

BY-LAW NO. 2022 -

A By-law of the City of Ottawa to provide for new assessment schedules for the existing Cranberry Creek Municipal Drain in the City of Ottawa.

WHEREAS, Andy Robinson, P. Eng. of Robinson Consultants Inc. (the "Drainage Engineer"), was appointed on September 8, 2021 by the Council of the City of Ottawa in accordance with the provisions of Section 76 of the *Drainage Act*, R.S.O. 1990, c. D.17 (the "*Drainage Act*") to prepare an engineer's report to address improvements to provide updated assessment schedules for the Cranberry Creek Municipal Drain including parts of parts of Lots 26 through 28, Con. 2, geographic Township of North Gower (Former Rideau Township), parts of Lots 28 through 31, Con. 3, geographic Township of North Gower (Former Rideau Township) and part of Lot 31, Con. 4, geographic Township of North Gower (Former Rideau Township);

AND WHEREAS the Drainage Engineer has prepared an engineer's report entitled Engineer's Report for New Assessment Schedules under Section 76 of the Drainage Act R.S.O. 1990 c.D17 for Cranberry Creek Municipal Drain, dated June 2022 (the "Engineer's Report") and the report is attached hereto as Schedule "A";

AND WHEREAS Cranberry Creek Municipal Drain commences West of Fourth Line Road (sta. 0+000) to West of the Rideau River (sta. 4+572.00) upon enactment and passage of this by-law and shall be assessed in accordance with the assessment schedules provided in the Engineer's Report and with the provisions of the *Drainage Act*;

AND WHEREAS the estimated total cost associated with the Engineer's Report dated June 2022 is \$26,500.00 plus applicable taxes as set out in Schedule A – Summary for the future maintenance of all sections of the Cranberry Creek Municipal Drain;

AND WHEREAS \$2,291.90 plus applicable taxes is the estimated amount to be charged to the City of Ottawa for engineering in accordance with "Schedule A – Summary for the future maintenance of all sections of the Cranberry Creek Municipal Drain";

AND WHEREAS the future cost of the maintenance and repair of the drainage works is to be charged to the landowners in the drainage basin in accordance with "Schedule A – Summary for the future maintenance of all sections of the Cranberry Creek Municipal Drain";

AND WHEREAS Council of the City of Ottawa has considered the Engineer's Report in accordance with Section 42 of the Drainage Act, has made the decision to adopt the Engineer's Report and is therefore giving this by-law 1st and 2nd reading so that it is provisionally adopted under Section 45 of the *Drainage Act*.

THEREFORE the Council of the City of Ottawa enacts as follows:

1. The report entitled Engineer's Report for New Assessment Schedules under Section 76 of the Drainage Act R.S.O. 1990 c.D17 for Cranberry Creek Municipal Drain, dated June 2022 and attached hereto as Schedule "A", is hereby adopted and the assessment schedules therein indicated and set forth are hereby authorized and shall be adopted in accordance therewith.
2. The City of Ottawa may arrange for the issuance of debentures on its behalf for the amount borrowed less the total amount of:
 - (a) commuted payments made in respect of lands and roads assessed within the municipality;
 - (b) money paid under Subsection 61(3) of the *Drainage Act*; and
 - (c) money assessed in and payable by another municipality,and such debentures shall be made payable within ten (10) years from the date of the debenture and shall bear interest at a rate to be set by the City of Ottawa.
3. The cost of the engineering as well as of future maintenance and repair of the drainage works shall be charged to the landowners in the drainage basin in accordance with "Schedule A – Summary for the future maintenance of all sections of the Cranberry Creek Municipal Drain".
4. All net assessments of \$1,000.00 or less are payable in the first year in which the assessment is imposed.
5. This by-law comes into force on the passing thereof and may be cited as the "Cranberry Creek Municipal Drain By-law, 2022".

ENACTED AND PASSED this day of , 2022

CITY CLERK

MAYOR

SCHEDULE "A"

See copy of Engineer's Report for New Assessment Schedules under Section 76 of the Drainage Act R.S.O. 1990 c17 for Cranberry Creek Municipal, dated May 2022

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1st Reading..... July 7, 2022
2nd Reading.....July 7, 2022
3rd Reading.....XXXXX XX, 2022

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Enacted by City Council at its meeting of XXXXX XX, 2022.

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LEGAL SERVICES

COUNCIL AUTHORITY:
The *Drainage Act*, sections 45