



**Agriculture and Rural Affairs Committee**

**Minutes 3**

**Thursday, 4 April 2019**

**10h**

**The Chamber, Ben Franklin Place, 101 Centrepointe**

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- Notes:*
- 1. Please note that these Minutes are to be considered DRAFT until confirmed by the Committee.*
  - 2. Underlining indicates a new or amended recommendation approved by Committee.*
  - 3. Except where otherwise indicated, reports requiring Council consideration will be presented to Council on April 10, 2019 in Agriculture and Rural Affairs Committee Report 3.*
  - 4. Please note that live audiocasts are not available for Committee meetings held in locations other than City Hall (110 Laurier Avenue west). Subject to availability, a recorded audiocast will be published to the City's website after such meetings.*

**Present:**                   **Chair: Councillor E. El-Chantiry**  
                                  **Vice-Chair: Councillor G. Gower**  
                                  **Councillors: G. Darouze, S. Moffatt, C. A. Meehan**

**DECLARATIONS OF INTEREST**

No declarations of interest were filed

## CONFIRMATION OF MINUTES

Minutes 2 - Meeting of March 7, 2019 of the Agriculture and Rural Affairs Committee

Confirmed

## PUBLIC WORKS AND ENVIRONMENTAL SERVICES DEPARTMENT

### PARKS, FORESTRY AND STORMWATER SERVICES

1. AMENDMENT TO THE ENGINEER'S REPORT FOR THE VAN GAAL MUNICIPAL DRAIN

ACS2019-PWE-GEN-0004

RIDEAU-GOULBOURN (21)

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#### Report Recommendation

**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 Van Gaal Municipal Drain dated January 2019 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.**

The following individuals were present to provide comment and respond to questions:

- Dave Ryan, Program Lead, Municipal Drainage, Public Work and Environmental Services Department
- Andy Robinson, P.Eng of Robinson Consultants Inc., engineer of record
- Christine Enta, Legal Counsel, Planning, Development, and Real Estate Law, Office of the City Clerk and Solicitor

- Samantha Montreuil, Associate Legal Counsel, Corporate and Commercial Law, Office of the City Clerk and Solicitor

The Committee heard from six delegations:

- Daniel Loach opposed proposed modifications to the Van Gaal Municipal Drain for the following reasons:
  - The drain is on his property and modification will result in the creation of a stormwater retention pond on his land, as a result he would lose land on the east side of the municipal drain, plus a large swath of land on the west side of his property.
  - Lack of agreement between him and the developer, he has not consented to proposal.
  - Inadequate monetary compensation for loss of land
  - Modifications pose a risk to his freshwater well at the front of his property.
  - Loss of 14 mature trees that provide a buffer between the street and his property.
  - Expressed concern regarding safety, the proposal would result in a 12-foot deep pool of water close to his barn. Worried about liability if someone falls into the stormwater retention pond.
  - Concerned regarding the lack of the public's involvement in the process, the Rideau Valley Conservation Authority was not aware of the modifications.
- Doug Featherstone opposed the proposed modification to the Van Gaal Municipal Drain for the following reasons:
  - Part of the drainage work would occur on his property, concerned about loss of land, the work may damage his tiles, worried about maintenance of the drain, and particularly concerned about the growth of noxious weeds in the altered landscape.
  - Concerned about altering the drainage and the impacts to his land,

worried that changes will result in a loss of flow and outlets resulting in his land flooding.

- Modifications to the drain may attract people to the area to walk their dog, cycle, go out of their recreational vehicles and snowmobiles. Concerned about keeping the public off his land and worried trespassers may damage his crops.
- Inadequate monetary compensation for loss of land
- David Anderson opposed proposed modifications to the Van Gaal Municipal Drain because of the future costs of the drain, which he would have to pay as a property owner and because he disagreed with the drainage boundaries.
- Catherine McLellan opposed the proposed modification because of concerns the changes would impact drainage on her land, particularly the impact to the 100 acre conservation wetland on her property, which is a sanctuary for wild birds, cranes, white goose, and ducks.
- Chris Tutecky, resident of Richmond, asked why neighboring properties are being asked to help pay for draining on private property? Questioned why property owners expect neighbours to pay for part of modification when the changes have the potential to put other people's properties at risk to hold stormwater.
- Mr. Webber<sup>1</sup> stressed what was before the committee, an application under Section 78 at a *Drainage Act* to improve a municipal drain.

Modifications are sought because one of the impediments to development of lands, designated for residential development within the Village of Richmond, are that lands are within the 100-year floodplain established by the conservation authority. The re-channelization will shrink the floodplain, which will be realigned with the channel of the drain, as result all the development lands can be developed.

Explained that the west main drain is to be abandoned and the Van Gaal municipal drain is to be located on the property boundary running north and south. As a result land is freed up for development and the drain is

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<sup>1</sup> Written submission provided; a copy is held on file with the City Clerk

kept within the drainage basin and its current location, with some modifications.

In addition to the submission previously noted, Agriculture and Rural Affairs Committee received the following correspondence from March 25, the date the report was published, and the time it was considered on April 4, a copy of which is held on file.

- Letter dated March 26, 2019 from Joshua Moon, Lawyer on behalf of Daniel Loach
- Email letter from Lynda Makinson

Following the delegations, the engineer on record responded to member's questions, listed below:

- How the assessment schedule works and the impacts of the modifications to the schedule?

Included in the report was an assessment schedule for future maintenance. The developer will pay the full cost of the modifications at this time. There will be no cost associated with the other property owners. Further, a significant portion of the future cost for maintenance is charged to the development lands, as a result the amount charged to the other property owners would decrease. Today, if maintenance work was done on the drain, everybody within the watershed would be assessed a portion of the cost, that is the standard municipal *Drainage Act* requirement.

- What was the process? What were the milestone steps and how was the public notified?

Section four of the Drainage Act outlines the approach that must be used for a brand new drain. For an existing drain, if improvements are required, the process is outline in section 78. Council must initiate process and generally it is done at the request of property owners. Both section four and 78, require an on site information meeting. All of the property owners within the watershed are notified. The only other meeting requirement is the meeting to consider, which is today.

In this case the developer has done the engineering on the project. The

stormwater management part was reviewed by the Rideau Valley Conservation Authority, the city's development approvals, and the Ministry of Environment. All of these approvals are left in the hands of the developer.

Robinson Consultants Inc. took the work that had been done by others, and incorporated it under the requirements of the *Drainage Act*. Robinson Consultants Inc. reviewed the background information and the hydrology and has worked to get a drain that satisfies environmental concerns, such as having more trees, more meanders and other fish related issues. While making sure that the drain can be maintained at a reasonable cost in the future.

Robinson Consultants Inc. was assured that all the affected landowners had been contacted and there were agreements in place. Until they were contacted by Mr. Loach, they were not aware that there was not an agreement in place nor an understanding of what was going to happen.

- Is it possible to address the concerns of affected landowners regarding loss of property? Yes, the proposed works could be modified to minimize the work on some of the affected properties, specifically the volume of storage; however, the storage would need to be accommodated elsewhere.
- Is this the proper way to do development, to have an engineer's report? Yes, for an existing drainage works, which has status under the provincial legislation, if there is a development or a major land-use change within that watershed, it triggers an update to the engineer's report to ensure that that land pays its fair share of the drain and for the improvements required to the drain.

The Ward Councillor, Councillor S. Moffatt, introduced a motion requesting the item be deferred to the next Agriculture and Rural Affairs Committee meeting so he could meet with the developer and affected landowners to discuss the challenges, misconceptions, communication problems, and a possible agreement on how to move forward.

**Motion N° ARAC 2019 3/1**

Moved by Councillor S. Moffatt

**BE IT RESOLVED that this report be deferred to the next Agriculture and Rural Affairs Committee meeting of May 2, 2019**

DEFERRAL CARRIED

2. AMENDMENTS TO THE ENGINEER'S REPORT O'KEEFE MUNICIPAL DRAIN BLOCK C, STATION 0+000 TO 0+234

ACS2019-PWE-GEN-0005

BARRHAVEN (3)

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**Report Recommendation**

**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 O'Keefe Municipal Drain Block C, Stations 0+000 to 0+234 dated November 2018 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.**

CARRIED

**PLANNING, INFRASTRUCTURE AND ECONOMIC DEVELOPMENT**

**PLANNING SERVICES**

3. PLANNING, INFRASTRUCTURE AND ECONOMIC DEVELOPMENT  
DEPARTMENT 2019 WORK PLAN

ACS2019-PIE-GEN-0002

CITY WIDE

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## **Report Recommendation**

### **That Agriculture and Rural Affairs Committee**

- 1. receive Part 3 of this report – 2019 PIED Work Plan for Agriculture and Rural Affairs Committee – for information.**
- 2. receive Part 7 of this report – 2019 PIED Infrastructure Work Plan – for information.**

John Smit, Director, Economic Development and Long Range Planning, provided a PowerPoint presentation, a copy of which is held on file.

Following the presentation, staff responded to member's questions listed below:

- Will developers be involved in stakeholder meetings? Yes.
- What can be done to keep money in the villages such as Carp? Ottawa Tourism is involved and developing rural tourism. A consultant has just been hired for this venture.
- Business Improvement Areas (BIA's) should be encouraged and created for rural villages. All agreed.

The Agriculture and Rural Affairs Committee RECEIVED the report recommendations as presented.

## **ECONOMIC DEVELOPMENT AND LONG RANGE PLANNING**

- 4. SETTLEMENT OF APPEALS TO OFFICIAL PLAN AMENDMENT 150  
NATURAL HERITAGE SYSTEM SCHEDULES**



### **Report Recommendation**

**That the Agriculture and Rural Affairs Committee Recommend that Council endorse the proposed agreements with the appellants of the amendments made to Natural Heritage System Schedules L1, L2, and L3 in OPA 150, as approved by Council on 26 November 2013 as described in this report, including approval of Document 1 (a new Annex 16 to the Official Plan).**

CARRIED

### **INFORMATION PREVIOUSLY DISTRIBUTED**

**A 2018 GRANTS: RURAL ASSOCIATION PARTNERSHIP PROGRAM AND RURAL COMMUNITY-BUILDING GRANTS PROGRAM**

ACS2019-PIE-EDP-0015

WEST CARLETON-MARCH (5),  
CUMBERLAND (19) OSGOODE (20),  
RIDEAU GOULBOURN (21)

### **OPEN MIC SESSION**

1. Nicole McKerracher, Executive Director, Osgoode Youth Association, regarding the Rural Ottawa Youth Mental Health Collective
2. Jane Wilson, Chair, and Michael Baggott of Ottawa Wind Concerns, regarding proposed amendments to Ontario regulations for industrial scale wind turbines and the role of municipalities.

ADJOURNMENT

The meeting was adjourned at 11:50 am

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**Committee Coordinator**

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**Chair**

DRAFT