

**Report to
Rapport au:**

**Agriculture and Rural Affairs Committee
Comité de l'agriculture et des affaires rurales
3 September 2020 / 3 septembre 2020**

**and Council
et au Conseil
9 September 2020 / 9 septembre 2020**

**Submitted on March 3, 2020
Soumis le 3 mars 2020**

**Submitted by
Soumis par:
Luc Gagne, Director, Parks, Forestry & Stormwater Services / Director, Services
des parcs, de la foresterie et des eaux pluviales**

**Contact Person
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Ward: CUMBERLAND (19)

File Number: ACS2020-PWE-PFS-0005

SUBJECT: Engineer's Report Branch No. 4 Wilson-Johnston Municipal Drain

OBJET: Rapport de l'ingénieur pour la conduite 4 du drain municipal Wilson-Johnston

REPORT RECOMMENDATIONS

That the Agriculture and Rural Affairs Committee recommend that Council adopt the Engineer's Report prepared by Robinson Consultants Inc., entitled Engineer's Report Branch No. 4 Wilson-Johnston Municipal Drain dated February 2020 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 affaires rurales recommande au Conseil d'adopter le rapport d'ingénieur produit par Robinson Consultants Inc., intitulé *Engineer's Report Branch No 4 Wilson-Johnston Municipal Drain* (Rapport de l'ingénieur pour la conduite 4 du drain municipal Wilson-Johnston), en date de février 2020, et présente en première et deuxième lectures le règlement joint au présent rapport en tant que document 2, conformément aux articles 42 et 45 de la Loi sur le drainage de l'Ontario.

BACKGROUND

On September 12, 2018 the Council of the City of Ottawa appointed Andy Robinson, P.Eng. of Robinson Consultants Inc., as the Engineer of record to prepare a report under Section 4 of the *Drainage Act* in response to a petition to extend the drain to the limit of the development area.

The purpose of this report is to establish a new branch to the existing Engineer's Report and to accommodate the change in land use from rural/agricultural to commercial/industrial development for the lands identified as Block E on Dwg No. 18004-A3.

To address the land use changes, an amendment to establish a new branch is required to the existing Engineer's Report, entitled "Wilson-Johnston Drainage Scheme" dated April 1977 and revised November 1977 prepared by McNeely Engineering Limited. The McNeely report was adopted by By-law 2229 of the Township of Cumberland. The amendments in this current report include construction of a new branch to extend the drain to the limit of the proposed development lands. All sections of the Wilson-Johnston Municipal Drain covered by the April/November 1977 report that are not altered by this report and accompanying by-law will continue to be governed by the 1977 report. The required amendments for the new branch are detailed in the Engineer's Report entitled *Engineer's Report Branch No. 4 Wilson-Johnston Municipal Drain* dated February 2020 prepared by Robinson Consultants Inc. (the said report shall hereinafter be referred to as the "Engineer's Report dated February 2020).

Pursuant to Section 9 of the Drainage Act, the on-site meeting was held on June 18, 2018. All affected landowners were notified of the meeting.

DISCUSSION

The Wilson- Johnston Municipal Drain is located in Cumberland Ward South of Highway 417. This watercourse was originally known as the Johnston Award Drain which was first constructed in 1907 by the former Township of Cumberland. This Award Drain was updated under the Drainage Act in 1965, the Frank Johnston Municipal Drain engineer's report dated April 26, 1965 prepared by Stidwill and Associates Limited. The name of the watercourse was changed a third time to the Wilson-Johnston Municipal Drain under an engineer's report dated April 30, 1977 revised November 1, 1977 prepared by McNeely Engineering Ltd. and By-law No.2229. The Wilson-Johnston Municipal Drain provides outlet to both the Regimbald and Simpson Municipal Drains.

Branch No. 4 of the Wilson-Johnston Municipal Drain will be added to the extension Wilson-Johnston Municipal Drain and will outlet into Branch No. 2 of the Wilson-Johnston Municipal Drain. Branch No. 4 of the Wilson-Johnston Municipal Drain will provide legal and sufficient outlet for the proposed new commercial/industrial development for the lands identified as Block E on Dwg. No. 18004-A3.

Initial costs for the Engineers Report have been paid for by the City of Ottawa Parks, Forestry and Stormwater Services Branch of the Public Works and Environmental Services Department from capital internal order 909196. All estimated costs of \$138,446 plus applicable taxes associated with this Engineer's Report, allowances, other costs or initial construction will be recovered through assessments to the property owners of the lands in Block E. An injuring liability assessment will be initially made against the lands in Block E as compensation related to the increase in volume of runoff that will impact the Bear River Municipal Drain. The funds collected for injuring liability will be held in a special maintenance account by the City of Ottawa for future maintenance, which shall be governed by the existing Engineer's Report titled Engineer's Report Bear River Municipal Drain Maintenance and Improvements dated August 1990 prepared by McNeely Engineering Limited. Future maintenance costs for Branch No. 4 Wilson-Johnston Municipal Drain will be assessed as per assessment schedule "A1" for the future maintenance of Branch No. 4 Wilson-Johnston Municipal Drain in the Engineer's Report dated February 2020.

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 amendment to an existing drainage works before the Agriculture and Rural Affairs Committee and Council as required under Section 4 of the *Drainage Act*.

Should the Agricultural and Rural Affairs Committee and Council adopt the Engineer's Report dated February 2020 and give 1st and 2nd reading to the provisional By-law, the process will continue as set out by the Drainage Act R.S.O. 1990.

RURAL IMPLICATIONS

The proposed rural development will benefit from this undertaking through the provision of legal and sufficient outlet, improved drainage and reduced risk of flooding.

CONSULTATION

As part of the development planning process consultation between the developer, their representatives, City approvals and drainage staff, the Council-appointed Drainage Engineer and regulatory agencies is ongoing. The required on-site meeting with the affected landowners was held on June 18, 2018.

COMMENTS BY THE WARD COUNCILLOR(S)

The Councillor for Cumberland Ward is aware of this report and the proposed drainage works.

LEGAL IMPLICATIONS

There are no legal impediments to Committee and Council's approval of the recommendation of this report.

RISK MANAGEMENT IMPLICATIONS

There are no risk implications associated with this report.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report. All estimated construction and other costs of \$138,446 plus applicable taxes as per the Engineer's Report will be paid by the City from Capital Internal Order 909196 and will be fully recovered through assessments to the property owners of the lands in Block E. Sufficient funding exists in the 2020 Approved Rate Funded Capital Budget – Municipal Drains Program. Future maintenance costs for Branch No. 4 Wilson-Johnston Municipal Drain will be assessed to the benefiting landowners as per assessment schedule "A1" for the future maintenance of Branch No. 4 Wilson-Johnston Municipal Drain in the Engineer's Report dated February 2020. The City's share of these annual maintenance costs is approximately \$5,000 and will be absorbed within current approved operating budget envelopes.

ACCESSIBILITY IMPACTS

There are no accessibility impacts associated with this report.

ENVIRONMENTAL IMPLICATIONS

The modifications to Branch No. 4 Wilson-Johnston Municipal Drain are associated with final approval of the development. Any proposed works will require compliance with City, provincial and federal policies, standards, regulations and legislation.

TERM OF COUNCIL PRIORITIES

The recommendations of this report align with the current Strategic Priority as part of the sustainable environmental services strategic priority by supporting an environmentally sustainable Ottawa.

SUPPORTING DOCUMENTATION

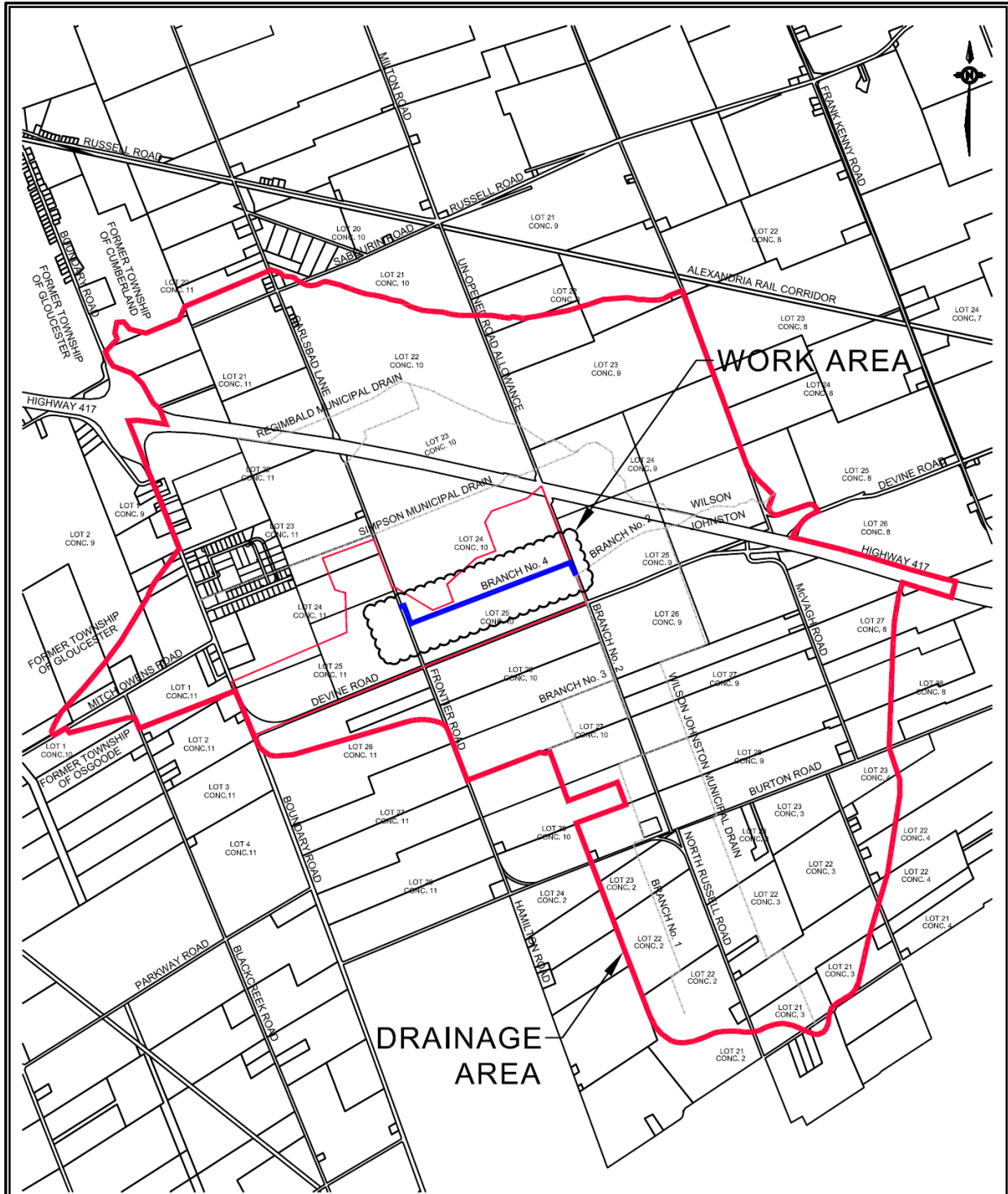
DOCUMENT 1 – Location Plan

DOCUMENT 2 – Provisional By-law

DISPOSITION

Upon approval by Council, the Office of the Drainage Superintendent will notify all affected landowners of the date of the 1st sitting of the Court of Revision as required under Section 46 of the Drainage Act R.S.O. 1990.

Document 1



	Title		Fig. No.
	LOCATION PLAN		3.1
	Project		Job No.
	BRANCH No. 4 WILSON-JOHNSTON MUNICIPAL DRAIN		18004
Scale		Date	
NTS		JUNE 2019	