

BY-LAW NO. 2021 -

A By-law of the City of Ottawa to provide for the extension and modifications to the existing East Savage Municipal Drain in Lot 17, Concession IX, Lots 11 to 17, concession X, Lots 11 to 7, Concession XI, Cumberland Ward, former Township of Cumberland, Lot 1, Concession V, Cumberland Ward, former Township of Gloucester, and Lot 1 Concession IV, Innes Ward, former Township of Gloucester in the City of Ottawa and to repeal By-law No. 1623 of the former Township of Cumberland.

WHEREAS the East Savage Municipal Drain By-law, being By-law No. 1623 of the former Township of Cumberland was passed pursuant to the Drainage Act, R.S.O. 1990, c. D.17(hereinafter referred to as the "*Drainage Act*");

AND WHEREAS the lands of the former Township of Cumberland are now included in the City of Ottawa by virtue of the City of Ottawa Act, 1999, S.O. 1999, c.14, Sch.E;

AND WHEREAS, Andy Robinson, P. Eng. of Robinson Consultants Inc. (the "Drainage Engineer"), was appointed on February 10, 2016 by the Council of the City of Ottawa in accordance with the *Drainage Act* to prepare an engineer's report to extend the existing drain from its present terminus to the limit of the proposed development to accommodate the change in land use from rural/agricultural to urban development for the lands identified as Block A on Dwg. No. 16002-A3 and Dwg. No. A3.1 and A3.2 in detail located in part Lots 1, 2 and 3, Concession IV Innes Ward, former Township of Gloucester in the City of Ottawa;

AND WHEREAS the Drainage Engineer has prepared an engineer's report entitled Amendment to the Engineer's Report for the East Savage Municipal Drain, dated September 2021 (the "Engineer's Report");

AND WHEREAS the East Savage Municipal Drain, upon enactment and passage of this by-law shall be maintained in accordance with the Engineer's Report and provisions of the *Drainage Act*;

AND WHEREAS in accordance with the Engineer's Report the entire costs of the required drainage works shall be will be collected as a special benefit from

the owners of the lands in Block A in the Engineer's Report dated September 2021 as described in Section 7.4 of the Engineer's Report;

AND WHEREAS in accordance with the Engineer's Report the injuring liability assessment shall be included in the special benefit assessed to the owners of the lands in Block A in the Engineer's Report dated September 2021 as described in Section 7.4 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 East Savage Municipal Drain, dated September 2021, 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 Corporation of the City of Ottawa may borrow on the credit of the Corporation the amount of \$522,288.40 being the amount necessary for construction of the drainage works.
  
3. The Corporation of the City of Ottawa may arrange for the issue of debentures on its behalf for the amount borrowed less the total amount of:
  - (a) grants received under Section 85 of the *Drainage Act*;
  - (b) commuted payments made in respect of lands and roads assessed within the municipality;
  - (c) money paid under Subsection 61(3) of the *Drainage Act*; and,
  - (d) money assessed in and payable by another municipality,

and such debentures shall be made payable within ten (10) years from the date of the debenture and shall bear interest at a rate to be set by the City of Ottawa.

5. The cost of future maintenance of the drainage works shall be charged to the landowners in the drainage basin in accordance with the “Summary for the future maintenance of all sections of the East Savage Municipal Drain” in the Engineer’s Report dated September 2021 prepared by Robinson Consultants Inc.

7. By-law No. 1623 of the Former Township of Cumberland entitled “East Savage Municipal Drain By-law, 1965” is hereby repealed.

8. This by-law comes into force on the passing thereof and may be cited as the “East Savage Municipal Drain By-law, 2021”.

ENACTED AND PASSED this      day of      , 2021

CITY CLERK

MAYOR

## SCHEDULE "A"

See copy of Amendment to the Engineer's Report for the East Savage Municipal Drain,  
dated September 2021.

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1<sup>st</sup> Reading.....November 10, 2021  
2<sup>nd</sup> Reading.....November 10, 2021  
3<sup>rd</sup> Reading.....XXX XX, 2021

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Enacted and passed this    day of    ,2021.

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LEGAL SERVICES

COUNCIL AUTHORITY:

*Drainage Act*, R.S.O. 1990, c.D.17, section 45