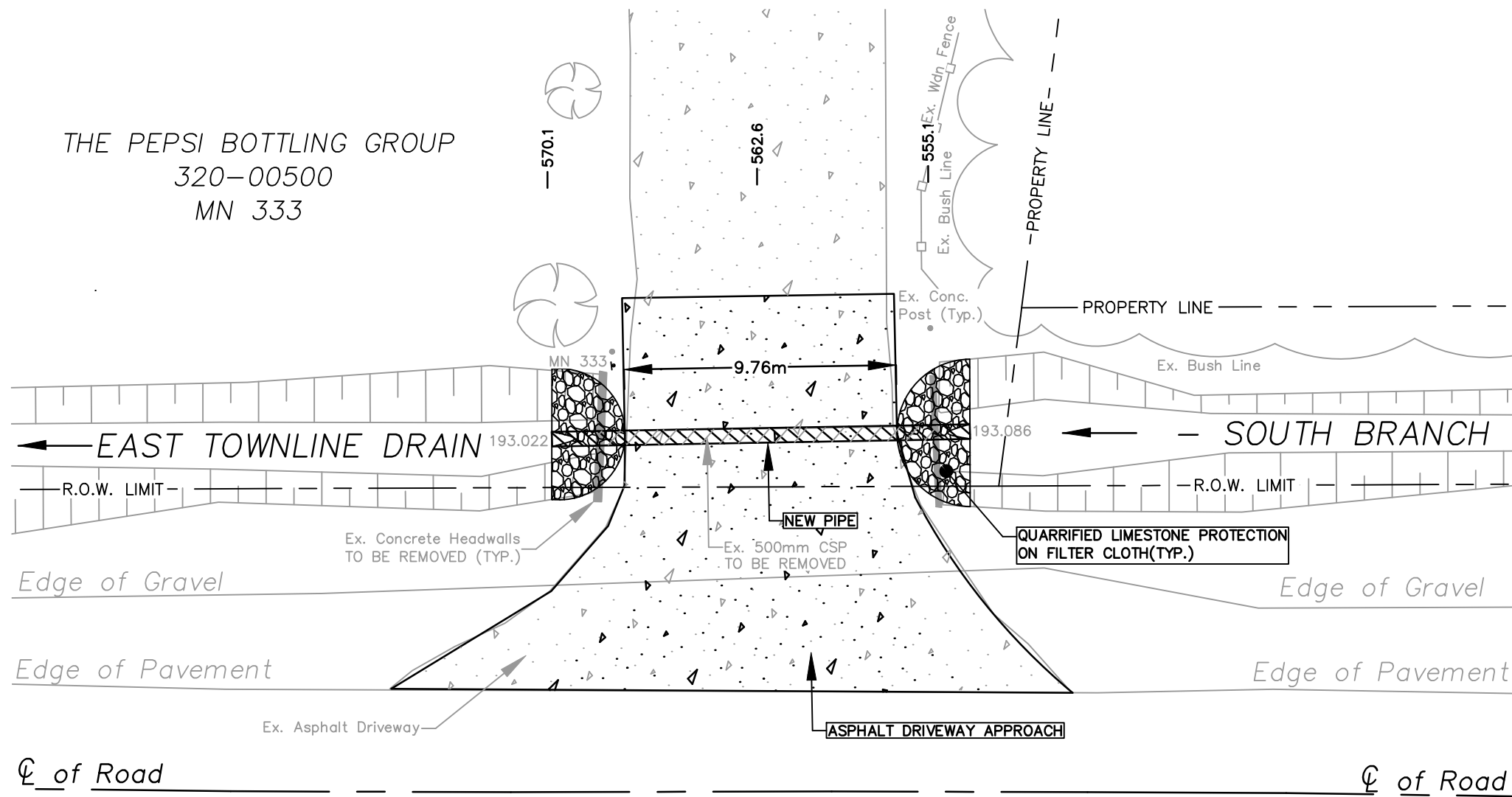
2. East Townline Drain - South Branch

<u>Bridge</u>	<u>Owners</u>	<u>Special Benefit to Owner</u>	<u>Outlet Upstream</u>
i.	Town of Essex (Park Lane)	98.0%	2.0%
ii.	The Pepsi Bottling Company, (320-00500)	59.1%	40.9%
iii.	County of Essex (County Rd 23)	98.0%	2.0%

We recommend that the bridge structures as identified herein, be maintained in the future as part of the drainage works. We would also recommend that the bridge, for which the maintenance costs are to be shared with the upstream lands and roads within the watershed, be maintained by the Town and that said maintenance would include works to the bridge culvert,

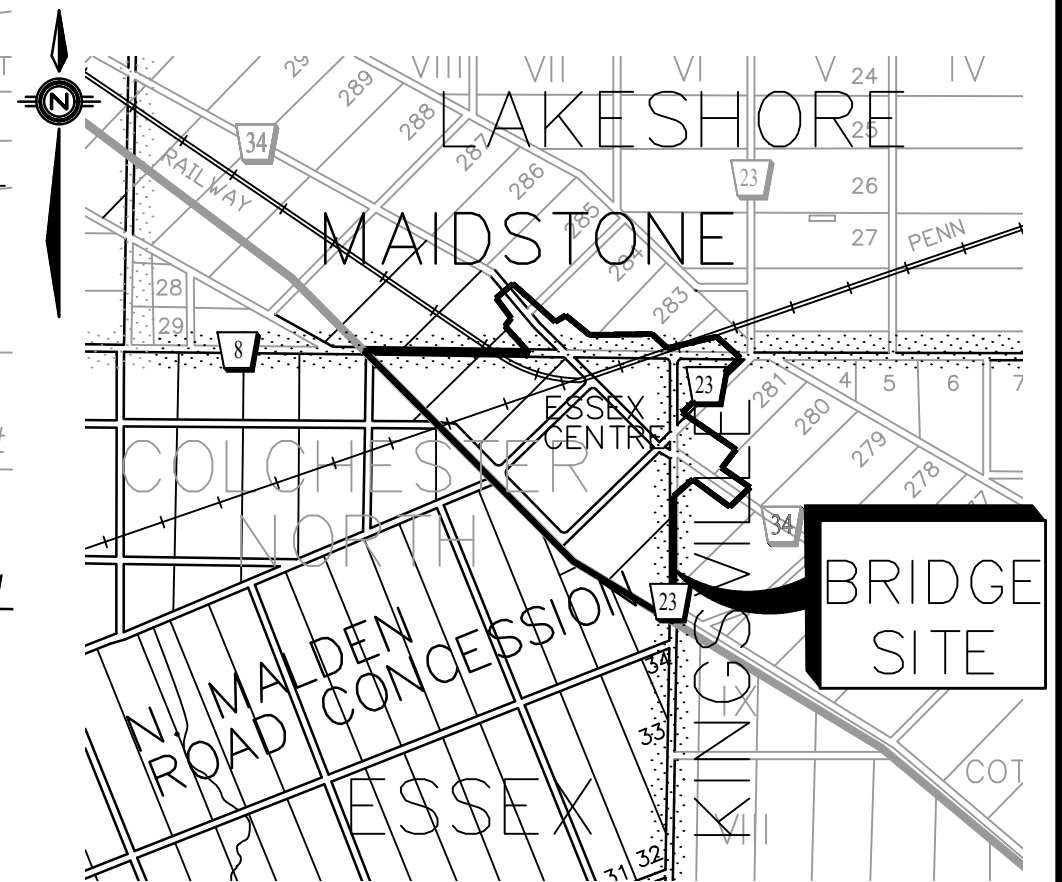
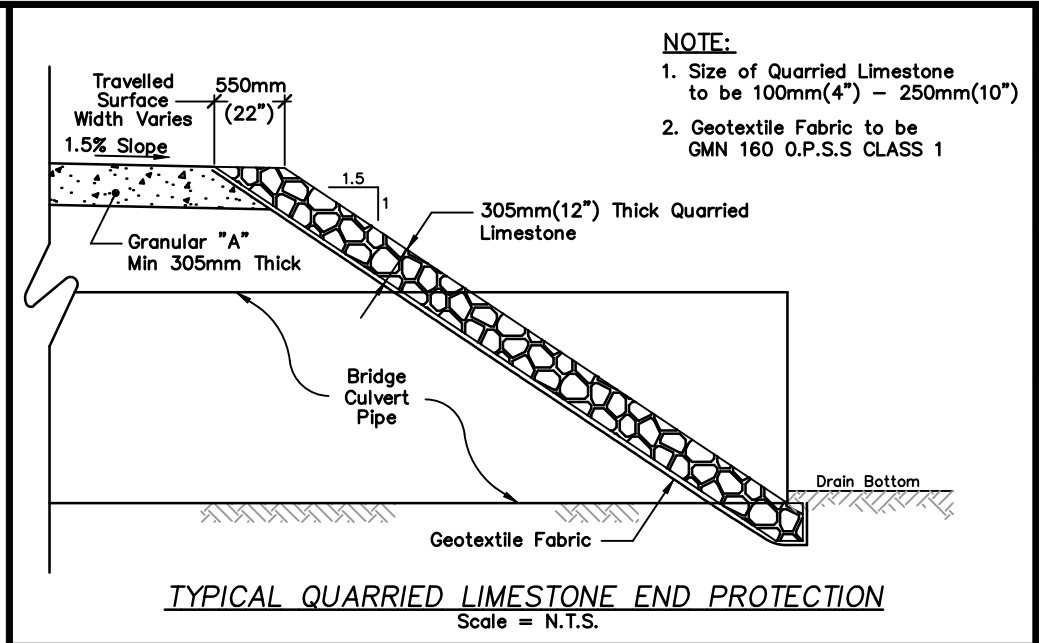


THE PEPSI BOTTLING GROUP
320-00500
MN 333



COUNTY ROAD NO. 23

BRIDGE PLAN
SCALE = 1:200



BRIDGE PLAN
SCALE = 1:75,000

BENCHMARK:
BM 1- APPROX. 45.2m SOUTH OF EXISTING CULVERT,
TOP CENTER NUT OF FIRE HYDRANT
ELEV: 194.694m

EAST TOWNLINE DRAIN-SOUTH BRANCH
BRIDGE REPLACEMENT FOR THE PEPSI BOTTLING GROUP (320-00500)
(Geographic Township of Colchester North)
IN THE
TOWN OF ESSEX
IN THE
COUNTY OF ESSEX • ONTARIO

PIPE DIAMETER:	PIPE LENGTH:	PIPE GAUGE:	CORRUGATIONS:	TYPE OF PIPE:	DESIGN ELEVATIONS:
525mm	15.0m (49.21 ft)	320 kPa	STANDARD	H.D.P.E. SMOOTHWALL	UPSTREAM INV. (N) =193.034m DOWNSTREAM INV. (S) =192.969m TOP OF DRIVEWAY =194.380m DRAIN GRADE = 0.43%

ADDENDUM 1:
2024-09-06

ROOD ENGINEERING INC.
CONSULTING ENGINEERS
Leamington, Ontario
519-322-1621

FILE No.: REI2024D019	DRAWN BY: A.C. PLOT CODE: 1:1 FILE: REI2024D019.DWG	DATE: 2024-07-18	SHEET NO: 2 OF 7
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