



To: Council
From: Ross Gellately, Director of Public Works
Date of Meeting: January 27, 2021
Subject: Appoint Engineer for Improvements to the Forrester Drain

Recommendation:

That Council appoint Adam O'Connor, McIntosh Perry as engineer for re-location of a section of the Forrester Drain at 16095 County Road 36, being Part of Lot 34, Concession 5 Geographic Township of Cornwall, now Township of South Stormont.

Executive Summary:

On October 14, 2020 Council accepted a petition to re-locate a section of the Forrester Drain from the developers of the Chase Meadows subdivision.

The request is to relocate an approximate 200m section of the Forrester Drain to allow for development of the property. The red line indicates the proposed location and the yellow line is the existing drain.



Following the October 14, 2020 meeting, staff circulated notice of the petition to the prescribed agencies and the owner of the property. No communication has been received and therefore, this report seeks for Council to appoint the necessary engineer pursuant to section 8 of the *Drainage Act*.

Background:

The notice of receipt of a petition to re-locate a section of the Forrester Drain was circulated to necessary agencies and the property owner on October 27, 2020. The required 30 days has passed, and no communication has been received.

Pursuant to section 8 of the *Drainage Act*, Council shall appoint an engineer,

"Appointment of engineer

8 (1) Where the council of the initiating municipality has decided to proceed with the drainage works described in a petition, the council shall

by by-law or resolution appoint an engineer to make an examination of the area requiring drainage as described in the petition and to prepare a report which shall include,

- (a) plans, profiles and specifications of the drainage works, including a description of the area requiring drainage;
- (b) an estimate of the total cost thereof;
- (c) an assessment of the amount or proportion of the cost of the works to be assessed against every parcel of land and road for benefit, outlet liability and injuring liability;
- (d) allowances, if any, to be paid to the owners of land affected by the drainage works; and
- (e) such other matters as are provided for under this Act. R.S.O. 1990, c. D.17, s. 8 (1).”

The next steps in the process will be:

- Schedule and circulate notice of an on-site meeting to affected landowners. The on-site meeting must be at least 7 days after the date of the last mailing of the notice.
- Following the on-site meeting, the engineer will begin working on the project.

Options:

1. That Council appoint Adam O’Connor, McIntosh Perry as engineer for the re-location of a section of the Forrester Drain at 16095 County Road 36. This is the recommended option.
2. That Council appoint an alternate engineer.
3. That Council does not appoint an engineer for the Forrester Drain project.

Financial Impact:

These improvements should not have any financial cost to the Township.

Risk and Asset Management Considerations:

Not appointing an engineer for the project could impact the development of the affected property.

Others Consulted:

Director of Corporate Service/Clerk