

January 30, 2026

The Mayor and Council  
Town of Kingsville  
2021 Division Road North  
Kingsville, Ontario  
N9Y 2Y9

**Re: Request for Section 65(3) Subsequent Connection to the 3<sup>rd</sup> Concession  
Branch of the Esseltine Drain**

In accordance with your instructions, we have undertaken an examination of a subsequent connection to the 3<sup>rd</sup> Concession Branch of the Esseltine Drain located in Lots 10 & 11, Concession 3 E.D, in the Town of Kingsville.

Authorization under the Drainage Act

This Engineers Report has been prepared under Section 65(1), Section 65(3), and 65(4) of the Drainage Act.

**Subsequent subdivision of land**

65(1) If, after the final revision of an engineer's assessment of land for a drainage works, the land is divided by a change in ownership of any part, the clerk of the local municipality in which the land is situate shall instruct an engineer in writing to apportion the assessment among parts into which the land was divided, taking into account the part of the land affected by the drainage works. 2010, c. 16, Sched. 1, s. 2 (26).

**Subsequent connection to drainage works, etc.**

65(3) If an owner of land that is not assessed for a drainage works subsequently connects the land with the drainage works for the purpose of drainage, or if the nature or extent of the use of a drainage works by land assessed for the drainage works is subsequently altered, the clerk of the local municipality in which the land is situate shall instruct an engineer in writing to inspect the land and assess it for a just proportion of the drainage works, taking into account any compensation paid to the owner of the land in respect of the drainage works. 2010, c. 16, Sched. 1, s. 2 (26).

**Subsequent disconnection from drainage works**

65(4) If an owner of land that is assessed for a drainage works subsequently disconnects the land from the drainage works, the clerk of the local municipality in which the land is situate

shall instruct an engineer in writing to inspect the land and determine the amount by which the assessment of the land should change. 2010, c. 16, Sched. 1, s. 2 (26).

The owner of Loesen Farms Inc. (roll no. 290-00113) submitted a request to direct 0.76 ha to the 3<sup>rd</sup> Concession Branch of the Esseltine Drain which is currently assessed to the C&O Branch of the Fleming Wigle Drain.

R. Dobbin Engineering was appointed on November 4, 2025.

### Existing Drainage

The 3<sup>rd</sup> Concession Branch of the Esseltine Drain outlets into the Esseltine Drain at the southwest corner of County Road 34 and Road 3E. The drain heads upstream along the south side of Road 3E as a closed drain for approximately 84 meters, where it crosses to the north side and continues as a closed drain for another 146 meters. From this point, it becomes an open channel drain and continues upstream for approximately 845 meters to the head of the drain.

The current governing report and Bylaw for the drain is Bylaw No. 14 of 1997 and Engineer's Report dated March 7, 1997 prepared by N.J. Peralta, P.Eng.

### Review and Investigation

In preparation of our report under Section 65, the following reports were reviewed:

- 3<sup>rd</sup> Concession Branch of the Esseltine Drain dated March 7, 1997 and Bylaw 14-1997 by N.J. Peralta, P.Eng.
- 3<sup>rd</sup> Concession Branch of the Esseltine Drain dated September 2, 1952 and Bylaw 226-1952 by C.G.R. Armstrong, P.Eng.
- Esseltine Drain dated September 8, 1966 and Bylaw 313-1966 by William J. Setterington, P.Eng.
- Esseltine Drain dated June 17, 2016 and Bylaw 93-2017 by Lou Zarlenga, P.Eng. from RC Spencer Associates Inc.
- Colasanti Branch of the Esseltine Drain dated September 10, 2004 and Bylaw 31-2005 by N.J. Peralta, P.Eng.
- C&O Branch of the Fleming Wigle Drain dated May 29, 1988 and Bylaw 526-1988 by Lou Zarlenga, P.Eng. from Bruce D. Crozier Engineering.
- Fleming Wigle Drain dated June 1, 1971 and Bylaw 371-1971 by William J. Setterington, P.Eng.

Along with review of the above reports, the stormwater drawings prepared by Baird Architecture & Engineering dated August 25, 2025 were reviewed.

Our investigation involved determining the existing watershed for the 3<sup>rd</sup> Concession Branch of the Esseltine Drain. We used this watershed along with current runoff coefficients outlined in the Windsor/Essex Region Stormwater Manual to calculate the capacity and flows at each culvert and drain enclosure on the drain. The existing capacity and flows were compared against the request to add 0.76 ha with a restricted runoff rate 2.6 L/sec from 1851 Road 3E (roll no. 290-00113). We found that the additional area would have little to no effect on the current drainage system for the 3<sup>rd</sup> Concession Branch of the Esseltine Drain.

#### Connection / Disconnection Location

The location to be added and removed is shown below. An area of 0.76 ha will be subsequently removed from the C&O Branch of the Fleming Wigle Drain and added to the 3<sup>rd</sup> Concession Branch of the Esseltine Drain.



As part of this connection and disconnection we revised the schedules contained in the following reports for maintenance purposes:

- 3<sup>rd</sup> Concession Branch of the Esseltine Drain date March 7, 1997 (connected)
- Esseltine Drain dated September 8, 1966 (connected)
- Esseltine Drain dated June 17, 2016 (connected)

- C&O Branch of the Fleming Wigle Drain dated May 29, 1988 (disconnected)

The C&O Branch of the Fleming report required a Section 65(1) to reappportion the assessments, as properties had been subdivided and/or combined with new roll numbers created.

The current governing reports on the Fleming Wigle Drain were not revised as part of this report. Due to the significant changes in the watershed, a Section 76 report is required.

Appendix A attached contains all updated schedules.

### Recommendations

As established in this report, we recommend that the Town of Kingsville accept the revised drainage assessments for maintenance purposes as outlined in Appendix A for each drain affected. The updated assessment for roll no. 290-00113 was derived by comparing assessments of properties in the vicinity of the added land and by using a land use of Agricultural – Greenhouse for the additional area.

As per Section 65(12), “any amount collected under subsection (3) shall be credited to the account of the drainage works and shall be used only for the improvement, maintenance or repair of the whole or any part of the drainage works”. 2010, c. 16, Sched. 1, s. 2 (26).

Therefore, we have established that a subsequent connection fee of \$2,963.00, known as a “buy in”, be applied to the Esseltine Drain, as this would have been the additional cost assessed to property for the work completed under the June 17, 2016 report. This amount was determined using the final construction cost for the works and by applying the 1/3 subsidy for an agricultural grant. No other fees shall be collected for the purpose of buying into any other drains.

The total engineering cost to complete this report is \$4,035.00, excluding HST. This shall be assessed 100% to the parcel with roll no. 290-00113.

Yours truly,

Report Prepared By:



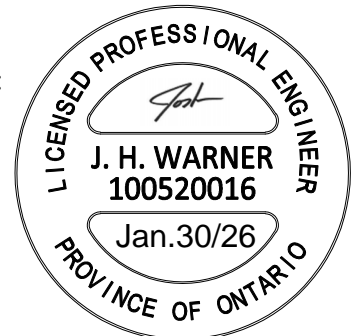
David Moores, C.E.T.



Report Approved By:



Josh Warner, P. Eng.



## **APPENDIX A**

Roll No. 290-00113  
 Town of Kingsville  
 January 30, 2026

As per Section 65(3) & 65(4) of the Drainage Act, we recommend that the Schedule of Assessment for maintenance purposes be apportioned as follows:

Conc.	Lot or pt. Lot	Roll No.	Hect.	Owner	Benefit	Outlet	Total
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**Third Concession Branch of the Esseltine Drain dated March 7, 1997**

Original Assessment

2 E.D.	pt. Lot 11	290-00113	0.00	Loesen Farms Inc.	0.00	0.00	0.00
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Updated Assessment

2 E.D.	pt. Lot 11	290-00113	0.76	Loesen Farms Inc.	\$ 780.00	\$ 1,175.00	\$ 1,955.00
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Original Total Assessment less Special Benefit	\$	35,301.00
Updated Total Assessment less Special Benefit	\$	37,256.00

**Esseltine Drain dated September 8, 1966**

Original Assessment

2 E.D.	pt. Lot 11	290-00113	0.00	Loesen Farms Inc.	0.00	0.00	0.00
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Updated Assessment

2 E.D.	pt. Lot 11	290-00113	0.76	Loesen Farms Inc.	\$ 40.00	\$ 20.00	\$ 60.00
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Original Total Assessment	\$	4,095.00
Updated Total Assessment	\$	4,155.00

**Esseltine Drain dated June 17, 2016**

Original Assessment

2 E.D.	pt. Lot 11	290-27000	1.74	Loesen Farms Inc.	0.00	\$ 3,012.00	\$ 3,012.00
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Updated Assessment

2 E.D.	pt. Lot 11	290-00113	2.50	Loesen Farms Inc.	0.00	\$ 6,312.00	\$ 6,312.00
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Original Total Assessment less Special Benefit	\$	3,954,699.00
Updated Total Assessment less Special Benefit	\$	3,957,999.00

Buy in amount:	\$	4,490.00
Buy in amount (Applying grant):	\$	2,963.00

Roll No. 290-00113  
Town of Kingsville  
December 12, 2025

As per Section 65(1) & 65(4) of the Drainage Act, we recommend that the Schedule of Assessment for maintenance purposes be apportioned as follows:

Conc.	Lot or pt. Lot	Roll No.	Hect.	Owner	Benefit	Outlet	Total
<b>Chesapeake &amp; Ohio Branch of the Fleming Wigle Drain dated May 29, 1988</b>							
Original Assessment							
2 E.D.	pt. Lot 12 & 13	3-264	14.04	County of Essex	\$ 1,148.00	\$ 1,185.00	\$ 2,333.00
2 E.D.	pt. Lot 12	3-246	9.71	Frank & Lorenzina Ricci	\$ 785.00	\$ 621.00	\$ 1,406.00
2 E.D.	pt. Lot 11 & 12	3-269	10.93	Roberto Michelutti	\$ -	\$ 590.00	\$ 590.00
2 E.D.	pt. Lot 11 & 12	3-270	11.64	John & Marie Bailey	\$ 375.00	\$ 570.00	\$ 945.00
2 E.D.	pt. Lot 11	3-233-01	2.83	Eric Zimmer	\$ -	\$ 142.00	\$ 142.00
2 E.D.	pt. Lot 11 & 12	3-242	0.20	Mary Fotheringham	\$ 70.00	\$ -	\$ 70.00
2 E.D.	pt. Lot 11 & 12		1.38	Chesapeake & Ohio Railway	\$ 152.00	\$ 527.00	\$ 679.00
			50.73		\$ 2,530.00	\$ 3,635.00	\$ 6,165.00
Updated Assessment							
2 E.D.	pt. Lot 12 & 13	290-264	14.04	County of Essex	\$ 1,148.00	\$ 1,185.00	\$ 2,333.00
2 E.D.	pt. Lot 11	290-00113	9.33	Loesen Farms Inc.	\$ -	\$ 511.00	\$ 511.00
2 E.D.	pt. Lot 11 & 12	290-26951	23.62	Bull Market Farms Inc.	\$ 1,160.00	\$ 1,294.00	\$ 2,454.00
2 E.D.	pt. Lot 11	290-23301	1.40	Loesen Farms Inc.	\$ -	\$ 77.00	\$ 77.00
2 E.D.	pt. Lot 11 & 12	290-242	0.20	Sarah & Neil Fotheringham	\$ 70.00	\$ -	\$ 70.00
2 E.D.	pt. Lot 11 & 12		1.38	Chesapeake & Ohio Railway	\$ 152.00	\$ 527.00	\$ 679.00
			49.97		\$ 2,530.00	\$ 3,594.00	\$ 6,124.00