

<p>4. AMENDMENT TO THE ENGINEER'S REPORT FOR THE FAULKNER MUNICIPAL DRAIN</p> <p>MODIFICATION AU RAPPORT DE L'INGÉNIEUR POUR LE DRAIN MUNICIPAL FAULKNER</p>
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COMMITTEE RECOMMENDATION

That Council adopt the Engineer's Report prepared by Robinson Consultants Inc., entitled Amendment to the Engineer's Report for the Faulkner Municipal Drain dated December 2020, and Addendum No. 1 dated March 2021 and give 1st and 2nd reading to the By-law attached as Document 2 to this report in accordance with Sections 42 and 45 of the *Drainage Act of Ontario*.

RECOMMANDATION DU COMITÉ

Que le Conseil adopte le rapport d'ingénieur produit par Robinson Consultants Inc., intitulé Amendment to the Engineer's Report for the Faulkner Municipal Drain (Modification au rapport de l'ingénieur pour le drain municipal Faulkner), en date de décembre 2020, ainsi que l'annexe n° 1 en date de mars 2021, et présente en première et deuxième lectures le règlement joint au présent rapport en tant que document 2, conformément aux articles 42 et 45 de la *Loi sur le drainage de l'Ontario*.

Documentation/Documentation

1. Director's report, Parks, Forestry & Stormwater Services, dated April 6, 2021 (ACS2021-PWE-PFS-0001)

Rapport de la Directrice, Services des parcs, de la foresterie et des eaux pluviales, daté le 6 avril 2021 (ACS2021-PWE-PFS-0001)

2. Extract of draft Minutes, Agriculture and Rural Affairs Committee,
May 6, 2021

Extrait de l'ébauche du procès-verbal, Comité de l'agriculture et des affaires
rurales, le 6 mai 2021

**AGRICULTURE AND RURAL
AFFAIRS COMMITTEE
REPORT 21
MAY 12, 2021**

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**COMITÉ DE L'AGRICULTURE ET
DES AFFAIRES RURALES
RAPPORT 21
LE 12 MAI 2021**

**Report to
Rapport au:**

**Agriculture and Rural Affairs Committee
Comité de l'agriculture et des affaires rurales
6 May 2021 / 6 mai 2021**

**and Council
et au Conseil
12 May 2021 / 12 mai 2021**

**Submitted on April 6, 2021
Soumis le 6 avril 2021**

**Submitted by
Soumis par:**

**Allyson Downs, Director, Parks, Forestry & Stormwater Services / Director,
Services des parcs, de la foresterie et des eaux pluviales**

**Contact Person
Personne ressource:**

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**Ward: RIDEAU-GOULBOURN (21)
STITTSVILLE (6)**

File Number: ACS2021-PWE-PFS-0001

**SUBJECT: Amendment to the Engineer's Report for the Faulkner Municipal
Drain**

**OBJET: Modification au rapport de l'ingénieur pour le drain municipal
Faulkner**

REPORT RECOMMENDATIONS

That the Agriculture and Rural Affairs Committee recommend that Council adopt the Engineer's Report prepared by Robinson Consultants Inc., entitled Amendment to the Engineer's Report for the Faulkner Municipal Drain dated December 2020, and Addendum No. 1 dated March 2021 and give 1st and 2nd reading to the By-law attached as Document 2 to this report in accordance with Sections 42 and 45 of the *Drainage Act of Ontario*.

RECOMMANDATIONS DU RAPPORT

Que le Comité de l'agriculture et des affaires rurales recommande au Conseil d'adopter le rapport d'ingénieur produit par Robinson Consultants Inc., intitulé Amendment to the Engineer's Report for the Faulkner Municipal Drain (Modification au rapport de l'ingénieur pour le drain municipal Faulkner), en date de décembre 2020, ainsi que l'annexe n° 1 en date de mars 2021, et présente en première et deuxième lectures le règlement joint au présent rapport en tant que document 2, conformément aux articles 42 et 45 de la *Loi sur le drainage de l'Ontario*.

BACKGROUND

On April 27, 2016 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 address changes within the watershed of the Faulkner Municipal Drain.

The purpose of this report is to accommodate the change in land use from rural/agricultural to urban development for the lands identified as Block 20-E and Block 20-F, and to incorporate the changes for Block 17-A, Block 17-B, Block 17-C and Block 17-D on Dwg. No. 16013-A3 and 16013-A3.1.

To address the land use changes, the amendments include relocating a portion of the drain, lowering the profile and modifying the cross-section of the drain to increase the capacity and to reduce the potential for erosion of the steep banks. The proposed modifications will accommodate the drainage from the stormwater management systems for the development area and will relocate the drain outside the road allowance

for Shea Road where it is very deep and presents a safety hazard. The required amendments are detailed in the Engineer's Report entitled Amendment to the Engineer's Report for the Faulkner Municipal Drain dated December 2020 prepared by Robinson Consultants Inc. (the said report shall hereinafter be referred to as the "Engineer's Report" dated December 2020).

Pursuant to Section 9 of the Drainage Act, the on-site meeting was held on February 1, 2017. All affected landowners were notified of the meeting.

DISCUSSION

The Faulkner Municipal Drain is located in Rideau-Goulbourn Ward southeast of the village of Stittsville near the intersection of Shea Rd. and Flewellyn Rd. and was first constructed in 1975, under a report by A.J. Graham, by the former Township of Goulbourn (now Rideau-Goulbourn Ward). This engineer's report was updated in 2003 under Section 78 of the Drainage Act (the "2003 Engineer's Report"). The Engineer's Report was further updated in 2017 under Section 78 of the Drainage Act (the "2017 Engineer's Report")

All sections of the Faulkner Municipal Drain for the main drain covered by the previous reports have been incorporated into this report. Therefore, the Engineer's Report entitled "Engineer's Report Faulkner Municipal Drainage Works", September 1975, by A. J. Graham Engineering Consultants Limited, the "Engineer's Report Faulkner Municipal Drain Modifications and Improvements" by Robinson Consultants Inc., dated June 2003 and the "Engineer's Report Subsequent Subdivision of lands, Faulkner Municipal Drain, Area 6 Stittsville", by Robinson Consultants Inc., dated May 2017 will no longer have any status under the Drainage Act, RSO 1990 for the main drain once the by-law for this report is enacted. However, the "Engineer's Report Faulkner Municipal Drainage Works", September 1975, by A. J. Graham Engineering Consultants will continue to be in force for the various branch drains associated with that report.

Initial costs of \$145,123 for the amended 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 907395. Total estimated costs of \$783,309 plus applicable taxes associated with this Engineer's

Report, allowances, initial construction and other costs will be recovered as per assessment schedule "Summary for the construction and future maintenance of all sections of the Faulkner Municipal Drain" in the Engineer's Report dated December 2020. The assessment schedule includes costs of \$199,652 to be assessed to Roads Services. Initial construction costs include special benefit assessments to Block 20-E, 20-F, 20-H and the road authority as well as previously collected contributions from lands in Blocks 17-A and 17-B. An assessment for special benefit is also assigned to the future development lands in Block 17-D. Future maintenance costs for the Faulkner Municipal Drain will also be assessed as per assessment schedule "Summary for the construction and future maintenance of all sections of the Faulkner Municipal Drain" in the Engineer's Report dated December 2020.

On February 4, 2021, the Agriculture and Rural Affairs Committee recommended that Council refer the Engineer's Report for the Faulkner Municipal Drain back to Robinson Consultants Inc for further consideration of allowances. The latest values provided by MPAC, as of March 2021, have been used to calculate revised and increased allowances. The parcels of land which have been granted allowances are outlined in the Schedule of Allowances provided in Appendix B. The allowances have been established in accordance with Sections 29, 30 and 31 of the Drainage Act, RSO 1990. The allowance for the land (Section 29) is for the land lost due to ditch widening and relocation. The allowance for use of the working area and for damage to lands and crops in the working area (Sections 29 & 30) is only on agricultural lands anticipated to be out of production during construction and for a period thereafter. The area damaged is calculated using the length and width of the access route and the area for spreading excavated material. The allowance for existing drains (Section 31) is to compensate property owners for the costs associated with improvements to drainage works which were not constructed by requisition or petition under the Act but which will be incorporated in whole or in part in the drainage works.

Allowances are determined by the Council-appointed Drainage Engineer and are based on current value assessments as determined by MPAC. These values have been provided by the City to the Drainage Engineer and are reflected in the updated Engineer's Report.

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

This report places the request for amendment to an existing drainage works before the Agriculture and Rural Affairs Committee and Council as required under Section 78 of the *Drainage Act*.

Should the Agricultural and Rural Affairs Committee and Council adopt the Engineer's Report dated December 2020, and as amended by Addendum No. 1, and give 1st and 2nd reading to the provisional By-law, the process will continue as set out by the Drainage Act R.S.O. 1990.

RURAL IMPLICATIONS

The proposed development will benefit from this undertaking through the provision of legal and sufficient outlet, improved drainage and reduced risk of flooding.

CONSULTATION

As part of the development planning process consultation between the developer, their representatives, City approvals and drainage staff, the Council-appointed Drainage Engineer and regulatory agencies is ongoing. The required on-site meeting with the affected landowners was held on February 1, 2017.

COMMENTS BY THE WARD COUNCILLOR(S)

The Councillors for Rideau-Goulbourn and Stittsville Wards are aware of this report and the proposed drainage works.

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

There are no 2021 budget impacts associated with this report. All estimated construction and other costs of \$783,309 plus applicable taxes as per the Engineer's Report will be paid by the City and will be fully recovered as per assessment schedule "Summary for the construction and future maintenance of all sections of the Faulkner Municipal Drain" in the Engineer's Report dated December 2020. Sufficient funding exists in the 2021 Approved Municipal Drains Capital Budget. Since the completion of the work and subsequent recovery of costs will not happen until 2024, the Roads estimated assessment share of \$199,652 will be included in future capital budget requests. Future maintenance costs for the Faulkner Municipal Drain will also be assessed as per assessment schedule "Summary for the construction and future maintenance of all sections of the Faulkner Municipal Drain" in the Engineer's Report dated December 2020.

ACCESSIBILITY IMPACTS

There are no accessibility impacts associated with this report.

ENVIRONMENTAL IMPLICATIONS

The modifications to the Faulkner Municipal Drain are associated with final approval of the development. 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

DOCUMENT 2 – Provisional By-law

DOCUMENT 3 – Addendum No 1 dated March 26, 2021

DISPOSITION

Upon approval by Council, the Office of the Drainage Superintendent will notify all affected landowners of the date of the 1st sitting of the Court of Revision as required under Section 46 of the Drainage Act R.S.O. 1990. Finance will create a new capital internal order for the Faulkner Municipal Drain and will transfer all costs to date and process the necessary budget adjustment to transfer sufficient funding from within the Municipal Drains Program to the new capital internal order.

Document 1

