



Report to Council

Department: Office of the CAO

Division: Legal and Legislative Services

Date: May 20, 2025

Prepared by: Joe Malandruccolo, Director/Legal and Legislative Services/Clerk

Report Number: Legal and Legislative Services-2025-08

Subject: Snyder Branch Drain: Replacement Bridge for MN 10901 10th Concession Road

Number of Pages: 4

Recommendation(s)

That the following two (2) members of the Drainage Board: Tiffany Pocock and Percy Dufour be appointed to sit as members of the Court of Revision to be convened for the Snyder Branch Drain: Replacement Bridge for MN 10901 10th Concession Road, Geographic Township of Colchester North in the Town of Essex, County of Essex, Project REI2023D014 pursuant to the Report prepared by Gerard Rood, Professional Engineer, Rood Engineering Inc., and dated April 4, 2025 (hereinafter the "Report"), such Court of Revision to be scheduled for 5:00 pm on June 19, 2025, and

That By-Law 2448 being a by-law to provide for the Snyder Branch Drain: Replacement Bridge for MN 10901 10th Concession Road, Geographic Township of

Colchester North in the Town of Essex, County of Essex, Project REI2023D014, be read a first and second time and provisionally adopted on May 20, 2025.

Purpose

A Court of Revision is required in accordance with Section 46 of the Drainage Act, R.S.O. 1990, Chapter D. 17, as amended 2010 (hereinafter the “Drainage Act”).

Background and Discussion

Rood Engineering Inc. was instructed by the Town of Essex on or about August 8, 2023 to prepare a report for the Snyder Branch Drain: Replacement Bridge for MN 10901 10th Concession Road, pursuant to Section 78 of the Drainage Act.

On April 4, 2025, the Report was prepared by Rood Engineering Inc. to provide the details, estimates and assessments therein.

A Consideration Meeting for this Report was held on May 7, 2025. At this meeting the Drainage Board received public correspondence/delegations (if applicable) and heard the various concerns made by those who attended. At this meeting the Drainage Board resolved and recommended that the said Report be adopted and that a provisional by-law be prepared for Council’s consideration (see Drainage Board minutes from the May 7, 2025 consideration meeting, which minutes are included under Item 14 of the May 20, 2025 Regular Council Meeting Agenda.)

Appointment of Court of Revision Members:

Section 97(3) of the *Drainage Act, R.S.O. 1990, c.D.17* states that where the lands assessed for the drainage works extend from the initiating municipality into a

neighbouring municipality, the Court of Revision shall consist of two members appointed by the council of the initiating municipality.

As a result, the Court of Revision is to be comprised of two (2) members of the Drainage Board and so accordingly it is recommended that Court of Revision members when required to be convened shall be appointed on a rotating, alphabetical order basis. If an appointed member is not available then that appointed member shall be replaced by the next available member of the Drainage Board (based on the aforementioned rotating, alphabetical order basis).

It is therefore recommended that Tiffany Pocock and Percy Dufour be selected and appointed to sit as the Court of Revision for the Snyder Branch Drain: Replacement Bridge for MN 10901 10th Concession Road.

It is further recommended that By-law 2448 adopting the recommendations in the Rood Engineering Inc. Report dated April 4, 2025 be provisionally adopted so that this project can proceed to the Court of Revision specified in this report.

The Court of Revision is the next step in the process in accordance with Section 46 of the Drainage Act, R.S.O. 1990, Chapter D. 17, as amended 2010.

Financial Impact

There are no financial impacts as a result of this report.

Consultations

Lindsay Dean, Drainage Superintendent

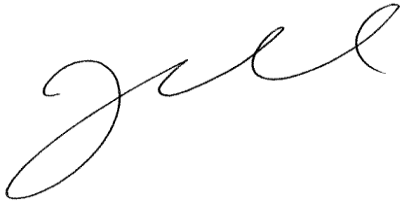
Link to Strategic Priorities

- ☒ Embrace asset management best practices to build, maintain, and continuously improve our municipally owned infrastructure.
- ☐ Leverage our Town's competitive advantages to promote jobs and economic investment.
- ☐ Take care of our natural environment and strengthen the sense of belonging to everyone who makes Essex "home".
- ☐ Deliver friendly customer service in an efficient, effective, and transparent manner while providing an exceptional working environment for our employees.
- ☐ Build corporate-level and community-level climate resilience through community engagement and partnership and corporate objectives.

Report Approval Details

Document Title:	Snyder Branch Drain - Legal and Legislative Services-2025-08.docx
Attachments:	<ul style="list-style-type: none">- zz-rpt Snyder Br Dr bridge Kingsville REI2023D014.pdf- By-Law No. 2448 Snyder Branch Drain Replacement Bridge for MN 10901 10th Concession.pdf
Final Approval Date:	May 12, 2025

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

A handwritten signature in black ink, appearing to read 'J. Malandruccolo', written in a cursive style.

Joseph Malandruccolo, Director, Legal and Legislative Services/Clerk - May 12, 2025 - 1:28 PM

A handwritten signature in black ink, appearing to read 'Doug Sweet', written in a cursive style.

Doug Sweet, Chief Administrative Officer - May 12, 2025 - 1:48 PM