

**Report to  
Rapport au:**

**Agriculture and Rural Affairs Committee  
Comité de l'agriculture et des affaires rurales**

**and Council  
et au Conseil**

**March 6, 2014  
6 mars 2014**

**Submitted by  
Soumis par:**

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**Ward: RIDEAU-GOULBOURN (21)**

**File Number: ACS2014-COS-ESD-  
0005**

**SUBJECT: Hazeldean Road Municipal Drain Modifications**

**OBJET: Modifications de drainage municipales Chemin Hazeldean**

#### **REPORT RECOMMENDATIONS**

**That the Agriculture and Rural Affairs Committee recommend Council consider the attached report pertaining to a request for modifications to drainage works and appoint John van Gaal, P.Eng. of Stantec Consulting Ltd. as the Engineer of record to prepare a report in accordance with Section 78 of the *Drainage Act*.**

## RECOMMANDATIONS DU RAPPORT

**Que le Comité de l'agriculture et des affaires rurales recommande au Conseil d'examiner le rapport ci-joint portant sur une demande de modification à des travaux de drainage et de nommer les Consultants Robinson Inc. comme cabinet d'ingénieurs chargé de rédiger un rapport en vertu de l'article 78 de la *Loi sur le drainage* de l'Ontario.**

## BACKGROUND

Unauthorized modifications to the top section of the Hazeldean Road Municipal Drain require an update to the Engineer's Report and By-law under Section 78 of the *Drainage Act*. The unauthorized re-alignment of the section of municipal drain along with the filling in of the original section of drain was investigated by various regulatory agencies and the City's Drainage Superintendent. The landowner is aware of the requirement to update the Engineer's Report and By-law for the drain and has agreed to pay all associated costs. A report of an engineer, appointed by Council, is required to address these proposed modifications. The estimated cost of the report is \$15,000.

## DISCUSSION

The Hazeldean Road Municipal Drain obtained status under the *Drainage Act* under By-law No. 2011-285. A new Engineer's report is required to address modifications to the drain in the upper reaches of the watershed. Staff are recommending the appointment of John van Gaal, P.Eng. of Stantec Consulting Ltd., as the engineer of record as he has over 30 years experience with similar *Drainage Act* projects, including this drainage works, a specialized field of engineering in Ontario.

The *Drainage Act* prescribes the process and timelines that must be followed for any modification or construction of a municipal drain.

This report places the request for modifications to an existing drainage works before the Agriculture and Rural Affairs Committee and Council as required under Section 78 of the *Drainage Act*.

### **Schedule for the Hazeldean Road Municipal Drain Modifications**

Should the Agricultural and Rural Affairs Committee and Council approve the appointment of the Engineer, Stantec Consulting Ltd., the estimated schedule will be as follows:

- Council approval and appointment of Engineer – March 2014
- Preparation of report – June 2014 to December 2014
- Review of report by regulatory agencies – January/February 2015
- Submission of report and notification period - March 2015
- Consideration of report and provisional By-law by Committee and Council – Q2 of 2015
- Court of Revision at ARAC – Q2/Q3 of 2015
- Commencement of tendering and construction of drainage works, if approved – Q3/Q4 of 2015

### **RURAL IMPLICATIONS**

There are no rural implications to implementing the recommendation in this report.

### **CONSULTATION**

Consultation between the landowner, City staff and regulatory agencies is ongoing.

### **COMMENTS BY THE WARD COUNCILLOR(S)**

The Ward Councillor's office is aware of this report and the proposed drainage works.

### **LEGAL IMPLICATIONS**

There are no legal impediments to the implementation of the recommendation in this report.

### **RISK MANAGEMENT IMPLICATIONS**

There are no risk implications associated with this report.

### **FINANCIAL IMPLICATIONS**

The estimated \$15,000 cost of the new Engineer's Report are to be paid by the City of Ottawa, Surface Water Management Branch of the Environmental Services Department. Funds have been approved in capital account 902960 Municipal Drains Improvements & Construction. Initial costs will be paid by the City and recovered through assessments to benefiting landowners upon completion of the drainage works.

### **ACCESSIBILITY IMPACTS**

There are no accessibility impacts associated with this report.

**ENVIRONMENTAL IMPLICATIONS**

There are no provincially significant wetlands affected by this undertaking. Any proposed works will require compliance with City, provincial and federal policies, standards, regulations and legislation.

**TECHNOLOGY IMPLICATIONS**

There are no technology implications associated with this report.

**TERM OF COUNCIL PRIORITIES**

The proposed modifications to the Hazeldean Road Municipal Drain will fulfill the City's Strategic Plan's environment and infrastructure protection priorities.

**SUPPORTING DOCUMENTATION**

DOCUMENT 1 – Hazeldean Road Municipal Drain Location Plan

**DISPOSITION**

The Drainage Superintendent shall notify all petitioners and the local conservation authority of the decision of Council. Once approved by Council, a new capital internal order will be created specifically for this drain, and all necessary funding will be transferred into it from existing approved capital authority within the Municipal Drains Program.