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| <p>3. Thomas Gamble Municipal Drain – Appointment of Engineer<br/>Drain municipal Thomas Gamble – Nomination d'un ingénieur</p> |
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### **COMMITTEE RECOMMENDATION**

That Council appoint Mr. Andy Robinson, P. Eng of Robinson Consultants Inc. as the Engineer of record to prepare a report under Section 78(1) of the Drainage Act to inform Council on the current status of the Thomas Gamble Municipal Drain and whether one or more of the projects listed under Section 78 (1.1) is required for the better use, maintenance or repair of the drainage works for lands or roads.

### **RECOMMANDATION DU COMITÉ**

Que le Conseil nomme M. Andy Robinson, ing., de la firme Robinson Consultants Inc., comme ingénieur chargé de rédiger un rapport aux termes de paragraphe 78(1) de la *Loi sur le drainage* afin de renseigner le Conseil sur l'état actuel du drain municipal Thomas-Gamble et de lui indiquer si un ou plusieurs des projets énumérés au paragraphe 78(1.1) sont nécessaires pour faciliter l'utilisation, l'entretien ou la remise en état des installations de drainage, des terrains ou des routes.

### **Documentation/Documentation**

1. General Manager's report, Infrastructure and Water Services, dated March 25, 2022 (ACS2022-IWS-WS-0002)

Rapport de la Directrice générale, Services d'infrastructure et d'eau, daté le 25 mars 2022 (ACS2022-IWS-WS-0002)

**Agriculture and Rural  
Affairs Committee  
Report 29  
April 7, 2022**

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**Comité de l'agriculture et des  
affaires rurales  
Rapport 29  
Le 7 avril 2022**

**Subject: Thomas Gamble Municipal Drain – Appointment of Engineer**

**File Number: ACS2022-IWS-WS-0002**

**Report to Agriculture and Rural Affairs Committee on 7 April 2022**

**and Council 13 April 2022**

**Submitted on March 25, 2022 by Tammy Rose, General Manager, Infrastructure  
and Water Services**

**Contact Person: Dave Ryan, Drainage Superintendent, Infrastructure and  
Water Services**

**613-580-2424, 25106, David.Ryan@ottawa.ca**

**Wards: Osgoode (20) Gloucester-South Nepean (22)**

**Objet : Drain municipal Thomas Gamble – Nomination d'un ingénieur**

**Dossier : ACS2022-IWS-WS-0002**

**Rapport au Comité de l'agriculture et des affaires rurales**

**le 7 avril 2022**

**et au Conseil le 13 avril 2022**

**Soumis le 25 mars 2022 par Tammy Rose, directrice générale, Services  
d'infrastructure et d'eau**

**Personne ressource : Dave Ryan, directeur des installations de drainage,  
Services d'infrastructure et d'eau**

**613-580-2424, 25106, David.Ryan@ottawa.ca**

**Quartier : Osgoode (20) Gloucester Nepean-Sud (22)**

## **REPORT RECOMMENDATIONS**

**That the Agriculture and Rural Affairs Committee recommend that Council appoint Mr. Andy Robinson, P. Eng of Robinson Consultants Inc. as the Engineer of record to prepare a report under Section 78(1) of the Drainage Act to inform Council on the current status of the Thomas Gamble Municipal Drain and whether one or more of the projects listed under Section 78 (1.1) is required for the better use, maintenance or repair of the drainage works for lands or roads.**

## **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 aux termes de paragraphe 78(1) de la *Loi sur le drainage* afin de renseigner le Conseil sur l'état actuel du drain municipal Thomas-Gamble et de lui indiquer si un ou plusieurs des projets énumérés au paragraphe 78(1.1) sont nécessaires pour faciliter l'utilisation, l'entretien ou la remise en état des installations de drainage, des terrains ou des routes.**

## **BACKGROUND**

A developer of lands within the existing watershed of the Thomas Gamble Municipal Drain is proposing a new residential subdivision which will result in changes in the land use, surface, subsurface and storm water flows from the existing parcel of land. The proposed development is located in Part of Lots 21 to 24, Concession 1 former Gloucester, Gloucester-South Nepean Ward.

Development of lands North of Earl Armstrong Road has taken place within the existing watershed of the Thomas Gamble Municipal Drain since the adoption of the latest Engineers Reports in 1954 and 1971. These changes in land use have not been examined by a drainage engineer to determine any potential deficiencies and the extent of the impact of those changes on the functioning of the Thomas Gamble Municipal Drain. As historical development has taken place within Lots 19 and 20, Concession 1, former Gloucester, Gloucester-South Nepean Ward, a qualified Drainage Engineer needs to examine both the historical and proposed changes in the extent and nature of use within the watershed of the Thomas Gamble Municipal Drain. An engineer's report

will be required in order to address any work required as a result of deficiencies in the existing drainage works due to the historical changes and the potential improvements required to address the developer's proposed changes.

The original Thomas Gamble Municipal Drain is located in Part Lots 19 to 21, Concession 1 Gloucester, Gloucester-South Nepean Ward and was first constructed in 1954 by the former Township of Gloucester under the engineer's report prepared by F. H. Gooch, O.L.S. dated August 23, 1954. The engineer's report was updated and the drain was extended to Lot 25 Concession 1 former Gloucester, Osgoode Ward under the engineer's report prepared by Graham, Berman and Associates Ltd. dated June 29, 1971 and By-law No. 71 of 1971. The Thomas Gamble Municipal Drain is located in both Gloucester-South Nepean and Osgoode Wards.

### **Description of site and surroundings**

A developer of lands within the existing watershed of the Thomas Gamble Municipal Drain is proposing a new residential subdivision which will result in changes in the land use, surface, subsurface and storm water flows from the existing parcel of land. The proposed development is located in Part of Lots 21 to 24, Concession 1 former Gloucester, Gloucester-South Nepean Ward.

### **DISCUSSION**

The Clerk of the City of Ottawa has received a request for drainage works pursuant to Section 78 of the *Drainage Act* from a developer of lands within the existing watershed of the Thomas Gamble Municipal Drain proposing a new residential subdivision which will result in changes in the land use, surface, subsurface and storm water flows from the existing parcel of land. The proposed development is located in Part of Lots 21 to 24, Concession 1 former Gloucester, Gloucester-South Nepean Ward.

The Thomas Gamble Municipal Drain has legal status under the *Provincial Drainage Act*, RSO 1990 c.17. As such, any changes to the drainage works requires the approval of Council based on the report of a qualified Drainage Engineer, pursuant to Section 78 of the *Act*.

Examination by a qualified Drainage Engineer is required in order to examine both the historical and proposed changes in the extent or nature of use within the watershed of the Thomas Gamble Municipal Drain. An Engineers Report will be required in order to address any work required as a result of the deficiencies in the existing drainage works due to the historical changes and the potential improvements required to address the developer's proposed changes.

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.

This report has no tax or budget implications. All costs associated with the engineer's report will be initially paid by the Water Services Branch of the Infrastructure and Water Services Department but eventually recovered from the owners of land as determined by the Engineers' Report. The Engineers' Report will include an updated assessment for each parcel of land within the existing watershed of the Thomas Gamble Municipal Drain for a proportion of the costs of any drainage works projects that the drainage engineer determines is required under subsection 78 (1.1).

Under the *Drainage Act*, all lands that will benefit from the drainage works are assigned an assessment by the engineer. "Benefit" is defined under the *Drainage Act* as the advantages to any lands from the construction, improvement, repair or maintenance of a drainage works such as will result in a higher market value or increased crop production or improved appearance or better control of surface or subsurface water, or any other advantages relating to the betterment of the lands.

As such, the lands that benefit the most from improved drainage as a result of a Subsection 78 (1.1) project will be assessed a greater proportion of the costs of the project.

The estimated initial engineering cost of the report is \$150,000. Until the costs are recovered from the owners of the assessed lands, all costs associated with the preparation of the engineer's report, engineering, administration, implementation and regulatory documentation required to complete any improvements recommended by the engineer and approved by Council, will be paid from the 2022 approved capital budget

for the Municipal Drains Program for the cost of the engineer's report. Funds are currently available in capital internal order 909171 Thomas Gamble Municipal Drain.

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 a engineers report regarding the update of 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 and roads will benefit from this undertaking through improved drainage, storm water management, watercourse management reduced risk of flooding.

## **CONSULTATION**

Consultation with the Ward Councillor and City staff is ongoing.

## **COMMENTS BY THE WARD COUNCILLORS**

The Councillors are 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**

This report has no tax or budget implications. The estimated cost of \$150,000 for the engineer's report will be initially paid by the City of Ottawa, Water Services Branch of the Infrastructure and Water Services Department, and recovered as per the assessment schedule included in the final Engineer's Report. Funds are available in the 2022 approved Capital Budget - Municipal Drainage Program.

## **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 and the local conservation authority of the decision of Council.

### Document 1 – Location Map

