



PROPERTY & FIRE REPORT

To: Council

Meeting Date: September 24, 2024

Prepared by: Amy Harron
Deputy Clerk

Date Prepared: September 11, 2024

Subject: Appointment of Drainage Engineer – Campbell Drain 1976 and Bast Drain

Recommendation:

That the Council of the Township of Wellesley appoint K. Smart Associates Limited to prepare a report, in accordance with Section 8 of the Drainage Act, R.S.O. 1990 for the Section 78 request for major improvements to the Campbell Drain 1976 and Bast Drain.

Summary:

The purpose of this report is to continue the statutory process outlined under the Drainage Act, R.S.O 1990, to appoint an engineer relating to the submission of a Notice of Request for Major Drain Improvements – Campbell Drain 1976 and Bast Drain accepted at the August 27th, 2024, Council meeting.

Report:

Following the August 27th, 2024, Council meeting, in accordance with the Drainage Act, R.S.O 1990, the Deputy Clerk issued a Notice to the applicant and the local Conservation Authority (Grand River Conservation Authority).

During the 30-day period after the issuance of the Notice (August 28– September 26) the Clerk did not receive any response from the Conservation Authority. The Clerk did not receive any requests for an environmental appraisal (Drainage Act Section 6) or benefit cost statement (Drainage Act Section 7).

Council must appoint an Engineer by resolution or by-law. The appointment must be completed within sixty (60) days of the Notice being sent.

The Engineer must perform work to the best of their ability without fear of, favour to or prejudice against any person. Council can provide general instructions to the Engineer but cannot instruct the Engineer what to design.

Under Section 39 of the Drainage Act the Engineer has one (1) year to prepare and file an Engineer's Report after the appointment is made. Council may extend the time for filing the report if not completed within 1 year.

Following the appointment by Council, the appointed Engineer will set a date for an on-site meeting and the Clerk will send Notice to all owners and agencies as directed by the Engineer. The Engineer will determine if the Section 78 request meets the requirements of the Drainage Act, R.S.O 1990, and is valid for proceeding.

Township Strategic Plan:

This initiative aligns with the strategic plan Infrastructure Improvement & Management to refine and improve upon current practices via improved records keeping, asset management, assessment, and the introduction of best practices where applicable.

Financial Implications:

N/A

Other Department / Agency Comments:

N/A

Legal Considerations:

N/A

Attachment(s):

N/A

Approved By:

Senior Management Team