

BY-LAW NO. 2019 -

A By-law of the City of Ottawa to provide for amendments to the existing Van Gaal Municipal Drain in Lots 22 and 23, Concession IV, Rideau-Goulbourn Ward, former Township of Goulbourn in the City of Ottawa.

WHEREAS, Andy Robinson, P. Eng. of Robinson Consultants Inc. (the "Drainage Engineer"), was appointed on September 13, 2013 by the Council of the City of Ottawa in accordance with the provisions of Section 78 of the *Drainage Act*, R.S.O. 1990, c. D.17 (the "*Drainage Act*") to prepare an engineer's report to accommodate the change in land use in Block N (N1 through N5) on Dwg. No. 13056-A4 located in part of Lot 22, Con. IV Rideau-Goulbourn Ward, former Township of Goulbourn in the City of Ottawa;

AND WHEREAS the Drainage Engineer has prepared an engineer's report entitled Amendment to the Engineer's Report for the Van Gaal Municipal Drain, dated January 2019 (the "Engineer's Report") and the report is attached hereto as Schedule "A";

AND WHEREAS the Van Gaal Municipal Drain, Main Drain upon enactment and passage of this by-law and shall be maintained in accordance with the Engineer's Report and provisions of the *Drainage Act*;

AND WHEREAS the West Main Drain of the Van Gaal Municipal Drain is hereby abandoned between Station 1+754 and Station 1+935 and, pursuant to Subsection 84(5) of the *Drainage Act*, the City of Ottawa has no further obligation with respect thereto.

AND WHEREAS in accordance with the Engineer's Report the entire costs of the required drainage work shall be borne by the owners of the property requesting the modifications being the owner/developer of lands identified as Block N1 and Block N3 on Dwg. No. 13056-A4 as described in Sections 2.0, 6.4 and 6.5.1 of the Engineer's Report;

AND WHEREAS Richmond Village Development Corporation is the owner of Block N1 and Block N3 as described in Sections 2.0, 6.4 and 6.5.1 of the Engineer's Report;

AND WHEREAS Council of the City of Ottawa has considered the Engineer's Report in accordance with Section 42 of the Drainage Act, has made the decision to adopt the Engineer's Report and is therefore giving this by-law 1st and 2nd reading so that it is provisionally adopted under Section 45 of the *Drainage Act*;

THEREFORE the Council of the City of Ottawa enacts as follows:

1. The report entitled Amendment to the Engineer's Report for the Van Gaal Municipal Drain, dated January 2019, attached hereto as Schedule "A", is hereby adopted and the drainage works as therein indicated and set forth is hereby authorized and shall be completed in accordance therewith.
2. The cost of future maintenance of the drainage works will continue to be in accordance with Schedule "A" Summary for the future maintenance of section(s) of the Van Gaal Municipal Drain, Amendment to the Engineer's Report for the Van Gaal Municipal Drain, dated January 2019 by Robinson Consultants Inc.
3. This by-law comes into force on the passing thereof and may be cited as the "Van Gaal Municipal Drain By-law, 2019".

ENACTED AND PASSED this XXth day of XXX, 2019

CITY CLERK

MAYOR

SCHEDULE "A"

See copy of Amendment to the Engineer's Report for the Van Gaal Municipal Drain, dated January 2019.

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1st Reading.....April 10, 2019

2nd Reading.....April 10, 2019

3rd Reading.....XXX XX, 2019

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Enacted and passed this XXth day of XXX, 2019.

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LEGAL SERVICES

CLC/ File G04-01 OKEE

COUNCIL AUTHORITY:

The Drainage Act, sections 42, 45, 58, 63, 74 and 78

City Council March 26, 2014

Revised Bulk Consent Agenda Item B (ARAC Report No. 39)