



## Report to Council

Department: Infrastructure Services  
Division: Drainage  
Date: November 3, 2025  
Prepared by: Lindsay Dean, Drainage Superintendent  
Report Number: Drainage-2025-10  
Subject: Appointment of an Engineer under Section 78 of the Drainage Act for the Philip Ferris Drain  
Number of Pages: 5

### Recommendation(s)

**That** Drainage-2025-10 entitled Appointment of an Engineer under Section 78 of the Drainage Act for the Philip Ferris Drain prepared by Lindsay Dean, Drainage Superintendent dated November 3, 2025 be received, and

**That** Council appoint N.J. Peralta Engineering Ltd. under Section 78 of the Drainage Act for the Philip Ferris Drain.

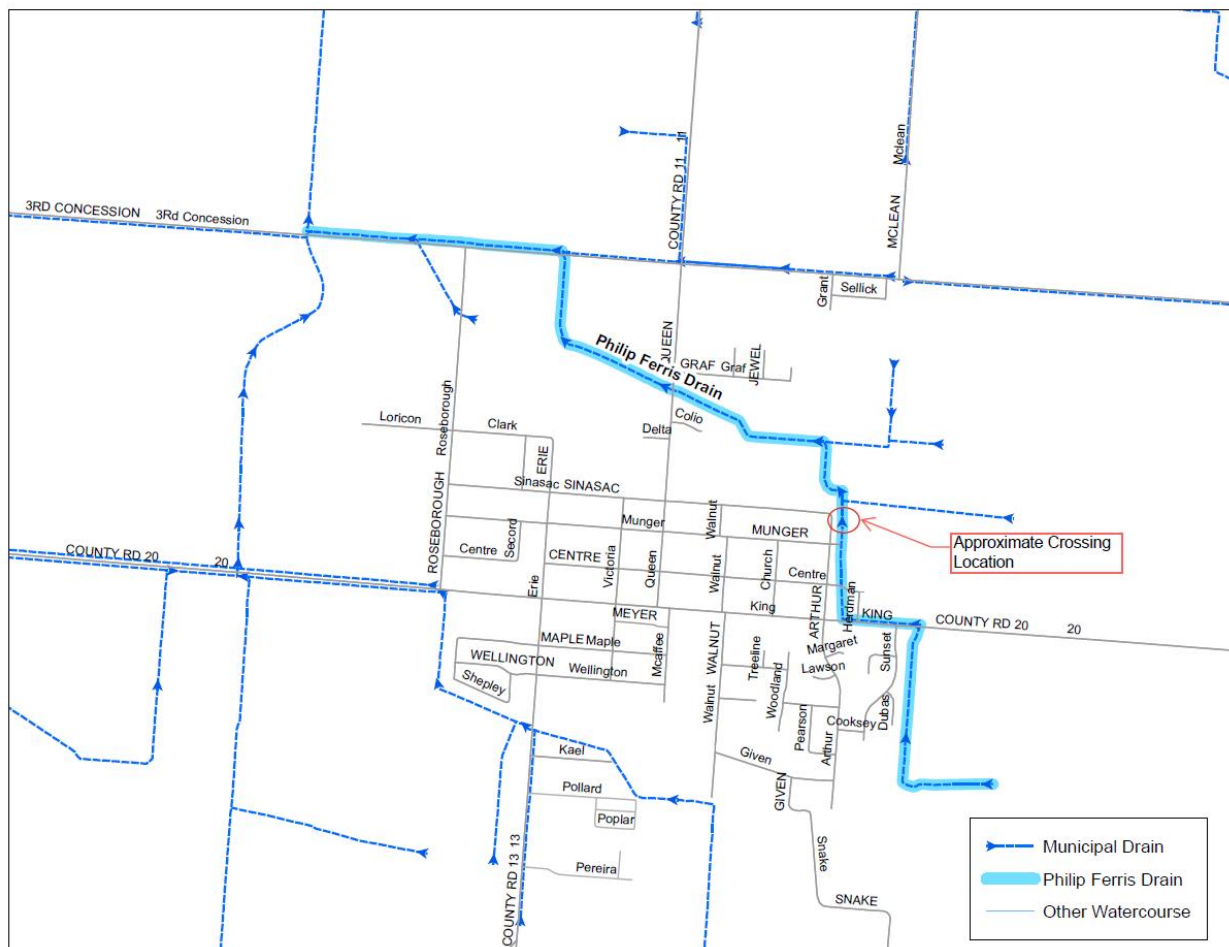
### Purpose

To hire an engineer to allow for the installation a new crossing in the Philip Ferris Drain near the east end of Sinasac Street.

### Background and Discussion

The Philip Ferris Drain picks up water from the Philip Ferris North Diversion Drain on the north side of County Road 20 on the east side of Harrow. From there the water travels in a

north/northwesterly direction all the way through Harrow to the north side of the 3<sup>rd</sup> Concession Road where it outlets into the Richmond Drain.



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 Philip Ferris Drain is a municipal drain that has been adopted by municipal by-law and any changes made to the drain such as installation of a new 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.

N.J. Peralta Engineering Ltd. is currently working on an assignment on the Philip Ferris Drain for another crossing. Based on their extensive background and experience working on this drain and watershed, it is recommended that they be appointed to this project as it will allow them to complete the project more efficiently.

## 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 –December 2025
- On Site Meeting – January 2026
- Submission of Report and notification period – August 2026
- Consideration of the Report by the Drainage Board – September 2026
- Provisional By-law and Adoption by Council – September 2026
- Court of Revision –October 2026

- 3<sup>rd</sup> and Final Reading of the By-law – November 2026
- Construction – December 2026

## Financial Impact

The cost sharing for the installation of a new crossing will be determined by the appointed Drainage Engineer, however, it is anticipated that the requesting owner will pay the full cost of the project. Should any cost be assessed to the Town of Essex, it will be funded through the 2025/2026 Operating Budget (Roads-Municipal Drainage).

## Consultations

Kevin Girard, Director of Infrastructure Services

Norm Nussio, Manager of Operations & Drainage

Kate Rowe, Director of Corporate Services

Jackson Tang, Assistant Manager of 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 Philip Ferris Drain.docx
Attachments:	- Procurement Section 22 -Philip Ferris Final.pdf
Final Approval Date:	Oct 29, 2025

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

**Norm Nussio, Manager, Operations and Drainage - Oct 28, 2025 - 2:25 PM**



**Kevin Girard, Director, Infrastructure Services - Oct 28, 2025 - 2:41 PM**



**Kate Giurissevich, Chief Administrative Officer - Oct 29, 2025 - 9:47 AM**