

**2. KNL Petition – Appointment of Engineer**  
**Pétition KNL – Nomination d'un ingénieur**

**Committee Recommendation**

**That Council appoint Mr. Andy Robinson, P. Eng of Robinson Consultants Inc. as the Engineer of record to prepare a preliminary report under Section 10 of the Drainage Act in response to a petition received under Section 4 of the Drainage Act, as described in this report.**

**For the information of Council**

Agriculture and Rural Affairs Committee also approved the following motion:

BE IT RESOLVED THAT the comment in the Legal Implications section of the report be replaced with the following:

“There are no legal impediments to adopting the recommendation in this report.”

**Recommandation du Comité**

**Que le Conseil nomme M. Andy Robinson, ing., de la firme Robinson Consultants Inc., comme ingénieur chargé de rédiger un rapport préliminaire aux termes de l'article 10 de la Loi sur le drainage, en réponse à une pétition reçue aux termes de l'article 4 de la Loi sur le drainage, comme il est décrit dans le présent rapport.**

**Pour la gouverne du Conseil**

Le Comité de l'agriculture et des affaires rurales a également approuvé la motion suivante :

PAR CONSÉQUENT, IL EST RÉSOLU QUE le commentaire présenté dans la section « Répercussions sur le plan juridique » soit remplacé par la déclaration suivante :

« Il n'y a pas d'empêchement de nature juridique à l'adoption de la recommandation présentée dans ce rapport. »

Documentation/Documentation

1. Director's report, Parks, Forestry and Stormwater Services, dated April 5, 2019 (ACS2019-PWE-GEN-0020)

Rapport de la Directrice, Services des parcs, de la foresterie et des eaux pluviales, daté le 5 avril 2019 (ACS2019-PWE-GEN-0020)

2. Extract of draft Minutes, Agriculture and Rural Affairs Committee, June 6, 2019

Extrait de l'ébauche du procès-verbal, Comité de l'agriculture et des affaires rurales, le 6 juin 2019

**Agriculture and Rural Affairs  
Committee  
Report 4  
June 12, 2019**

**19**

**Comité de l'agriculture et des  
affaires rurales  
Rapport 4  
le 12 juin 2019**

**Report to  
Rapport au:**

**Agriculture and Rural Affairs Committee  
Comité de l'agriculture et des affaires rurales  
6 June 2019 / 6 juin 2019**

**and Council  
et au Conseil  
12 June 2019 / 12 juin 2019**

**Submitted on April 5, 2019  
Soumis le 5 avril 2019**

**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: KANATA NORTH (4) / KANATA  
NORD (4)**

**File Number: ACS2019-PWE-GEN-0023**

**SUBJECT: KNL Petition – Appointment of Engineer**

**OBJET: Pétition KNL – Nomination d'un ingénieur**

## **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 preliminary report under Section 10 of the Drainage Act in**

response to a petition received under Section 4 of the Drainage Act, as described in this report.

## **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 préliminaire aux termes de l'article 10 de la Loi sur le drainage, en réponse à une pétition reçue aux termes de l'article 4 de la Loi sur le drainage, comme il est décrit dans le présent rapport.**

## **BACKGROUND**

In response to the petition under Section 4 of the *Drainage Act*, the Drainage Superintendent recommends that Council proceed, under Section 5 of the *Drainage Act*, and appoint an engineer to prepare a preliminary report under Section 10 of the *Drainage Act* to address the need for legal and sufficient outlet for a proposed subdivision located in Lots 7, 8 and 9, Concession 2 geographic Township of March and Lots 8 and 9 Concession 3 geographic Township of March former Township of Kanata, Kanata North Ward.

## **DISCUSSION**

The Clerk of the City of Ottawa has received a petition for drainage works from a landowner/developer pursuant to Section 4 of the *Drainage Act*. This petition is seeking a legal outlet through Kizell Creek and the existing Kizell Municipal Drain, under the Act, for a residential development, including storm water management ponds, which would provide legal and sufficient outlet for a proposed subdivision located in Lots 7, 8 and 9, Concession 2 geographic Township of March and Lots 8 and 9 Concession 3 geographic Township of March former Township of Kanata, Kanata North Ward which will form part of the approved Community Design Plan for Phases 7 and 8 of the Kanata Lakes development.

Under Section 10 of the Act, the engineer will prepare a preliminary report containing a basic plan of the drainage works and a cost estimate of the cost thereof in so far as it is practical to do so and which shall include the environmental appraisal, if any, and the benefit cost statement, if any, and a high level evaluation of the proposed connection

and any improvements which may be required if the existing Kizell Municipal Drain is extended under the *Drainage Act* to provide sufficient outlet to Phases 7 and 8 of the Kanata Lakes development.

The Kizell Municipal Drain has status under the *Drainage Act* as per By-law No. 34-73 of the former Township of March (former Kanata).

Some 25 years ago, a stormwater management study for a development plan, conducted by the former City of Kanata, for the area now known as Kanata Lakes North, proposed a drainage area diversion of some 150ha from the Shirley's Brook subwatershed, to the Kizell Municipal Drain/Watt's Creek subwatershed. The intent at that time was to make use of the storage capacity within an existing stormwater retention pond known as the Beaver Pond.

More recently, in 2011 the City undertook the Shirley's Brook and Watts Creek Stormwater Management Study (SWM Study) to provide an updated understanding of the existing surface water conditions in the two subwatersheds.

Pursuant to the *Planning Act*, proposed development scenarios for the Kanata Lakes North lands have been the subject of ongoing public and stakeholder consultation. Issues and concerns have been raised including downstream capacity and natural heritage features. Specific concerns have also been raised by the National Capital Commission who is a major landowner downstream of both Shirley's Brook and the Kizell Drain.

In April 2014, the City received a formal request, under Section 78 of the *Drainage Act*, from a landowner/developer within the Kizell Drain watershed to address additional stormwater flows from the proposed Phase 9 KNL development. In response to this request, the Council of the City of Ottawa appointed a Drainage Engineer as the receiving waterway, being the Kizell Drain, has status under the *Drainage Act*. This Section 78 Engineers Report will be presented under a separate cover and will be considered independently from the recommended preliminary engineers report.

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, including the Kizell Drain, a specialized field of engineering in Ontario.

This report has no tax or budget implications. All costs associated with the preliminary engineer's report will be initially paid by the City but recovered from the developer upon completion. The estimated cost of the report is \$100,000. Funding is available in the 2019 approved capital budget for the Municipal Drains Program for the cost of the engineer's report.

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 preliminary engineers report regarding the extension 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 proposed subdivision 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 COUNCILLOR(S)**

The Councillor is aware of this report.

## **LEGAL IMPLICATIONS**

"There are no legal impediments to adopting the recommendation in this report."  
(Amended per Motion No ARAC 2019 5/3)

## **RISK MANAGEMENT IMPLICATIONS**

There are no risk implications associated with this report.

## **FINANCIAL IMPLICATIONS**

This report has no tax or budget implications. The estimated cost of \$100,000 for the engineer's report will be initially paid by the City of Ottawa, Parks, Forestry and Stormwater Services of the Public Works and Environmental Services Department, and recovered from the developer that submitted the petition. Funds are available in the 2019 approved Capital Budget - Municipal Drainage Program.

## **ACCESSIBILITY IMPACTS**

There are no accessibility impacts associated with this report.

## **ENVIRONMENTAL IMPLICATIONS**

The drainage works are associated with final approval of the subdivision. 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

## **DISPOSITION**

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

Document 1

