



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-2025-09
Subject: Shepley Drain Bank Repairs and Improvements
Number of Pages: 4

Recommendation(s)

That the following three (3) members of the Drainage Board: Daniel Bezaire-Arevalo, Tiffany Pocock, and Percy Dufour be appointed to sit as members of the Court of Revision to be convened for the Shepley Drain Bank Repairs and Improvements, Geographic Township of Colchester South in the Town of Essex, County of Essex, Project REI2022D018 pursuant to the Report prepared by Gerard Rood, Professional Engineer, Rood Engineering Inc., and dated April 2, 2025 (hereinafter the "Report"), such Court of Revision to be scheduled for 5:00 pm on June 18, 2025, and

That By-Law 2447 being a by-law to provide for the Shepley Drain Bank Repairs and Improvements, Geographic Township of Colchester South in the Town of

Essex, County of Essex, Project REI2022D018, 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 November 3, 2022 to prepare a report for the Shepley Drain Bank Repairs and Improvements, pursuant to Section 78 of the Drainage Act.

On April 2, 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 April 30, 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 April 30, 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:

The Court of Revision is to be comprised of three (3) 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 Daniel Bezaire-Arevalo, Tiffany Pocock and Percy Dufour be selected and appointed to sit as the Court of Revision for the Shepley Drain Bank Repairs and Improvements.

It is further recommended that By-law 2447 adopting the recommendations in the Rood Engineering Inc. Report dated April 2, 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:	Shepley Drain Bank Repairs - Legal and Legislative Services-2025-09.docx
Attachments:	- _z-rpt Shepley Dr Bank Repairs REI2022D018_2Apr25_final.pdf - By-Law No. 2447 Shepley Drain Bank Repairs and Improvements.pdf
Final Approval Date:	May 12, 2025

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



Joseph Malandrucolo, Director, Legal and Legislative Services/Clerk - May 12, 2025 - 1:29 PM



Doug Sweet, Chief Administrative Officer - May 12, 2025 - 1:49 PM