



## Report to Council

Department: Office of the CAO  
Division: Legal and Legislative Services  
Date: August 11, 2025  
Prepared by: Joe Malandruccolo, Director/Legal and Legislative Services/Clerk  
Report Number: Legal and Legislative Services-2025-16  
Subject: 4th Concession Road Drain South Side  
Number of Pages: 4

### **Recommendation(s)**

**That** the following three (3) members of the Drainage Board: Daniel Bezaire-Arevalo, Janice Dougherty, and Danny Sauve be appointed to sit as members of the Court of Revision to be convened for the 4th Concession Road Drain South Side, with regards to making drainage improvements in Lots 13 & 14, Concession 3 in the Town of Essex pursuant to the Report prepared by Josh Warner, P. Eng., Professional Engineer, R. Dobbin Engineering Inc., and dated June 23, 2025 (hereinafter the "Report"), such Court of Revision to be scheduled for 5:00 pm on September 4, 2025, and

**That** By-Law 2469 being a by-law to provide for the 4th Concession Road Drain South Side, with regards to making drainage improvements in Lots 13 & 14,

Concession 3 in the Town of Essex, be read a first and second time and provisionally adopted on August 11, 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**

R. Dobbin Engineering Inc. was instructed by the Town of Essex on or about September 18, 2024 to prepare a report for the 4th Concession Road Drain South Side, pursuant to Section 78 of the Drainage Act.

On June 23, 2025, the Report was prepared by R. Dobbin Engineering Inc. to provide the details, estimates and assessments therein.

A Consideration Meeting for this Report was held on July 29, 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 July 29, 2025 consideration meeting, which minutes are included under Item 14 of the August 11, 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, Janice Dougherty, and Danny Sauve be selected and appointed to sit as the Court of Revision for the 4th Concession Road Drain South Side.

It is further recommended that By-law 2469 adopting the recommendations in the R. Dobbin Engineering Inc., and dated June 23, 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:	4th Concession Road Drain South Side - Legal and Legislative Services-2025-16.docx
Attachments:	- R Dobbin Engineering 4th Concession Road Drain South Side.pdf - By-Law No. 2469 4th Concession Road Drain South Side.pdf
Final Approval Date:	Jul 31, 2025

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



**Joseph Malandrucolo, Director, Legal and Legislative Services/Clerk - Jul 31, 2025 - 2:00 PM**



**Kate Giurissevich, Chief Administrative Officer - Jul 31, 2025 - 4:37 PM**