



## Report to Council

Department: Infrastructure Services

Division: Drainage

Date: April 6, 2021

Prepared by: Lindsay Dean, Drainage Superintendent

Report Number: Drainage-2021-02

Subject: Appointment of an Engineer under Section 78 of the Drainage Act to enclose a portion of the Bassett Drain

Number of Pages: 3

### Recommendation(s)

**That** Drainage-2021-02 entitled Appointment of an Engineer under Section 78 of the Drainage Act to enclose a portion of the Bassett Drain prepared by Lindsay Dean, Drainage Superintendent dated April 6, 2021 be received, and

**That** Council appoint Rood Engineering Incorporated under Section 78 of the Drainage Act to enclose a portion of the Bassett Drain.

### Purpose

The Town of Essex has received a request to enclose a portion of the Bassett Drain for the property located at 2436 County Road 20 West.

### Background and Discussion

The Bassett Drain runs from Roseborough Road along the north side of County Road 20 westerly to its outlet 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 Bassett Drain is a municipal drain that has been adopted by municipal by-law and any changes made to the drain such as an enclosure 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;
- 3<sup>rd</sup> 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 2021
- On Site Meeting – June 2021
- Submission of Report and notification period –November 2021
- Consideration of the Report by the Drainage Board –November 2021
- Provisional By-law and Adoption by Council – December 2021
- Court of Revision –January 2022
- 3<sup>rd</sup> and Final Reading of the By-law – February 2022
- Construction (dependent on weather and agency approvals)- March to Summer 2022

## Financial Impact

The landowner receiving the culvert will be responsible for all costs associated with the construction, engineering and incidental costs related to the enclosure. Cost sharing to upstream lands and roads may be applicable for the replacement of the existing culvert that will be included in the new enclosure.

## 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 Bassett Drain Enclosure.docx
Attachments:	
Final Approval Date:	Mar 31, 2021

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

**Norm Nussio, Manager Operations and Drainage - Mar 31, 2021 - 9:59 AM**

A handwritten signature in black ink, appearing to read 'Norm Nussio', written over a light blue horizontal line.

**Kevin Girard, Director, Infrastructure Services - Mar 31, 2021 - 10:31 AM**

A handwritten signature in black ink, appearing to read 'Chris Nepszy', written over a light blue horizontal line.

**Chris Nepszy, Chief Administrative Officer - Mar 31, 2021 - 10:54 AM**