

**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) and
OSGOODE (20)**

File Number: ACS2020-PWE-PFS-0004

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

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

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 Simpson 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 Simpson Municipal Drain (Modification au rapport de l'ingénieur pour le drain municipal Simpson), 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 Simpson Municipal Drain.

The purpose of this report is to accommodate the change in land use from rural/agricultural to commercial/industrial for the lands identified as Block C on Dwg No. 18003-A3.

To address the land use changes, the amendments are required to the profile and cross section in the existing Engineer's Report, entitled "Simpson Municipal Drain" dated February 1964 prepared by Stidwill & Associates Ltd and the plan and assessment schedules in the "Engineer's Report Maintenance Simpson Municipal Drain" dated March 1986 prepared by McNeely Engineering Ltd. The required amendments are detailed in the Engineer's Report entitled Amendment to the Engineer's Report for the Simpson 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 Simpson Municipal Drain was first constructed in 1907 by the former Township of Cumberland. The Simpson Municipal Drain was updated multiple times over the years with the most recent being the engineer's report dated March 26, 1986 prepared by McNeely Engineering Limited and By-law No.49-86. The Simpson Municipal Drain is located in Cumberland Ward east of the Boundary Road exit from Highway 417. The Simpson Municipal Drain outlets into the Wilson-Johnston Municipal Drain, Main Drain in Lot 25, 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 909195. All estimated costs of \$366,502 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, Block B and Block C. An injuring liability assessment will be initially made against the lands in Block C 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 Simpson Municipal Drain will be assessed as per assessment schedule "A2" Summary for the future maintenance of all sections of the Simpson 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 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 \$366,502 plus applicable taxes as per the Engineer's Report will be paid by the City from Capital Internal Order 909195 and will be fully recovered through assessments to the property owners of the lands in Block A, Block B and Block C. Sufficient funding exists in the 2020 Approved Rate Funded Capital Budget – Municipal Drains Program. Future maintenance costs for the Simpson Municipal Drain will be assessed as per assessment schedule "A2" Summary for the future maintenance of all sections of the Simpson 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 Simpson 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

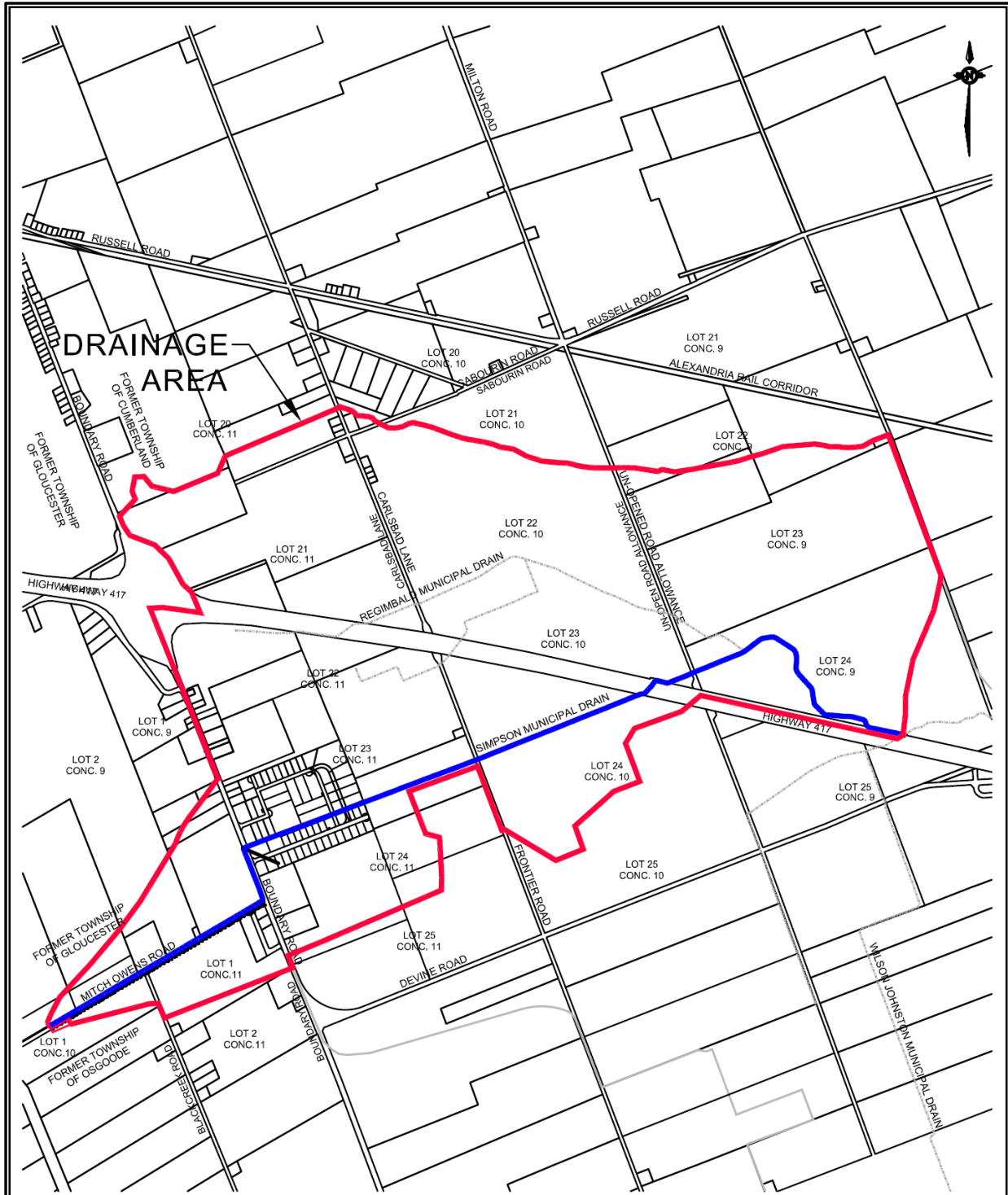
DOCUMENT 1 – Location Plan

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



Robinson
Consultants

Title		LOCATION PLAN		Fig. No.
				3.1
Project		SIMPSON MUNICIPAL DRAIN		Job No.
				18003
		Scale	Date	
		NTS	JUNE 2019	