

BY-LAW NO. 2015 -

A By-law of the City of Ottawa to provide for amendments to the existing Branch 6 of the Dowdall Municipal Drain on the Department of National Defense property in the City of Ottawa.

WHEREAS, Andy Robinson, P. Eng. of Robinson Consultants Inc. (the "Drainage Engineer"), was appointed on October 12, 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 drainage basin and limits including parts of parts of Lots 5 and 6, Con. IV, geographic Township of Goulbourn;

AND WHEREAS the Drainage Engineer has prepared an engineer's report entitled Amendment to the Engineer's Report for the Dowdall Municipal Drain Branch No. 6 DND property, dated August 2015 (the "Engineer's Report") and the report is attached hereto as Schedule "A";

AND WHEREAS Branch 6 of the Dowdall Municipal Drain from station 6+630 to station 6+660 upon enactment and passage of this by-law and shall be maintained in accordance with the provisions of the *Drainage Act*;

AND WHEREAS the remaining portions of Branch No. 6 both upstream and downstream of the modifications shall continue to be governed by the Engineer's Report entitled Engineer's Report – Dowdall Municipal Drain – Modifications and Improvements dated REV November 2010 by Robinson Consultants Inc. and with the provisions of the *Drainage Act*;

AND WHEREAS the entire costs of the required drainage work shall be borne by the owners of the property requesting the enclosure being the West Part Lot 6, Concession 4, geographic Township of Goulbourn as described in section 6.1 of the Engineer's Report;

AND WHEREAS the Department of National Defense is the owner of the West Part Lot 6, Concession 4, geographic Township of Goulbourn as described in Section 6.1 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 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 Dowdall Municipal Drain Branch No. 6 DND property, 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 “E” Branch 6 Schedule of assessment for construction of the Dowdall Municipal Drain City of Ottawa (in the former Township of Goulbourn), and the Township of Beckwith – Engineer’s Report – Dowdall Municipal Drain – Modifications and Improvements dated REV November 2010 by Robinson Consultants Inc.
4. This by-law comes into force on the passing thereof and may be cited as the “Dowdall Municipal Drain Branch 6 on Department of National Defense Property 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 Dowdall Municipal Drain Branch No. 6 DND property, dated August 2015.

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1<sup>st</sup> Reading.....October 14, 2015  
2<sup>nd</sup> Reading.....October 14 2015  
3<sup>rd</sup> 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 DOW6

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 1<sup>st</sup> and 2<sup>nd</sup> readings