

**3. FLEWELLYN MUNICIPAL DRAIN – AMENDMENT TO THE ENGINEER'S
REPORT**

**DRAIN MUNICIPAL FLEWELLYN – MODIFICATION AU RAPPORT
D'INGÉNIEUR**

COMMITTEE RECOMMENDATION

That Council adopt the Engineer's Report prepared by Robinson Consultants Inc., entitled Amendment to the Engineer's Report for the Flewellyn Municipal Drain Branch 1 dated August 2015 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 Flewellyn Municipal Drain Branch 1* (Modification au rapport d'ingénieur concernant la conduite secondaire 1 du drain municipal Flewellyn), daté du mois d'août 2015, 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. Susan Jones, Acting Deputy City Manager, report dated 24 September 2015 / Rapport du Directrice municipale adjointe par intérim daté du 24 septembre 2015 (ACS2015-COS-ESD-0018).
2. Extract of Draft Minutes, Agriculture and Rural Affairs Committee, 1 October 2015. / Extrait de l'ébauche du procès-verbal du comité de l'agriculture et des affaires rurales, le 1^{re} octobre 2015.

**AGRICULTURE AND RURAL
AFFAIRS COMMITTEE
REPORT 8
14 OCTOBER 2015**

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**COMITÉ DE L'AGRICULTURE ET
DES AFFAIRES RURALES
RAPPORT 8
LE 14 OCTOBRE 2015**

**Report to
Rapport au :**

**Agriculture and Rural Affairs Committee
Comité de l'agriculture et des affaires rurales
1 October 2015 / 1er octobre 2015**

**and Council
et au Conseil
14 October 2015 / 14 octobre 2015**

**Submitted on September 24, 2015
Soumis le 24 septembre 2015**

**Submitted by
Soumis par :
Susan Jones Acting Deputy City Manager / directrice municipale adjointe par
intérim, City Operations / Opérations municipales**

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Ward: RIDEAU-GOULBOURN (21)

File Number: ACS2015-COS-ESD-0018

SUBJECT: Flewellyn Municipal Drain – Amendment to the Engineer's Report

OBJET: Drain municipal Flewellyn – Modification au rapport d'ingénieur

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 Flewellyn Municipal Drain Branch 1* dated August 2015 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 Flewellyn Municipal Drain Branch 1* (Modification au rapport d'ingénieur concernant la conduite secondaire 1 du drain municipal Flewellyn), daté du mois d'août 2015, 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

In response to a request by the City of Ottawa for amendments to the existing Branch 1 of the Flewellyn Municipal Drain, Andy Robinson, P.Eng. of Robinson Consultants Inc. was appointed by the City of Ottawa on July 13, 2011, as the Engineer of record to prepare a report under Section 78 of the *Drainage Act*.

The purpose of the new engineer's report is to amend the existing report and By-law for the drain to accommodate land development and associated drainage changes downstream of Fernbank Road and the Flewellyn Municipal Drain Branch 1 watershed from a rural use to urban usage, including the provision for a storm water management pond and acknowledges the abandonment of a portion of Branch 1 of the drain, North of Fernbank Road.

To accommodate the land use and drainage changes, amendments are required to the existing Engineers Report, entitled "Engineer's Report Flewellyn Municipal Drain", August 12, 1970, revised October 21, 1970, by Graham, Berman & Associates Limited.

The required amendments are detailed in the Engineer's Report entitled Amendment to the Engineer's Report for the Flewellyn Municipal Drain Branch 1, dated August 2015 and prepared by Robinson Consultants Inc. (the said report shall hereinafter be referred to as the "Engineer's Report dated August 2015").

The on-site meeting was held on August 23, 2011 parking lot of the Goulbourn Recreation Complex. All affected landowners were notified of the meeting.

DISCUSSION

The Flewellyn Municipal Drain was first constructed in 1971 under By-law No. 12-71 in the former Township of Goulbourn. The Engineer's Report dated August 2015 proposes modifications to the existing Branch 1 of the Flewellyn Municipal Drain include lowering the profile and increasing the cross-section of the drain downstream of Fernbank Road to accommodate the elevation of the outlet control structure for the proposed storm water management pond immediately upstream of Fernbank Road, replacing existing culverts to provide a safety factor, updated profile drawings and assessment schedules to reflect the new land use and property parcels.

Initial costs for the amended Engineers Report have been paid for by the City of Ottawa Surface Water Management Branch of the Environmental Services Department from capital internal order 906194. All costs associated with this report, the initial design, allowances, other costs and construction for part of the development, this will be completed and paid for by the developers. Future maintenance costs will be assessed to benefiting landowners within the watershed upstream of Flewellyn Road as per the assessment schedule "A" in the Engineer's Report dated August 2015. The portion of Branch 1 downstream of Flewellyn Road and the Main Drain will continue to be assessed for future maintenance under the assessment schedules in the 1982 Novatech Engineering Consultants Ltd. 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*.

**Schedule for the Amendment to the Engineers report for the Flewellyn Municipal
Drain Branch 1 upstream of Flewellyn Road**

Should the Agricultural and Rural Affairs Committee and Council adopt the Engineer's Report dated August 2015 and give 1st and 2nd reading to the provisional By-law, the estimated schedule will be as follows:

- Consideration of report and provisional By-law by Committee and Council – October 2015
- Court of Revision at ARAC – November 2015
- Drainage Tribunal 40 day appeal period – November and December 2015
- Third reading of the By-law – January 2016

RURAL IMPLICATIONS

Branch 1 of the Flewellyn Municipal Drain will continue to provide legal and sufficient outlet for urban and rural lands and roads.

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 and regulatory agencies was held on August 23, 2011.

COMMENTS BY THE WARD COUNCILLOR(S)

The Councillor for Rideau-Goulbourn is aware of this report and the proposed drainage works.

LEGAL IMPLICATIONS

There are no legal impediments to the implementation of the recommendation in this report.

RISK MANAGEMENT IMPLICATIONS

There are no risk implications associated with this report.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report. Approved funding exists in capital internal order 906194 Municipal Drains Improvements. All costs, which have initially been paid for by the City, will be assessed back to and recovered from the developers.

ACCESSIBILITY IMPACTS

There are no accessibility impacts associated with this report.

ENVIRONMENTAL IMPLICATIONS

The modifications to the Flewellyn Municipal Drain downstream of Fernbank Road are associated with a development application for the area for which discussion with the various City departments and regulatory agencies are ongoing. The proposed storm water management system, including any drainage works modifications, will provide outlet for the proposed subdivision and improve storm water management in the area while continuing to provide legal and sufficient outlet for the area lands and roads, including some agricultural lands. There are no provincially significant wetlands affected by this undertaking and the drainage works will protect and enhance existing fish habitat. The proposed works will require compliance with City, Provincial and Federal policy standards, regulations and legislation.

TERM OF COUNCIL PRIORITIES

The recommendations of this report aligns to the 2015-2018 Strategic Priority as part of the sustainable environmental services strategic priority by supporting an environmentally sustainable Ottawa.

SUPPORTING DOCUMENTATION

Document 1 – Location Plan, Flewellyn Municipal Drain, Branch 1

Document 2 – Provisional By-law (*Distributed separately and held on file with the City Clerk.*)

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*.

Document 1

