

5. HOBBS MUNICIPAL DRAIN OUTLET EXTENSION
AGRANDISSEMENT DE L'EXUTOIRE DU DRAIN MUNICIPAL HOBBS

COMMITTEE RECOMMENDATION

That Council consider the Engineer's Report prepared by Robinson Consultants Inc., entitled Hobbs Municipal Drain Outlet Extension, works cannot be constructed, Section 40 – Engineer's Report dated August 2019 and instruct the Drainage Engineer to terminate any further work on the proposed drainage works in accordance with Section 40 of the *Drainage Act of Ontario*.

RECOMMANDATION DU COMITÉ

Que le Conseil examine le rapport d'ingénieur préparé par la firme Robinson Consultants Inc. et intitulé *Hobbs Municipal Drain Outlet Extension, works cannot be constructed, Section 40 – Engineer's Report*, (Agrandissement de l'exutoire du drain municipal Hobbs, impossibilité d'exécuter les travaux, article 40 – rapport de l'ingénieur) daté du mois d'août 2019, et enjoindre à l'ingénieur spécialisé en drainage de mettre fin aux travaux de drainage proposés, conformément à l'article 40 de la *Loi sur le drainage de l'Ontario*.

Documentation/Documentation

1. Director's Report, Parks, Forestry and Storm Water Services, Public Works and Environmental Services Department dated August 16, 2019 (ACS2019-PWE-PFS-0027).

Rapport du Directeur, Services parcs, forêts & eaux pluviales, Direction générale des travaux publics et de l'environnement, daté le 16 août 2019 (ACS2019-PWE-PFS-0027).

2. Extract of draft Minutes, Agriculture and Rural Affairs Committee, November 7, 2019

Extrait de l'ébauche du procès-verbal, Comité de l'agriculture et des affaires rurales, le 7 novembre 2019

**AGRICULTURE AND RURAL
AFFAIRS COMMITTEE
REPORT 8
NOVEMBER 27, 2019**

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**COMITÉ DE L'AGRICULTURE ET
DES AFFAIRES RURALES
RAPPORT 8
LE 27 NOVEMBRE 2019**

**Report to
Rapport au:**

**Agriculture and Rural Affairs Committee
Comité de l'agriculture et des affaires rurales
7 November 2019 / 7 novembre 2019**

**and Council
et au Conseil
27 November 2019 / 27 novembre 2019**

**Submitted on August 16, 2019
Soumis le 16 août 2019**

**Submitted by
Soumis par:
Luc Gagne, Director, Parks, Forestry & Stormwater Services / Directeur, Services
des parcs, de la foresterie et des eaux pluviales**

**Contact Person
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Ward: RIDEAU-GOULBOURN (21)

File Number: ACS2019-PWE-PFS-0027

SUBJECT: Hobbs Municipal Drain outlet extension

OBJET: Agrandissement de l'exutoire du drain municipal Hobbs

REPORT RECOMMENDATIONS

That the Agriculture and Rural Affairs Committee recommend that Council consider the Engineer's Report prepared by Robinson Consultants Inc., entitled

Hobbs Municipal Drain Outlet Extension, works cannot be constructed, Section 40 – Engineer’s Report dated August 2019 and instruct the Drainage Engineer to terminate any further work on the proposed drainage works in accordance with Section 40 of the Drainage Act of Ontario.

RECOMMANDATIONS DU RAPPORT

Que le Comité de l’agriculture et des affaires rurales recommande au Conseil d’examiner le rapport d’ingénieur préparé par la firme Robinson Consultants Inc. et intitulé *Hobbs Municipal Drain Outlet Extension, works cannot be constructed, Section 40 – Engineer’s Report*, (Agrandissement de l’exutoire du drain municipal Hobbs, impossibilité d’exécuter les travaux, article 40 – rapport de l’ingénieur) daté du mois d’août 2019, et enjoindre à l’ingénieur spécialisé en drainage de mettre fin aux travaux de drainage proposés, conformément à l’article 40 de la *Loi sur le drainage* de l’Ontario.

BACKGROUND

On June 14, 2017 the Council of the City of Ottawa appointed Andy Robinson, P.Eng. of Robinson Consultants Inc., as the Engineer of record to prepare a report under Section 78 of the *Drainage Act* to determine if any modifications and improvements downstream of the existing Municipal Drain are required to improve outlet for the drainage works, for Council’s consideration.

This report recommends that Council instruct the Drainage Engineer to not proceed with any further work on the proposed Engineer’s Report for the Hobbs Municipal Drain Outlet Extension. Implementation of the proposed Hobbs Municipal Drain Outlet Extension cannot be completed without receipt of a Letter of Permission from the Rideau Valley Conservation Authority, which Letter of Permission has been denied. Further background information to support this conclusion drawn by the Drainage Engineer is detailed in the Engineer’s Report entitled Hobbs Municipal Drain Outlet Extension, works cannot be constructed, Section 40 – Engineer’s Report dated August 2019 prepared by Robinson Consultants Inc. (the said report shall hereinafter be referred to as the “Engineer’s Report dated August 2019”).

Pursuant to Section 9 of the Drainage Act, the on-site meeting was held on October 5, 2017. All affected landowners were notified of the meeting.

DISCUSSION

The Hobbs Municipal Drain is located in Rideau-Goulbourn Ward northwest of the village of Richmond, located in Lots 12 to 17, Concession 4 & 5, Lots 11 and 16, Concession 6 and Lots 12 to 15, Concession 7 former Township of Goulbourn (now Rideau-Goulbourn Ward). This Municipal Drain was originally known as the Lackey Award Drain which was improved in 1972, under a report by A.J. Graham Engineering Consultants Ltd., by the former Township of Goulbourn (now Rideau-Goulbourn Ward) and adopted under By-law # 25-72.

Further to a petition from the landowners in the area the Hobbs Drain Extension was adopted by the Township of Goulbourn in 1988, By-law 74-88. The Hobbs Drain Extension is located in Lot 13 to 15, Concessions 8 Former Township of Goulbourn. The Hobbs Drain Extension outlets into the existing Hobbs Municipal Drain, Main Drain.

A landowner with property located in Lot 16, Concession 4 provided a written request for improved outlet for his property. The landowner requested that a drainage engineer be appointed to review the existing drain towards extending the outlet.

A project scoping consultation was completed with the Rideau Valley Conservation Authority (RVCA) with specific focus on providing a suitable route to convey flows from the existing termination point of the Hobbs Municipal Drain to a sufficient outlet while limiting and/or mitigating potential impacts to the Provincially Significant Wetland (PSW). A total of four (4) potential routes and various combinations of route components were presented for preliminary consideration. The route options included those considered to be preferred by the RVCA (as indicated in preliminary discussions) and those that were considered to mitigate impacts to the PSW through utilizing existing channels, minimizing excavation and completing works in existing disturbed habitat areas (cleared Hydro corridor).

The RVCA has identified that the proposed drainage works are in a PSW. They have indicated that for them to approve the proposed drainage works, the Drainage Engineer would have to demonstrate that the proposed works would have no impact on the PSW.

To do this, the RVCA has indicated the City would have to obtain numerous environmental and hydrogeological studies. While staff doesn't have an estimated cost for these studies, it is likely that the cost to complete the required studies could be in the hundreds of thousands of dollars.

Even if the City were to expend the funds to obtain these studies, it is highly unlikely that the proposed works would be found to have no impact on the PSW. The Engineer has examined solutions that would have minimal impact on the PSW but concedes that it would be difficult, if not impossible to develop a solution that would not have any impact, however minimal.

The Drainage Superintendent is of the opinion that the cost of obtaining the requested studies, even if the RVCA were to issue its approval, would far exceed the potential benefits to drainage in the area. The Engineer is of the opinion that the proposed works are not practical.

Initial costs for the Engineers Report have been paid for by the City of Ottawa Parks, Forestry and Stormwater Services Branch of the Public Works and Environmental Services Department from capital internal order 909001.

It is staff's recommendation that Council adopt the Engineer's Report dated August 2019 and instruct the Drainage Engineer to not proceed with any further work on the proposed Engineer's Report for the Hobbs Municipal Drain Outlet Extension.

RURAL IMPLICATIONS

The existing Hobbs Municipal Drain will continue to provide legal and sufficient outlet for rural lands and roads.

CONSULTATION

The Ward Councillor is aware of this report and consultation with City legal staff is ongoing.

LEGAL IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

There are no risk implications associated with this report.

FINANCIAL IMPLICATIONS

Approval of this report will result in the City to be entirely responsible for the \$85,000 cost of the Engineer's report. It is possible that the recommendation of the Engineer will be appealed by the landowner, at which point it may be possible to recover some of the costs from the landowner.

ACCESSIBILITY IMPACTS

There are no accessibility impacts associated with this report.

ENVIRONMENTAL IMPLICATIONS

The project cannot proceed to construction without the approval of the local conservation authority and other environment agencies. The decision to not proceed with this project is the result of the numerous environmental studies requested by the Rideau Valley Conservation Authority.

TERM OF COUNCIL PRIORITIES

Not proceeding with the proposed drainage works will fulfill the City's Strategic Plan's environment and infrastructure protection priorities.

SUPPORTING DOCUMENTATION

DOCUMENT 1 – Hobbs Municipal Drain, Location Plan

DOCUMENT 2 – Hobbs Municipal Drain Outlet Extension, works cannot be constructed, Section 40 – Engineer's Report

DISPOSITION

Upon approval by Council, the Office of the Drainage Superintendent will assess the costs of the project to date as required under Section 40 of the Drainage Act R.S.O. 1990

Document 1

