



Report to Council

Department: Infrastructure Services
Division: Drainage
Date: April 20, 2026
Prepared by: Lindsay Dean, Drainage Superintendent
Report Number: Drainage-2026-08
Subject: Appointment of an Engineer under Section 78 of the Drainage Act for the Austin C. Wright Drain
Number of Pages: 4

Recommendation(s)

That Drainage-2026-08 entitled Appointment of an Engineer under Section 78 of the Drainage Act for the Austin C. Wright Drain prepared by Lindsay Dean, Drainage Superintendent dated April 20, 2026 be received, and

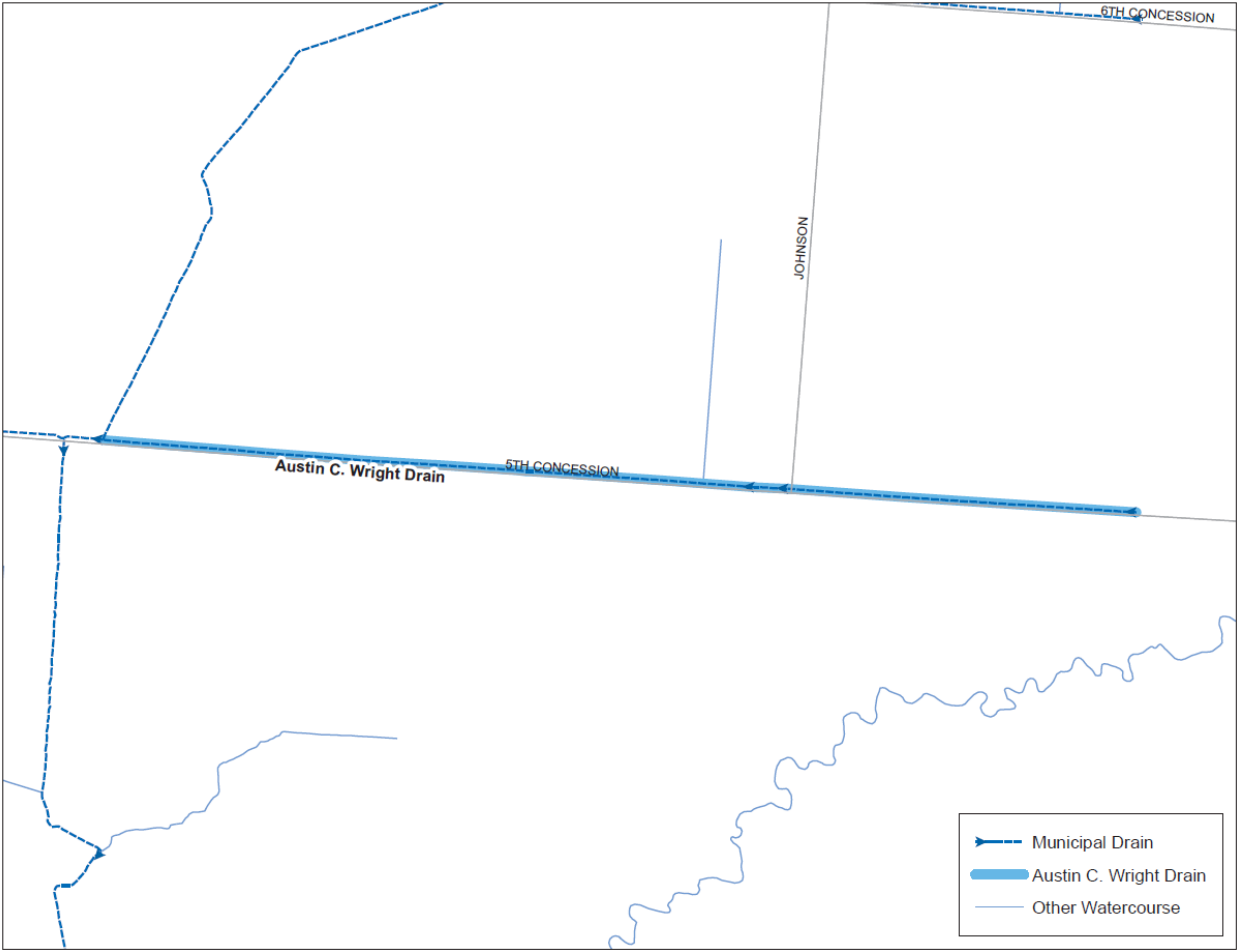
That Council appoint Rood Engineering Inc. under Section 78 of the Drainage Act to install a crossing in the Austin C. Wright Drain in accordance with Section 22 of the Town of Essex Procurement By-law 2437.

Purpose

To hire an engineer to allow for the installation of a crossing in the Austin C. Wright Drain based on a request received from a landowner.

Background and Discussion

As shown on the map below, the Austin C. Wright Drain runs west along the northerly side of the 5th Concession Road, from the limit between Lot 18 & Lot 19 Concession 5 to its outlet into the Hicks Drain in Lot 16 Concession 5.



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 Austin C. Wright Drain is a municipal drain that has been adopted by municipal by-law and any changes made to the drain such as the installation 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;
- 3rd 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 Austin C. Wright Drain in 2023. 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 –May 2026
- On Site Meeting – June 2026
- Submission of Report and notification period – December 2026
- Consideration of the Report by the Drainage Board – January 2027
- Provisional By-law and Adoption by Council – February 2027

- Court of Revision –March 2027
- 3rd and Final Reading of the By-law – April 2027
- Construction – Summer 2027

Financial Impact

The cost sharing for the installation 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 2027 Operating Budget (Roads-Municipal Drainage).

Consultations

Kevin Girard, Director of Infrastructure Services

Norm Nussio, Manager, Operations & Drainage

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 Austin C Wright Drain.docx
Attachments:	- Procurement Section 22 -Austin C Wright.pdf
Final Approval Date:	Apr 15, 2026

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

Norm Nussio, Manager, Operations and Drainage - Apr 15, 2026 - 10:09 AM



Kevin Girard, Director, Infrastructure Services - Apr 15, 2026 - 11:52 AM



Kate Giurissevich, Chief Administrative Officer - Apr 15, 2026 - 12:10 PM