



Report to Council

Department: Infrastructure Services

Division: Drainage

Date: April 20, 2020

Prepared by: Lindsay Dean, Drainage Superintendent

Report Number: Drainage-20-02

Subject: Appointment of an Engineer under Section 78 of the Drainage Act to review the Barrette Drain

Number of Pages: 4

Recommendation(s)

That Drainage-2020-02 entitled Appointment of an Engineer under Section 78 of the Drainage Act to review the Barrette Drain prepared by Lindsay Dean, Drainage Superintendent dated April 20, 2020 be received, and

That Council appoint Rood Engineering Incorporated under Section 78 of the Drainage Act to review the Barrette Drain.

Purpose

The drainage report on the Barrette Drain has become outdated due to various changes that have occurred along the 13th Concession Road. To address these changes, an engineer can be appointed to review the Barrette Drain and provide an updated report addressing any changes to parcel boundaries and outlining any necessary repairs or improvements required to the drain.

Background and Discussion

The Barrette Drain runs along the north side of the 13th Concession Road from Lot 14 to its outlet into the Hyland Sideroad Drain located on the east side of Hyland Road.

The most recent report on the Barrette Drain was completed in 1966 and was passed by by-law. Since 1966, many residential lots have been severed along the 13th Concession Road with each one installing a culvert to cross the municipal drain to access their land. The culverts were not incorporated into the Barrette Drain by way of a drainage report, therefore, there are no records to indicate whether sizing of these culverts are appropriate to handle flows in the drain or if they were installed correctly. Additionally, the engineer will review whether the drain has the capability to handle the change of land use from vacant farmland to residential that has occurred since 1966. The engineer will also provide an updated schedule of assessment to be used for future maintenance of the drain and culvert cost sharing.

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 Barrette Drain is a municipal drain that has been adopted by municipal by-law and any improvements made to the Barrette 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 – June 2020
- Preparation of the Report – October 2020
- Submission of Report and notification period –November 2020
- Consideration of the Report by the Drainage Board –November 2020
- Provisional By-law and Adoption by Council – November 2020
- Court of Revision –December 2020
- 3rd and Final Reading of the By-law – January 2021
- Construction if applicable (dependent on weather and agency approvals) - Early 2021

Financial Impact

The lands and roads assessed to the Barrette Drain will be responsible for all cost associated with the engineering, incidental costs and construction if applicable.

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 Barrette Drain Review.docx
Attachments:	
Final Approval Date:	Apr 14, 2020

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

Norm Nussio, Manager Operations and Drainage - Apr 14, 2020 - 12:12 PM

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Kevin Girard, Director, Infrastructure Services - Apr 14, 2020 - 12:45 PM

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

Chris Nepszy, Chief Administrative Officer - Apr 14, 2020 - 2:27 PM