



## **STAFF REPORT TO COUNCIL**

**Report No: PW-2021-21**

**September 27, 2021**

From: Tara Clayton, Director Public Works

RE: Mutual Drain Request – East Part of Lot 27, Concession 8 (former Township of Lochiel), in the Township of North Glengarry

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### **Recommended Motion:**

THAT the Council of the Township of North Glengarry directs staff to draft a mutual drain agreement with the owner of the East Part of Lot 27, Concession 8.

### **Background / Analysis:**

The landowner of the East Part of Lot 27, Concession 8 (the former Township of Lochiel), in the Township of North Glengarry, has requested an outlet for surface water. The land was tiled, and the water is currently being pumped along unopened road allowance before reaching an outlet in a nearby natural watercourse. Surrounding landowners have voiced concerns about potential flooding due to the increased water being outlet at this location.

Staff have investigated several options and have determined that entering into a mutual drain agreement is the most viable option. Under Section 2 of the Drainage Act, RSO, 1990, the Township can enter into a mutual drain agreement with the landowner. The Township can specify requirements for the agreement to ensure the agreement is in the best interest of both parties. The Township will stipulate the drain on the property of the Township shall be constructed as per the specifications instructed by a certified drainage engineer and these specifications shall form a part of the agreement. The Township will also require the assessment schedule to be revised as part of the agreement.

### **Alternatives:**

The alternative would be for the landowner to submit a petition for a municipal drain. The petition drain option would take significantly longer and a solution for the current drainage would be required in the interim. There would be additional costs to surrounding landowners and the landowner requesting drainage.

### **Financial Implications:**

The agreement will note that all costs will be the responsibility of the landowner seeking drainage. The Township will incur initial costs to update the engineer's report, but all costs will

be charged back to landowner. The engineer will determine the proportion for the charges to landowners.

**Attachments & Relevant Legislation:**

Location map of East part of Lot 27, Concession 8 in the former Township of Lochiel, in the Township of North Glengarry

**Others Consulted:**

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Reviewed and Approved by:  
Sarah Huskinson, CAO/Clerk