

**Subject: Cassidy Municipal Drain – Appointment of Engineer**

**File Number: ACS2024-IWS-WL-0006**

**Report to Agriculture and Rural Affairs Committee on 4 July 2024**

**and Council 10 July 2024**

**Submitted on May 17, 2024 by Marilyn Journeaux, Director, Water Linear and Customer Services, Infrastructure and Water Services**

**Contact Person: Dave Ryan, Drainage Superintendent, Infrastructure and Water Services**

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**Ward: Osgoode (20)**

**Objet: Drain municipal Cassidy – Nomination d'un ingénieur**

**Dossier: ACS2024-IWS-WL-0006**

**Rapport au Comité de l'agriculture et des affaires rurales**

**le 4 juillet 2024**

**et au Conseil le 10 juillet 2024**

**Soumis le 17 mai 2024 par Marilyn Journeaux, directrice, Eau linéaire et services à la clientèle, Services d'infrastructure et d'eau**

**Personne ressource: Dave Ryan, directeur des installations de drainage, Services d'infrastructure et d'eau**

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**Quartier: Osgoode (20)**

## **REPORT RECOMMENDATIONS**

**That the Agriculture and Rural Affairs Committee recommend Council appoint Mr. Andy Robinson, P. Eng of Robinson Consultants Inc. as the Engineer of record to prepare a report under:**

- 1. Section 78(1) of the Drainage Act to inform Council on the current status of the Cassidy Municipal Drain and whether one or more of the projects listed**

under subsection 78(1.1) is required for the better use, maintenance or repair of the drainage works or lands or roads.

2. Section 8(1) of the Drainage Act in response to a petition received under Section 4 of the Drainage Act, as described in this report.

## RECOMMANDATIONS DU RAPPORT

Que le Comité de l'agriculture et des affaires rurales recommande au Conseil de nommer M. Andy Robinson, ing., de la firme Robinson Consultants inc., à titre d'ingénieur chargé de rédiger un rapport aux termes du :

1. paragraphe 78(1) de la Loi sur le drainage pour informer le Conseil de l'état actuel du drain municipal Cassidy et de lui indiquer si un ou plusieurs des travaux mentionnés au paragraphe 78(1.1) sont nécessaires pour améliorer l'utilisation, l'entretien ou la réparation des installations de drainage ou encore des terrains ou des routes;
2. paragraphe 8(1) de la Loi sur le drainage en réponse à une pétition reçue aux termes de l'article 4 de la Loi sur le drainage, comme il est décrit dans le présent rapport.

## BACKGROUND

Pursuant to Section 78 of the [Drainage Act](#), the Drainage Superintendent recommends that Council proceed and appoint an engineer to prepare a report under Section 78(1) of the Drainage Act to inform Council on the current status of the Cassidy Municipal Drain and whether one or more of the projects listed under Section 78(1.1) is required for the better use, maintenance or repair of the drainage works or lands or roads.

In response to the petition under Section 4 of the *Drainage Act*, the Drainage Superintendent recommends that Council proceed, under Section 5 of the *Drainage Act*, and appoint an engineer to prepare a report under Section 8(1) of the *Drainage Act* for the lands and roads located in Lots 8 to 11, Concession, Osgoode Ward.

The Cassidy Municipal Drain is located within and North of the village of Metcalfe in the former Township of Osgoode, Osgoode Ward, in Part Lots 10 to 23, Concessions 7 and 8 Osgoode, Osgoode Ward. It was first constructed in 1927 by the former Township of Osgoode under an engineer's report prepared by W. H. Magwood C. E. dated June 22, 1927 (By-law 9-1927). This report was updated by Graham, Berman and Associates Ltd. Consulting Engineers under the engineer's report, dated January 17, 1968, and revised April 24, 1968 (By-law 8-1968).

## **DISCUSSION**

Staff are recommending that Council appoint Andy Robinson, P.Eng. of Robinson Consultants Inc., as the engineer of record as he has over 40 years experience with similar *Drainage Act* projects, a specialized field of engineering in Ontario.

The Cassidy Municipal Drain is a private communal drainage system which has legal status under the *Drainage Act*. As such, any changes to the drainage works require the approval of Council based on the report of a qualified Drainage Engineer, pursuant to Section 78 of the Act.

In addition, the Office of the City Clerk, has received a request from a developer to provide legal outlet through a new branch of the existing Cassidy Municipal Drain, under the Act, for the lands and roads located in Lots 8 to 11, Concession 7, Osgoode Ward.

The *Drainage Act* prescribes the process and timelines to be followed for any modification, improvement or construction of a municipal drain and the timing of this report is directly tied to related legislative requirements.

Further to the request received, this report places the request for the appointment of a Drainage Engineer for the preparation of an engineer's report before the Agriculture and Rural Affairs Committee and Council as required under Section 5 of the *Drainage Act*.

## **RURAL IMPLICATIONS**

The existing lands and roads will benefit from this undertaking through improved drainage, storm water management, watercourse management reduced risk of flooding and the provision of a legal and sufficient outlet.

## **CONSULTATION**

Consultation with the Ward Councillor and City staff is ongoing.

## **COMMENTS BY THE WARD COUNCILLORS**

The Councillor is aware of this report.

## **LEGAL IMPLICATIONS**

There are no legal impediments to Committee and Council approval of the recommendation of this report.

## **RISK MANAGEMENT IMPLICATIONS**

There are no risk implications associated with this report.

### **ASSET MANAGEMENT IMPLICATIONS**

There are no asset management implications associated with this report.

### **FINANCIAL IMPLICATIONS**

All costs associated with the engineer's report will be initially paid by the Water, Linear and Customer Services Branch of the Infrastructure and Water Services Department but eventually recovered from the owners of land within the watershed of the municipal drain as determined by the Drainage Engineer. The estimated cost of the report is \$100,000. Funding is available in capital internal order 909216 Cassidy Municipal Drain for the cost of the engineer's report.

### **ACCESSIBILITY IMPACTS**

There are no accessibility impacts associated with this report.

### **ENVIRONMENTAL IMPLICATIONS**

Any proposed works will require compliance with City, provincial and federal policies, standards, regulations, and legislation.

### **TERM OF COUNCIL PRIORITIES**

The recommendations of this report align with the current Strategic Priority as part of the sustainable environmental services strategic priority by supporting an environmentally sustainable Ottawa.

### **SUPPORTING DOCUMENTATION**

Document 1 Location Map

### **DISPOSITION**

The Drainage Superintendent shall notify all affected landowners and the local conservation authority of the decision of Council. Once this report is approved by Council.

Document 1 – Location Map

