

Subject: Osgoode Gardens-Cedar Acres Municipal Drain – Appointment of Engineer

File Number: ACS2025-IWS-WL-0004

**Report to Agriculture and Rural Affairs Committee on 6 February 2025
and Council 12 February 2025**

Submitted on November 18, 2024 by Marilyn Journeaux, Director, Water Linear and Customer Services, Infrastructure and Water Services

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Ward: Osgoode (20)

Objet : Drain municipal Osgoode Gardens-Cedar Acres– Nomination d'un ingénieur

Dossier : ACS2025-IWS-WL-0004

Rapport au Comité de l'agriculture et des affaires rurales

le 6 février 2025

et au Conseil le 12 février 2025

Soumis le 18 novembre 2024 par Marilyn Journeaux, directrice, Services linéaires d'eau et à la clientèle, Direction générale des 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 that addresses the subsequent disconnection to the Osgoode Gardens Cedar Acres Municipal Drain, for Council's consideration prior to Council approving or disapproving the disconnection, under Subsection 65(4) of the *Drainage Act*.

RECOMMANDATIONS DU RAPPORT

Que le Comité de l'agriculture et des affaires rurales recommande au Conseil de nommer M. Andy Robinson, ingénieur chez Robinson Consultants Inc., comme ingénieur chargé de rédiger un rapport sur le débranchement ultérieur du drain municipal Osgoode Gardens Cedar Acres. Ce rapport sera soumis à l'examen du Conseil avant que les membres n'approuvent ou ne rejettent le débranchement, en vertu du paragraphe 65(4) de la *Loi sur le drainage*.

BACKGROUND

The landowner is proposing the removal of proposed development lands located in Lot 3 Concession 3, Osgoode Ward from the existing watershed of the Osgoode-Gardens-Cedar Acres Municipal Drain.

The Osgoode Gardens-Cedar Acres Municipal Drain is located in Osgoode Ward near the intersection of Stagecoach Road and Parkway Road. The drain was first constructed in 1972 and was updated in 2001.

DISCUSSION

Staff are recommending that Council appoint a qualified drainage engineer to provide Council with information on the impacts of the removal of lands from the watershed of the Osgoode Gardens-Cedar Acres Municipal Drain so Council may exercise due diligence prior to making a decision under Subsection 65(5) of the [Drainage Act](#).

In order to satisfy the requirements of Section 65(5) of the *Drainage Act* and avoid a second site visit the engineer will be asked to include an updated assessment schedule in the event that Council does approve the removal of land under Section 65(1).

Staff are recommending the appointment of 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.

In accordance with Section 65(11) of the *Drainage Act*, if Council approves the change in land use and if the assessment is for an amount greater than \$500, the owner of the land that is assessed may appeal the engineer's assessment to the Tribunal within 40 days after the City Clerk and Solicitor sends a copy of the assessment to the owner of the assessed land.

The *Drainage Act* prescribes the process and timelines to be followed for any modification or construction of a municipal drain however this timing is directly tied to the comprehensive development approval process and other related legislative requirements.

This report places the request for an engineer's report regarding the removal of land from an existing drainage works 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's 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 and eventually recovered from the owners of the subject land. The estimated cost of the report is \$25,000. Funds are available in the Municipal Drains internal order 911343 for this portion of the engineer's report. Should costs exceed the estimate of \$25,000, the authority and funding will be adjusted accordingly.

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 "A city that is green and resilient" and supports the underlying strategic objective "Improve key infrastructure through asset management".

SUPPORTING DOCUMENTATION

Document 1 – Location Map

DISPOSITION

The Drainage Superintendent shall notify all affected landowners of the decision of Council.

Document 1 – Location Map

