



Report to Council

Department: Infrastructure Services

Division: Drainage

Date: April 6, 2020

Prepared by: Lindsay Dean, Drainage Superintendent

Report Number: Drainage 2020-01

Subject: Appointment of an Engineer under Section 78 of the Drainage Act to replace a culvert over the Shepley Drain

Number of Pages: 3

Recommendation(s)

That Drainage-2020-01 entitled Appointment of an Engineer under Section 78 of the Drainage Act to replace a culvert over the Shepley Drain prepared by Lindsay Dean, Drainage Superintendent dated April 6, 2020 be received, and

That Council appoint Rood Engineering Incorporated under Section 78 of the Drainage Act for a replacement culvert over the Shepley Drain.

Purpose

The Town of Essex Drainage department has received a request to replace a culvert over the Shepley Drain serving the lands owned by Gorski Land Holdings Inc. Typically a request for a culvert replacement would be completed under drain maintenance, however, the watershed for the Shepley Drain was significantly increased in the 1990s. The change in the watershed contributing to the Shepley Drain will impact the size of the culvert required at this location, therefore, a report under Section 78 of the Drainage Act must be prepared.

Background and Discussion

The Shepley Drain outlets into the Richmond Drain and is located on the south side of County Road 20 and follows upstream in a southeast direction to Gore Road. The culvert to be replaced is located at the very downstream end of the Shepley 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 Shepley Drain is a municipal drain that has been adopted by municipal by-law and any changes made to the design of an existing culvert on the Shepley Drain 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;
- Meeting to consider the report and passing of the provisional by-law;
- Court of Revision;
- 3rd and Final Reading of the by-law;
- Construction of drainage works.

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 2020

- On Site Meeting – May 2020
- Preparation of the Report – August 2020
- Submission of Report and notification period –September 2020
- Consideration of the Report by the Drainage Board –September 2020
- Preparation of Provisional By-law and Adoption by Council– September 2020
- Court of Revision –October 2020
- 3rd and Final Reading of the By-law – November 2020
- Construction- December 2020

Financial Impact

The landowner receiving the replacement culvert and parcels located upstream of the culvert will be responsible for all cost associated with the construction, engineering and incidental costs.

Link to Strategic Priorities

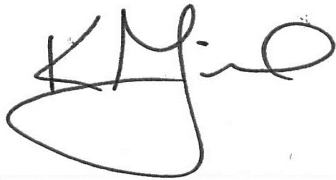
- ☒ Manage, invest and plan for sustainable municipal infrastructure which meets current and future needs of the municipality and its citizens.
- ☐ Create a safe, friendly and inclusive community which encourages healthy, active living for people of all ages and abilities.
- ☐ Provide a fiscal stewardship and value for tax dollars to ensure long-term financial health to the municipality.
- ☐ Manage responsible and viable growth while preserving and enhancing the unique rural and small town character of the community.
- ☐ Improve the experiences of individuals, as both citizens and customers, in their interactions with the Town of Essex.

Report Approval Details

Document Title:	Appointment of Engineer for Shepley Drain Culvert Replacement.docx
Attachments:	
Final Approval Date:	Mar 31, 2020

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

Norm Nussio, Manager Operations and Drainage - Mar 31, 2020 - 4:32 PM

A handwritten signature in black ink, appearing to read 'N. Nussio', with a large loop at the end.

Kevin Girard, Director, Infrastructure Services - Mar 31, 2020 - 4:34 PM

A handwritten signature in black ink, appearing to read 'Chris Nepszy', with a stylized flourish at the end.

Chris Nepszy, Chief Administrative Officer - Mar 31, 2020 - 4:36 PM