



## Report to Council

Department: Infrastructure Services  
Division: Drainage  
Date: May 20, 2025  
Prepared by: Lindsay Dean, Drainage Superintendent  
Report Number: Drainage-2025-05  
Subject: Appointment of an Engineer under Section 78 of the Drainage Act for the Fourteenth Concession West Drain  
Number of Pages: 5

### Recommendation(s)

**That** Drainage-2025-05 entitled Appointment of an Engineer under Section 78 of the Drainage Act for the Fourteenth Concession West Drain prepared by Lindsay Dean, Drainage Superintendent dated May 20, 2025 be received, and

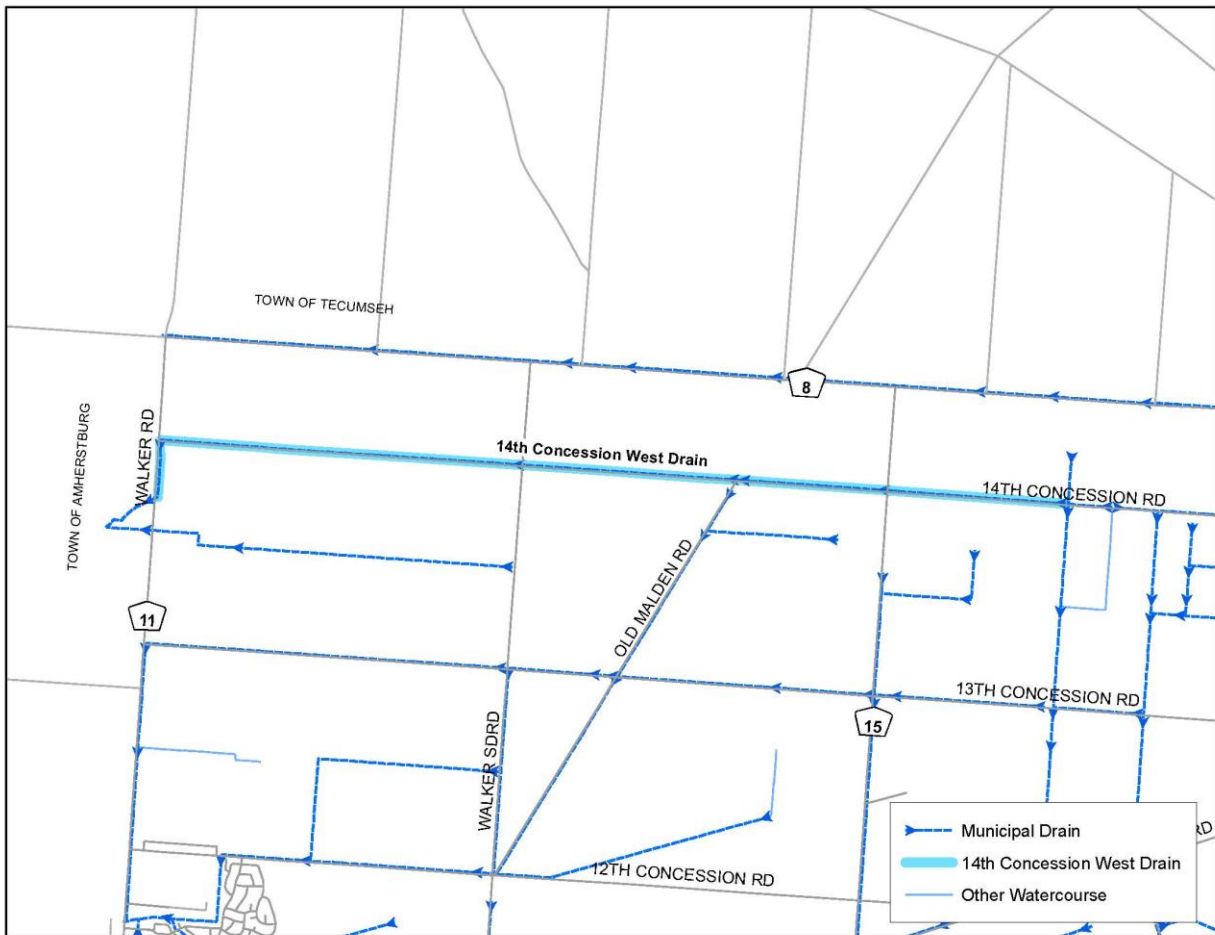
**That** Council appoint Rood Engineering Inc. under Section 78 of the Drainage Act to replace a crossing on the Fourteenth Concession West Drain.

### Purpose

To hire an engineer to allow for the replacement of a crossing on the Fourteenth Concession West Drain.

# Background and Discussion

The Fourteenth Concession West Drain starts in Lot 10, Concession 14 running westerly along the north side of the 14<sup>th</sup> Concession Road until heading southerly for a short distance on the east side of Walker Road where it enters Amherstburg outletting into the Shuell Creek.



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 Fourteenth Concession West Drain is a municipal drain that has been adopted by municipal by-law and any changes made to the drain such as the replacement of a crossing 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;
- Submission of Report and notification period;
- Consideration of the Report by the Drainage Board;
- Provisional By-law and Adoption by Council
- Court of Revision;
- 3<sup>rd</sup> and Final Reading of the by-law;
- Construction of drainage works.

It should be noted, that while this is the intended scope of the project at the current time, at the on-site meeting other landowners may come forward with additional works that may modify the scope of the report.

It is recommended that this project be awarded to Rood Engineering Inc. as one of the firms that qualified under RFPQ-ID-24-012 Engineering Services Roster for Drainage Works. Projects are distributed fairly amongst all the firms that qualified for the roster and Rood Engineering Inc. was selected for this assignment based on that parameter.

## 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 – June 2025
- On Site Meeting – July 2025
- Submission of Report and notification period – December 2025
- Consideration of the Report by the Drainage Board – January 2026
- Provisional By-law and Adoption by Council – February 2026
- Court of Revision – March 2026
- 3<sup>rd</sup> and Final Reading of the By-law – April 2026
- Construction – Summer 2026

## Financial Impact

The cost sharing for the replacement of the crossing will be determined by the appointed Drainage Engineer and allocated to the benefitting property owners accordingly. Any cost assessed to the Town of Essex will be funded through the 2025/2026 Operating Budget (Roads-Municipal Drainage).

## Consultations

Kevin Girard, Director of Infrastructure Services

Norm Nussio, Manager, Operations & Drainage

Kate Giurissevich, Director, Corporate Services

Jackson Tang, Assistant Manager, Business Services

## 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:	Appointment of Engineer for 14th Concession West Drain Bridge.docx
Attachments:	
Final Approval Date:	May 13, 2025

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

**Norm Nussio, Manager, Operations and Drainage - May 12, 2025 - 10:32 AM**



**Kevin Girard, Director, Infrastructure Services - May 13, 2025 - 9:02 AM**



**Doug Sweet, Chief Administrative Officer - May 13, 2025 - 9:03 AM**