



Report to Council

Department: Infrastructure Services
Division: Drainage
Date: March 2, 2026
Prepared by: Lindsay Dean, Drainage Superintendent
Report Number: Drainage-2026-05
Subject: Appointment of an Engineer under Section 84(3) of the Drainage Act for the proposed Skeates Drain Abandonment
Number of Pages: 5

Recommendation(s)

That Drainage-2026-05 entitled Appointment of an Engineer under Section 84(3) of the Drainage Act for the proposed Skeates Drain Abandonment prepared by Lindsay Dean, Drainage Superintendent dated March 2, 2026 be received, and

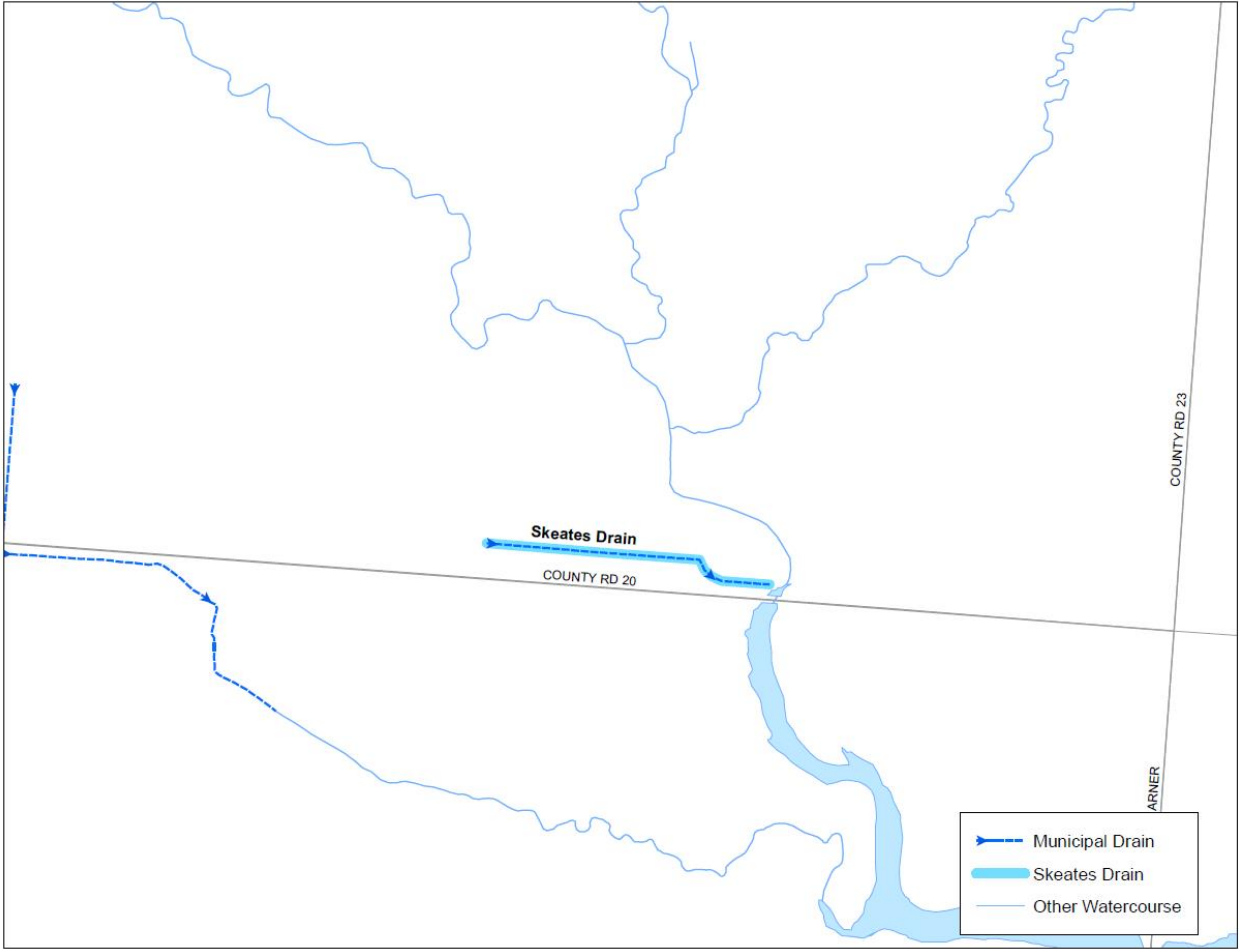
That Council appoint N.J. Peralta Engineering Ltd. under Section 84(3) of the Drainage Act to conduct an abandonment of the Skeates Drain in accordance with the received request.

Purpose

To procure an engineer to examine the Skeates Drain and provide a report with recommendations for the requested abandonment of the Skeates Drain as requested for by the residents of the watershed.

Background and Discussion

As shown on the map below, the Skeates Drain runs through private property from 2896 County Road 20 easterly and outlets into the Cedar Creek.



The abandonment of the Skeates Drain has been initiated to resolve a conflict with the current drain alignment and ongoing septic tank concerns.

Under Section 84(1) of the Drainage Act, if three-quarters of the owners of land assessed for benefit in respect to drainage works, who own not less than three-quarters of the area assessed for benefit, request the abandonment of the drainage works, Council shall send a notice to all of the owners stating its intention to abandon the drainage works, unless within

10 days of the notice date any owner requests that a report of an engineer be made for the abandonment.

A request to abandon the drainage works was received and deemed to meet the requirements as noted above, initiating the issuance of notification under Section 84(1) to the affected residents on February 2, 2026. Within the 10 days following the notice, several requests for the appointment of an engineer were received.

The procedures and appeals under Section 84(3) 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;
- 3rd and Final Reading of the by-law;
- Work to abandon drainage works.

It is recommended that this project be awarded to N.J. Peralta Engineering Ltd. as one of the firms that qualified under RFPO-ID-24-012 Engineering Services Roster for Drainage Works. Projects are distributed fairly amongst all the firms that qualified for the roster and N.J. Peralta Engineering Ltd. 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 – March 2026
- On Site Meeting – April 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 – October 2026
- Court of Revision –December 2026
- 3rd and Final Reading of the By-law – January 2027
- Abandonment works – Winter 2027

Financial Impact

The cost sharing for the proposed abandonment will be determined by the appointed Drainage Engineer and allocated to the benefitting property owners accordingly.

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:	Appointment of an Engineer for Skeates Drain Abandonment.docx
Attachments:	
Final Approval Date:	Feb 25, 2026

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

Norm Nussio, Manager, Operations and Drainage - Feb 25, 2026 - 9:46 AM



Kevin Girard, Director, Infrastructure Services - Feb 25, 2026 - 12:58 PM



Kate Giurissevich, Chief Administrative Officer - Feb 25, 2026 - 3:30 PM