



## Report to Council

Department: Infrastructure Services  
Division: Drainage  
Date: January 12, 2026  
Prepared by: Lindsay Dean, Drainage Superintendent  
Report Number: Drainage-2026-01  
Subject: Appointment of an Engineer under Section 78 of the Drainage Act for the South Townline Drain  
Number of Pages: 4

### Recommendation(s)

**That** Drainage-2026-01 entitled Appointment of an Engineer under Section 78 of the Drainage Act for the South Townline Drain prepared by Lindsay Dean, Drainage Superintendent dated January 12, 2026 be received, and

**That** Council appoint Rood Engineering Inc. under Section 78 of the Drainage Act to replace a crossing on the South Townline Drain in accordance to Section 22 of the Town of Essex Procurement By-law 2437.

### Purpose

To hire an engineer to allow for the replacement of a crossing on the South Townline Drain.

### Background and Discussion

As shown on the map below, the South Townline Drain runs along the north side of County Road 18 from the Coulter Sideroad to the Briton Sideroad where it enters the McLean 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 South Townline 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 they completed a report on the South Townline Drain in 2022. Based on their extensive background and experience working on this drain, 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 –February 2026
- On Site Meeting – March 2026
- Submission of Report and notification period – July 2026
- Consideration of the Report by the Drainage Board – August 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 – Winter 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 2026 Operating Budget (Roads-Municipal Drainage).

## Consultations

Kevin Girard, Director of Infrastructure Services

Norm Nussio, Manager, Operations & Drainage

Kate Rowe, 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:	South Townline Drain ERCA bridge.docx
Attachments:	- Procurement Section 22 -South Townline Edited.pdf
Final Approval Date:	Jan 8, 2026

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

**Norm Nussio, Manager, Operations and Drainage - Jan 6, 2026 - 11:07 AM**



**Kevin Girard, Director, Infrastructure Services - Jan 8, 2026 - 10:47 AM**



**Kate Giurissevich, Chief Administrative Officer - Jan 8, 2026 - 1:37 PM**