

**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  
Personne ressource:  
Dave Ryan, Drainage Superintendent  
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**Ward: CUMBERLAND (19)**

**File Number: ACS2020-PWE-PFS-0003**

**SUBJECT: Amendment to the Engineer's Report for the Regimbald Municipal  
Drain**

**OBJET: Modification au rapport de l'ingénieur pour le drain municipal  
Regimbald**

#### **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 Regimbald 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 *Amendment to the Engineer's Report for the Regimbald Municipal Drain (Modification au rapport de l'ingénieur pour le drain municipal Regimbald)*, 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 December 13, 2017 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 78 of the *Drainage Act* to address changes within the watershed of the Regimbald Municipal Drain.

The purpose of this report is to accommodate the change in land use from rural/agricultural to urban development for the lands identified as Block A and Block B on Dwg No. 18002-A3.

To address the land use changes, the amendments include modifications to portions of the main drain and the branch drain referred to at Branch No. 1, amendments are required to the existing Engineers Report, entitled Engineer's Report Regimbald Drain dated September 4, 1960 and prepared by L. A. Doxsee, O.L.S. The required amendments are detailed in the Engineer's Report entitled Amendment to the Engineer's Report for the Regimbald 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 Mrs. J. Regimbald Award Drain was first constructed in 1924 by the former Township of Cumberland. This Award Drain was updated under the Drainage Act in 1960, the

Regimbald Municipal Drain engineer's report dated September 4, 1960 prepared by L.A. Doxsee O.L.S. and By-law No.1417. The Regimbald Municipal Drain is located in Cumberland Ward east of the Boundary Road exit from Highway 417. The Regimbald Municipal Drain outlets into the Simpson Municipal Drain in Lot 24, Concession 9 Cumberland Ward, former Cumberland.

Initial costs for the amended 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 909184. All estimated costs of \$540,720 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 A and Block B. An injuring liability assessment will be initially made against the lands in Block A and Block B 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 the Regimbald Municipal Drain will be assessed as per assessment schedule "A2" Summary for the future maintenance of all sections of the Regimbald 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 78 of the *Drainage Act*.

Should the Agricultural and Rural Affairs Committee and Council adopt the Engineer's Report dated February 2020 and give 1<sup>st</sup> and 2<sup>nd</sup> 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 \$540,720 plus applicable taxes as per the Engineer's Report will be paid for by the City from Capital Internal Order 909184 and will be fully recovered through assessments to the property owners of the lands in Block A and Block B. Sufficient funding exists in the 2020 Approved Rate Funded Capital Budget – Municipal Drains Program. Future maintenance costs for the Regimbald Municipal Drain will be assessed to the benefiting landowners as per assessment schedule "A2" Summary for the future maintenance of all sections of the Regimbald 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 the Regimbald 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**

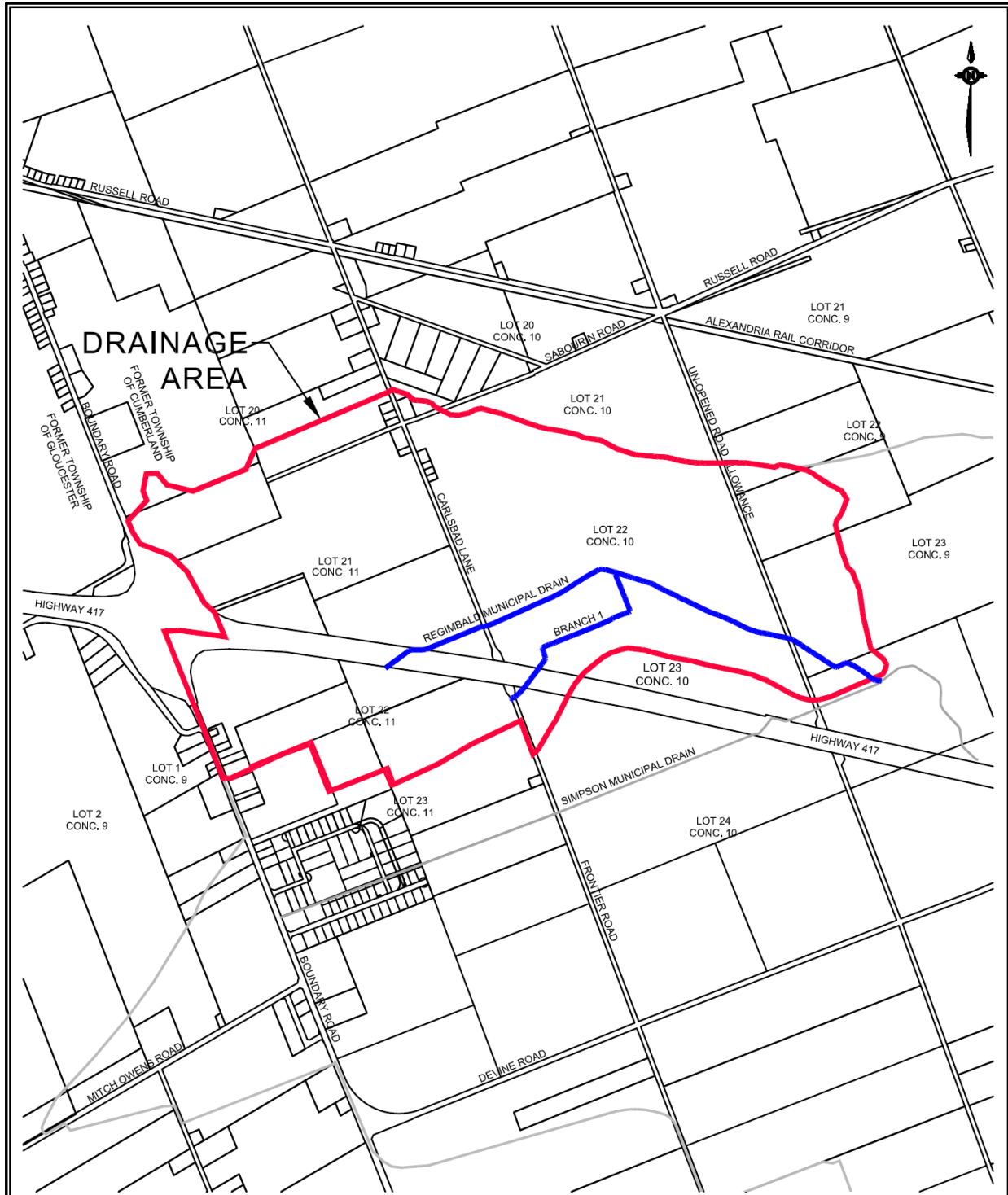
DOCUMENT 1 – Location Plan

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



<b>Robinson</b> Consultants	Title <b>LOCATION PLAN</b>		Fig. No. <b>3.1</b>
	Project REGIMBALD MUNICIPAL DRAIN		Job No. 18002
	Scale NTS	Date JUNE 2019	