

**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:**

**Steve Kanellakos, Deputy City Manager / Directeur municipal adjoint City
Operations / Operations municipales**

Contact Person

Personne ressource:

**Dixon Weir, General Manager / Directeur général Environmental Services /
Services environnementaux**

613-580-2424, x22002 Dixon.Weir@ottawa.ca

Ward: BARRHAVEN (3)

**File Number: ACS2014-COS-ESD-
0004**

SUBJECT: O'Keefe Municipal Drain Modifications

OBJET: Modifications de drainage municipales O'Keefe

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 Robinson Consulting Inc. 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 John van Gaal, ing., de Stantec Ltée, comme ingénieur chargé de rédiger un rapport aux termes de l'article 78 de la *Loi sur le drainage* de l'Ontario.

BACKGROUND

A formal request has been received at the office of the City Clerk regarding modifications to the O'Keefe Municipal Drain to accommodate proposed commercial development in the vicinity of McKenna-Casey Road and Strandherd Road, in Nepean Ward. Section 78 of the *Drainage Act*, RSO, 1990 requires that an Engineer be appointed by the Council of the Municipality whose duty it is to maintain and repair the drainage works or any part thereof to prepare a report regarding these modifications.

DISCUSSION

The O'Keefe Municipal Drain obtained status under the *Drainage Act* under By-law No. 2006-389. A new Engineer's report is required to address modifications to the drain associated with the development of lands in Lots in the lower reaches of the watershed. Staff are recommending the appointment of Andy Robinson, P.Eng. of Robinson Consultants Inc. as the engineer of record as he has over 35 years experience with similar *Drainage Act* projects, including this drainage works, a specialized field of engineering in Ontario. The estimated cost of the report is \$75,000.

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 O'Keefe Municipal Drain Modifications

Should the Agricultural and Rural Affairs Committee and Council approve the appointment of the Engineer, Robinson Consultants Inc., 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 – second quarter (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

The O'Keefe Municipal Drain provides legal outlet for some agricultural lands. The proposed modifications will not change the capacity of the drain.

CONSULTATION

The Rideau Valley Conservation Authority has been notified of the proposed drainage works pursuant to Section 78(2) of the *Drainage Act*. Consultations have taken place with the Planning and Growth Management Department and an EMP prepared. Following the appointment of the Drainage Engineer an on-site meeting will be held with affected landowners.

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 \$75,000 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 and 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. An Environmental Master Plan has been prepared and approved by Council.

TECHNOLOGY IMPLICATIONS

There are no technology implications associated with this report.

TERM OF COUNCIL PRIORITIES

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

SUPPORTING DOCUMENTATION

DOCUMENT 1 – O'Keefe 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.