

Subject: Faulkner Municipal Drain – Appointment of Engineer

File Number: ACS2024-IWS-WL-0009

Report to Agriculture and Rural Affairs Committee on 3 October 2024

and Council 9 October 2024

Submitted on August 14, 2024 by Marilyn Journeaux, Director, Water Linear and Customer Services, Infrastructure and Water Services

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Ward: Rideau-Jock (21)

Objet : Drain municipal Faulkner – Nomination d'un ingénieur

Dossier : ACS2024-IWS-WL-0009

Rapport au Comité de l'agriculture et des affaires rurales

le 3 octobre 2024

et au Conseil le 9 octobre 2024

Soumis le 14 août 2024 par Marilyn Journeaux, directrice, Services linéaires d'eau et à la clientèle, Direction générale des services d'infrastructure et d'eau

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Quartier : Rideau-Jock (21)

REPORT RECOMMENDATIONS

That the Agriculture and Rural Affairs Committee recommend Council appoint Mr. Andy Robinson, P. Eng. of Robinson Consultants Inc. as the Engineer of record to prepare a report that addresses the change in land use within the Faulkner Municipal Drain, including whether the Faulkner Municipal Drain downstream has the existing capacity to accommodate the additional volume and rate of water, for

Council's consideration prior to Council making a decision under Subsection 65(1) of the *Drainage Act*.

RECOMMANDATIONS DU RAPPORT

Que le Comité de l'agriculture et des affaires rurales recommande au Conseil de nommer M. Andy Robinson, ing., de la firme Robinson Consultants Inc., comme ingénieur chargé de rédiger un rapport qui présente la modification de l'utilisation du sol pour le drain municipal Faulkner, et qui indique si la partie en aval du drain municipal Faulkner peut actuellement absorber le volume et le débit d'eau supplémentaires. Ce rapport sera soumis à l'examen du Conseil avant que les membres ne prennent une décision, en vertu du paragraphe 65(1) de la *Loi sur le drainage*.

BACKGROUND

The subject property is within the existing watershed of the Faulkner Municipal Drain and is proposing a change in land use within Lots 24 and 25, Concession 9 Rideau-Jock Ward. The change in the land use may have an impact on surface, subsurface and storm water flows from the existing parcel of land.

The Faulkner Municipal Drain is located in Rideau-Jock Ward, to the South-West of Stittsville. The date of the original construction of the Faulkner Municipal Drain is unknown but the drain was improved under an engineer's report dated 1975 and further improved in 2020 under a subsequent engineer's report.

DISCUSSION

Staff are recommending that Council appoint a qualified drainage engineer to provide Council with information on the impacts of the change in land use on the Faulkner Municipal Drain so Council may exercise due diligence prior to making a decision under Subsection 65(1) of the *Drainage Act*.

In order to satisfy the requirements of Section 65(1) of the *Drainage Act* and avoid a second site visit the engineer will be asked to include the assessment for just a proportion of the drainage works in his report in the event that Council does approve the change in land use under Section 65(1).

A qualified Drainage Engineer is required in order to examine the changes in the extent and nature of use within the watershed of the Faulkner Municipal Drain.

Staff are recommending the appointment of Andy Robinson, P.Eng. of Robinson Consultants Inc., as the engineer of record as he has over 40 years experience with similar *Drainage Act* projects, a specialized field of engineering in Ontario.

In accordance with Section 65(11) of the *Drainage Act*, if Council approves the change in land use and if the assessment is for an amount greater than \$500, the owner of the land that is assessed may appeal the engineer's assessment to the Tribunal within 40 days after the City Clerk and Solicitor sends a copy of the assessment to the owner of the assessed land.

The *Drainage Act* prescribes the process and timelines to be followed for any modification or construction of a municipal drain however this timing is directly tied to the comprehensive development approval process and other related legislative requirements.

This report places the request for an engineer's report regarding the change in land use within an existing drainage works before the Agriculture and Rural Affairs Committee and Council as required under Section 5 of the *Drainage Act*.

RURAL IMPLICATIONS

The existing lands will benefit from this undertaking through improved drainage, storm water management, watercourse management reduced risk of flooding and the provision of a legal and sufficient outlet.

CONSULTATION

Consultation with the Ward Councillor and City staff is ongoing.

COMMENTS BY THE WARD COUNCILLORS

The Councillor is aware of this report.

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.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications associated with this report.

FINANCIAL IMPLICATIONS

All costs associated with the engineer's report will be initially paid by the Water, Linear and Customer Services Branch of the Infrastructure and Water Services Department but eventually recovered from the owners of the subject land. The estimated cost of the report is \$25,000. A separate new internal order will be created for this specific drain and the necessary funding will be established from anticipated revenues. In the event the City has a participatory property, funds will be transferred from the Municipal Drains internal order 911341 for this portion of the engineer's report. Should costs exceed the estimate of \$25,000, the authority and funding will be adjusted accordingly.

ACCESSIBILITY IMPACTS

There are no accessibility impacts associated with this report.

ENVIRONMENTAL IMPLICATIONS

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 Map

DISPOSITION

The Drainage Superintendent shall notify all affected landowners of the decision of Council. Once this report is approved by Council, a separate new internal order will be created for this specific drain and all necessary funding will be transferred to it from internal order 910905.

Document 1 – Location Map

