

Report to/Rapport au :

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

and Council / et au Conseil

October 4, 2012

4 octobre 2012

Submitted by/Soumis par : **Steve Kanellakos, Deputy City Manager / Directeur municipal adjoint, City Operations / Opérations municipales**

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Stittsville (6)/Rideau-Goulbourn (21)/Kanata South (23) Ref N°: ACS2012-COS-ESD-0021

SUBJECT: MONAHAN CREEK MUNICIPAL DRAIN MODIFICATIONS

OBJET : MODIFCATIONS DE DRAINAGE MUNICIPAL DE MONAHAN CREEK

REPORT RECOMMENDATIONS

That the Agriculture and Rural Affairs Committee recommend that Council adopt the Engineer's Report prepared by Robinson Consultants Inc., entitled *Amendment to the Engineer's Report for the Monahan Creek Municipal Drain Modifications and Improvements* dated June 2012, for a drainage works project under Subsection 78 of the *Drainage Act* with respect to the existing drainage works known as the Monahan Creek Municipal Drain and give 1st and 2nd reading to the By-law attached as Document 2 to this report in accordance with Sections 42 and 45 of the *Drainage Act* of Ontario.

RECOMMANDATIONS DU RAPPORT

Que le Comité de l'agriculture et des questions rurales recommande au Conseil d'approuver le rapport préparé par Robinson Consultant Inc., titré *Amendment to the Engineer's Report for the Monahan Creek Municipal Drain Modifications and Improvements*, daté juin 2012 pour des travaux de drainage de Monahan Creek conformément à l'article 78 de la *Loi sur le drainage* de l'Ontario au sujet du drain municipale existante nommé Monahan Creek et de donner 1^{ier} et 2ieme lecture au règlement municipal provisoire attacher comme document 2 a ce rapport concernant une demande de modifications sous les articles 42 et 45 de la *Loi sur le drainage* de l'Ontario.

BACKGROUND

The Monahan Creek Municipal Drain is located in Rideau-Goulbourn, Kanata South and Stittsville Wards, in the vicinity of the intersection of Fernbank Road and Eagleson Road. The drain commences at the upstream end of the culvert under Eagleson Road and flows southeasterly to Lot 19 Concession V where it outlets to Monahan Creek and eventually to the Jock River, as shown on the site plan contained in *Document 1*. The drain was originally initiated by the former Township of Goulbourn to provide improved outlet for upstream lands west of Eagleson Road, and was constructed under a report by Graham, Berman and Associates Ltd., dated 25 November 1968, in accordance with By-law No. 19-1969 of the former Township of Goulbourn.

The City of Ottawa initiated the amendment to the current Engineer's Reports under Section 78 of the Drainage Act, RSO 1990, for modifications and improvements to the existing Monahan Creek Municipal Drain to address the development of lands within the drainage area. The *Drainage Act* requires that an Engineer's Report be prepared for any modifications to a municipal drain, and that the assessment to benefiting landowners and road authorities for future maintenance be revised.

The drainage system modifications to Branch B of the Monahan Creek Municipal Drain involves improvement, realignment and naturalization of 659 metres of municipal drain from Station 1+365 upstream side of the Terry Fox Drive box culvert to the downstream end of the proposed culvert under Tapadero Road, Station 2+024.

DISCUSSION

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 Engineer's Report and provisional by-law 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

Should the Agriculture and Rural Affairs Committee and Council approve the Engineer's Report, prepared by Robinson Consultants Inc., and give 1st and 2nd reading to the provisional by-law attached, the estimated schedule will be as follows:

- Consideration of engineer's report by Committee and Council and 1st and 2nd reading of the provisional By-law – Oct. 2012
- Court of Revision at ARAC – Dec. 2012
- Council approval of Court of Revision recommendations and 3rd and final reading of the By-law – Dec. 2012
- Construction of drainage works, if approved – Summer/Fall 2013

RURAL IMPLICATIONS

There are no rural implications related to this report.

CONSULTATION

As part of the development planning process, consultation between the developer, their representatives, City staff and regulatory agencies is ongoing.

COMMENTS BY THE WARD COUNCILLOR(S)

The Councillors for Wards 6, 21 and 23 are aware of this report and the proposed drainage works.

LEGAL IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

There are no risk implications.

FINANCIAL IMPLICATIONS

This report has no tax or budget implications.

Costs associated with the preparation of the Engineer's Report have been paid for from Internal Order 906194 and will be subsequently recovered through assessments to the owners/developers of the lands identified in the Engineer's Report dated June 2012 pursuant to the *Drainage Act* and associated By-law. All other costs associated with this drainage works are to be paid directly by the landowner/developer. Funds in Internal Order 906194 are available in the 2012 Approved Rate Supported Capital budget.

ACCESSIBILITY IMPACTS

There is no accessibility impact related to this report.

ENVIRONMENTAL IMPLICATIONS

The modifications to Branch B of the Monahan Creek Municipal Drain are associated with a site plan application. There are no provincially significant wetlands affected by this undertaking. The Engineer's Report provides that the drain will be constructed incorporating design standards and erosion control features to minimize the impacts of construction, as well as incorporating stream enhancements. Any proposed works will require compliance with City, Provincial and Federal policies, standards, regulations and legislation.

TECHNOLOGY IMPLICATIONS

There are no technology implications related to this report.

TERM OF COUNCIL PRIORITIES

The enhancement and protection of a natural system and the improvement of surface water management supports the 2010-2014 Term of Council Priorities.

SUPPORTING DOCUMENTATION

DOCUMENT 1 – Location Plan

DOCUMENT 2 – Provisional By-law

DISPOSITION

Upon approval by Council, the Drainage Clerk will notify all affected landowners of the date of the Court of Revision.

