



STAFF REPORT TO COUNCIL

Report No: PW 2021-22

October 12, 2021

From: Dean McDonald, Environmental Services Manager, Drainage Superintendent

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

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. Standard practice would be to have the proponent petition for a municipal drain. This option would not be in the best interest of surrounding landowners.

All landowners have a right to drainage under the Drainage Act. Under Section 4 of the Drainage Act, the proponent could petition to extend the existing branch and create a municipal drain. A petition drain would take years to complete and could have significant cost implications for surrounding landowners. Staff have been advised by an engineer that if the proponent were to petition, there is no reason that they would not have a valid petition.

Landowners do not need Township permission to tile private property. It is up to the tile contractor to determine if there is sufficient outlet. The tile contractor tiled the southerly 25 acres of the property in question into a pit which is then pumped along unopened road allowance before reaching an outlet in a nearby natural watercourse. The Township must work with the landowner to find a solution.

Staff have been in contact with OMAFRA, various drainage superintendents, drainage staff from the City of Ottawa and a drainage engineer. The consensus has been that though a petition drain would normally be the course of action, a mutual agreement drain would be a better option in this case. The proponent approached the Township for a mutual agreement drain and the cost will be at the owner's expense, with no cost to the neighbouring landowners. The recommended option will allow the Township to be involved in the agreement and set specifications for the drain.

Alternatives:

Option 1: That Council directs staff to draft a mutual drain agreement with the owner of the East Part of Lot 27, Concession 8.

Option 2 (not recommended): That Council does not direct staff to draft a mutual drain agreement with the owner of the East Part of Lot 27, Concession 8.

Financial Implications:

The landowner requesting drainage will be responsible for paying for all work directly. The Township will not incur any costs. This will be specified in the agreement and the landowner will sign and register this agreement on title.

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:

Zoe Bougie, Public Works Specialist
Lorne Franklin, Drainage Engineer Robinson Consulting
Eric Leroux, Drainage Superintendent, Leroux Consulting
City of Ottawa Drainage Department

Reviewed and Approved by:
Sarah Huskinson, CAO/Clerk