

BY-LAW NO. 2019 -

A By-law of the City of Ottawa to provide for amendments to the existing O'Keefe Municipal Drain in Block C, Station 0+000 to Station 0+234 in the City of Ottawa.

WHEREAS, Andy Robinson, P. Eng. of Robinson Consultants Inc. (the "Drainage Engineer"), was appointed on November 8, 2017 by the Council of the City of Ottawa in accordance with the provisions of Section 78 of the *Drainage Act*, R.S.O. 1990, c. D.17 (the "*Drainage Act*") to prepare an engineer's report to accommodate the change in land use and installation of a new culvert in the existing O'Keefe Municipal Drain in Block C on Dwg. No. 17081-A1 located in part of Lot 20, Con. IV geographic Township of Nepean;

AND WHEREAS the Drainage Engineer has prepared an engineer's report entitled Amendment to the Engineer's Report for the O'Keefe Municipal Drain Block C, Station 0+000 to 0+234, dated November 2018 (the "Engineer's Report") and the report is attached hereto as Schedule "A";

AND WHEREAS the O'Keefe Municipal Drain, Main Drain from station 0+000 to station 0+234 upon enactment and passage of this by-law and shall be maintained in accordance with the Engineer's Report and provisions of the *Drainage Act*;

AND WHEREAS the remaining portion of the O'Keefe Municipal Drain from station 0+234 to station 2+291.82 shall continue to be governed by and maintained in accordance with the Engineer's Report entitled Amendment to the Engineer's Report for the O'Keefe Municipal Drain, dated December 2015 by Robinson Consultants Inc. and with the provisions of the *Drainage Act*;

AND WHEREAS the remaining portion of the O'Keefe Municipal Drain from station 2+291.82 to station 3+637.48 shall continue to be governed by and maintained in accordance with the Engineer's Report entitled Engineer's Report – O'Keefe Municipal Drain – Modifications and Improvements dated March 2006 by Robinson Consultants Inc. and with the provisions of the *Drainage Act*;

AND WHEREAS in accordance with the Engineer's Report the entire costs of the required drainage work shall be borne by the owners of the property requesting the

modifications being the owner/developer of lands identified as Block C on Dwg. No. 17081-A1 as described in Sections 2.0 and 6.2 of the Engineer's Report;

AND WHEREAS the 2116885 Ontario Inc and 1578051 Ontario Inc are the owners of Block C as described in Sections 2.0 and 6.2 of the Engineer's Report;

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 1<sup>st</sup> and 2<sup>nd</sup> 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 Amendment to the Engineer's Report for the O'Keefe Municipal Drain Block C, Station 0+000 to 0+234, dated November 2018, attached hereto as Schedule "A", is hereby adopted and the drainage works as therein indicated and set forth is hereby authorized and shall be completed in accordance therewith.
2. The cost of future maintenance of the drainage works will continue to be in accordance with Schedule "A" Summary for the future maintenance of section(s) of the O'Keefe Municipal Drain, all sections – Station 0+000 to Station 2+291.82, Amendment to the Engineer's Report for the O'Keefe Municipal Drain, dated December 2015 by Robinson Consultants Inc. with the exception of the assessments for the lands and roads in Block C as stipulated in Schedule "A" Schedule of assessment – Block 'C' for the O'Keefe Municipal Drain, entitled Amendment to the Engineer's Report for the O'Keefe Municipal Drain Block C, Station 0+000 to 0+234, dated November 2018.
3. This by-law comes into force on the passing thereof and may be cited as the "O'Keefe Municipal Drain By-law, 2019".

ENACTED AND PASSED this XXth day of XXX, 2019

CITY CLERK

MAYOR

## SCHEDULE "A"

See copy of Amendment to the Engineer's Report for the O'Keefe Municipal Drain Block C, Station 0+000 to 0+234, dated November 2018.

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1<sup>st</sup> Reading.....April 10, 2019

2<sup>nd</sup> Reading.....April 10, 2019

3<sup>rd</sup> Reading.....XXX XX, 2019

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Enacted and passed this XXth day of XXX, 2019.

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**LEGAL SERVICES**

CLC/ File G04-01 OKEE

**COUNCIL AUTHORITY:**

The *Drainage Act*, sections 42, 45, 58, 63, 74 and 78

City Council March 26, 2014

Revised Bulk Consent Agenda Item B (ARAC Report No. 39)