

BY-LAW NO. 2015 -

A By-law of the City of Ottawa to provide for amendments to the existing Branch 1 of the Flewellyn Municipal Drain upstream of Flewellyn Road in the City of Ottawa.

WHEREAS, Andy Robinson, P. Eng. of Robinson Consultants Inc. (the "Drainage Engineer"), was appointed on July 13, 2011 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 for the urban drainage design for development North of Fernbank Road and for the drainage basin and limits including parts of parts of Lots 26 and 27, Con. IX, geographic Township of Goulbourn and Lots 25 through 27, Con. X, geographic Township of Goulbourn;

AND WHEREAS the Drainage Engineer has prepared an engineer's report entitled Amendment to the Engineer's Report for the Flewellyn Municipal Drain Branch 1, dated August 2015 (the "Engineer's Report") and the report is attached hereto as Schedule "A";

AND WHEREAS Branch1 of the Flewellyn Municipal Drain from Fernbank Road (sta. 1+000) to Flewellyn Road (sta. 2+437) upon enactment and passage of this by-law and shall be maintained in accordance with the provisions of the *Drainage Act*;

AND WHEREAS Branch 1 of the Flewellyn Municipal Drain from Fallowfield Road (sta. 137+52) to Flewellyn Road (sta. 81+15) upon enactment and passage of this by-law and shall continue to be maintained in accordance with existing Engineers Report, entitled "Engineer's Report Flewellyn Municipal Drain", August 12, 1970, revised October 21, 1970, by graham, Berman & Associates Limited and with the provisions of the *Drainage Act*;

AND WHEREAS the entire costs of the required drainage work shall be borne by the developers of Block A and Block B as described in section 7.1 of the Engineer's Report;

AND WHEREAS CRT Development Inc. is the owner of the Block A and Block B lands as described in Section 7.1 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 1st and 2nd 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 Flewellyn Municipal Drain Branch 1, dated August 2015, 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.

3. The cost of future maintenance of the drainage works shall be, charged to the landowners in the drainage basin in accordance with Schedule "A", for the future maintenance of Branch No. 1 of the Flewellyn Municipal Dain, dated February 2015.
4. This by-law comes into force on the passing thereof and may be cited as the "Flewellyn Municipal Drain, Branch 1 upstream of Flewellyn Road Amendments By-law, 2015".

ENACTED AND PASSED this XXth day of XXXXX, 2016

CITY CLERK

MAYOR

SCHEDULE "A"

See copy of Amendment to the Engineer's Report for the Flewellyn Municipal Drain Branch 1, dated August 2015.

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1st Reading.....October 14, 2015
2nd Reading.....October 14 2015
3rd Reading.....XXXXX XX, 2016

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Enacted by City Council at its meeting of XXXXX XX, 2016.

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LEGAL SERVICES
CLC/ File G04-01 FLW1

COUNCIL AUTHORITY:
The *Drainage Act*, sections 42, 45, 58, 63, 74 and 78
City Council October 14, 2015
Agenda Item X (ARAC Report No. XX), and By-laws for 1st and 2nd readings