

**10. DILLON-WALLACE AND JOHNSTON MUNICIPAL DRAINS –
APPOINTMENT OF ENGINEER**

**DRAINS MUNICIPAUX DILLON-WALLACE ET JOHNSTON – 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 report under Section 78(1) of the *Drainage Act* to inform Council on the current status of the Dillon-Wallace Municipal Drain and the Johnston 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 or 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 l'article 78(1) de la *Loi sur le drainage* afin de renseigner le Conseil sur l'état actuel du drain municipal Dillon-Wallace et du drain municipal Johnston et de lui indiquer si un ou plusieurs des travaux énumérés au paragraphe 78(1.1) sont nécessaires pour faciliter l'utilisation, l'entretien et la remise en état des installations de drainage, des terrains ou des chemins.

Documentation/Documentation

Director's Report, Parks, Forestry and Storm Water Services, Public Works and Environmental Services Department, dated November 20, 2019
(ACS2020-PWE-PFS-0001)

Rapport du Directeur, Services parcs, forêts & eaux pluviales, Direction générale des travaux publics et de l'environnement, daté le 20 novembre 2019
(ACS2020-PWE-PFS-0001)

**AGRICULTURE AND RURAL
AFFAIRS COMMITTEE
REPORT 10
FEBRUARY 12, 2020**

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**COMITÉ DE L'AGRICULTURE ET
DES AFFAIRES RURALES
RAPPORT 10
LE 12 FÉVRIER 2020**

**Report to
Rapport au:**

**Agriculture and Rural Affairs Committee
Comité de l'agriculture et des affaires rurales
6 February 2020 / 6 février 2020**

**and Council
et au Conseil
12 February 2020 / 12 février 2020**

**Submitted on November 20, 2019
Soumis le 20 novembre 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
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Ward: RIDEAU-GOULBOURN (21)

File Number: ACS2020-PWE-PFS-0001

**SUBJECT: Dillon-Wallace and Johnston Municipal Drains – Appointment of
Engineer**

**OBJET: Drains municipaux Dillon-Wallace et Johnston – 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 report under Section 78(1) of the Drainage Act to inform Council on the current status of the Dillon-Wallace Municipal Drain and the Johnston 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 or 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 l'article 78(1) de la *Loi sur le drainage* afin de renseigner le Conseil sur l'état actuel du drain municipal Dillon-Wallace et du drain municipal Johnston et de lui indiquer si un ou plusieurs des travaux énumérés au paragraphe 78(1.1) sont nécessaires pour faciliter l'utilisation, l'entretien et la remise en état des installations de drainage, des terrains ou des chemins.

BACKGROUND

A developer of lands within the existing watershed of the Dillon-Wallace and Johnston Municipal Drains is proposing a new commercial facility 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 Lots 21 and 22, Concession 2 Rideau-Goulbourn Ward former Township of North Gower / Rideau Township.

Changes in land use within the existing watersheds of the Dillon-Wallace and Johnston Municipal Drains since the adoption of the latest Engineers Reports 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 Dillon-Wallace and Johnston Municipal Drains. As historical development has taken place within the existing watersheds, a qualified Drainage Engineer needs to examine both the historical and proposed future changes in the extent and nature of use within the watershed of the Dillon-Wallace and Johnston Municipal Drains. Engineers' reports will be required to address any work required as a result of changes in the existing drainage works and the potential improvements required to address the proposed development.

The proposed development is within the watershed of the following two (2) Municipal Drains: Dillon-Wallace and Johnston. Both drainage works have legal status under the provincial Drainage Act R.S.O. 1990.

Dillon-Wallace Municipal Drain

Part of the subject land is currently assessed under the Dillon-Wallace Municipal Drain. The Alex Dillon Award Drain was first constructed in 1907 by the former Township of North Gower. The Robert A. Craig Award Drain was first constructed in 1912 by the former Township of North Gower. The Adam Taylor Award Drain was first constructed in 1913 by the former Township of North Gower. These three (3) Award Drains were combined and additional branches were added at the upper end of the Award Drains in an Engineers' Report titled "Engineering Report on the Dillon-Wallace Municipal Drain" prepared by R. F. Mucklestone dated July 23, 1953 and adopted by By-law 710 by the Township of North Gower. The Dillon-Wallace Municipal Drain is located in Rideau-Goulbourn Ward east of the village of North Gower and outlets into the Johnston Municipal Drain in Lot 21, Concession 1 Rideau-Goulbourn Ward former Township of North Gower / Rideau Township.

Johnston Municipal Drain

Part of the subject land is currently assessed under the Johnston Municipal Drain. The Johnston Municipal Drain was first constructed in 1971 by the Township of North Gower following the receipt of a petition from landowners. Graham, Berman and Associates Limited prepared a report titled "Engineers' Report, Johnston Municipal Drain" dated July 27, 1970, revised June 18, 1971 and further revised July 14, 1971 adopted under By-law 21-71 by the Township of North Gower. The Johnston Municipal Drain is located in Rideau-Goulbourn Ward east of the village of North Gower and outlets into Stevens Creek in Lot 21, Concession 1 Rideau-Goulbourn Ward former Township of North Gower / Rideau Township.

DISCUSSION

The Drainage Superintendent is recommending the appointment of Andy Robinson, P.Eng., a qualified Drainage Engineer from Robinson Consultants Inc., as the engineer

of record, he has 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 Parks, Forestry and Stormwater Services Branch of the Public Works and Environmental Services Department but eventually recovered from the developer of the subject lands.

As such, the drainage engineer appointed under Section 78 will review both the Dillon-Wallace and Johnston Municipal Drain Engineer's Reports. If one or more of the items listed in Subsection 78 (1.1) is required in order to address deficiencies in the Municipal Drain and/or a proposed alteration in the nature or extent of the use of the drainage works then the most recent Engineer's Report will need to be updated. The updated Engineer's Report will include revised assessment schedules produced for the maintenance and repair of the Municipal Drain.

The estimated initial engineering cost both reports is \$120,000. The breakdown is as follows:

1. Dillon-Wallace Municipal Drain, \$60,000 estimated initial engineering cost
2. Johnston Municipal Drain, \$60,000 estimated initial engineering cost

Until the costs are recovered from the developer of the subject 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 2020 Approved Rate Supported Capital Budget, Municipal Drains Program.

The developer of the land will be required to provide environmental studies, reports and regulatory requirements of relevant agencies (i.e. Conservation Authorities, Ministry of Natural Resources, Ministry of Environment, Conservation and Parks as well as the Department of Fisheries and Oceans) through the development process, to the Drainage Engineer.

The *Drainage Act* prescribes the process and timelines that must be followed for any modification to or construction of a municipal drain.

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 COUNCILLOR(S)

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.

FINANCIAL IMPLICATIONS

This report has no tax or budget implications. The estimated cost of \$120,000 for the engineer's reports 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 of the subject lands. Funds are available in the 2020 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 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 accordingly.

Document 1

