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TO:	CHAIR AND MEMBERS CIVIC WORKS COMMITTEE MEETING ON JANUARY 6, 2014
FROM:	JOHN BRAAM, P. ENG. MANAGING DIRECTOR ENVIRONMENTAL & ENGINEERING SERVICES AND CITY ENGINEER
SUBJECT:	NOTICE OF ABANDONMENT OF THE CRINKLAW DRAIN IN THE DINGMAN CREEK SUBWATERSHED

RECOMMENDATION

That, on the recommendation of Managing Director, Environmental and Engineering Services and City Engineer, a Notice for Abandonment **BE ISSUED** by Council to all tributary land owners of the identified Crinklaw Municipal Drain within the Dingman Creek Subwatershed.

PREVIOUS REPORTS PERTINENT TO THIS MATTER

CWC - May 6, 2013 – Veterans Memorial Parkway South Extension and Highway 401 Interchange Improvements Transportation Environmental Study Report

BACKGROUND

Purpose:

The purpose of this report is to obtain Council approval to issue a Notice of Abandonment to all owners of lands that are tributary to the Crinklaw Municipal Drain in order to revoke the existing designation of this Municipal Drain under the Drainage Act and designate the system under the Ontario Water Resources Act (OWRA) as identified in Appendix 'A'(see location map).

Context:

The Crinklaw Municipal Drain is a tributary to the Moore Drain and Dingman Creek and is located in close proximity to Veterans Memorial Parkway (VMP) and Highway 401. The drainage area for the Crinklaw Municipal Drain extends to the City's east municipal boundary and VMP and Highway 401 boundaries.

The City, in cooperation with the Ministry of Transportation, recently completed the Veterans Memorial Parkway (VMP) South Extension and Highway 401 Interchange Improvements EA, which was accepted by Council in May 2013.

The VMP EA study's preferred recommended alternative included the south extension of Veterans Memorial Parkway to Wilton Grove and improvements to the Highway 401 interchange, and encompassed the following:

- a realignment of a portion of approximately 223 m of Crinklaw Drain to avoid a long enclosure under the interchange ramp, south of Highway 401;
- an installation of a new 37 m long concrete box culvert along the new channel;
- an enhancement of fish habitat in this drain through natural channel design; and
- an provision of wildlife passage opportunities at the Crinklaw Drain crossing.

The City of London and Ministry of Transportation are planning to proceed with the recommended extension road works and water resources, storm/drainage and SWM servicing works that will accompany these proposed road works. Under the Drainage Act, Municipal Drains are generally intended to service agricultural/rural communities and not urbanized land development. Therefore, the re-designation of the Municipal Drain is required to address the proposed urbanization of the subject lands and to proceed with the proposed servicing works.

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DISCUSSION

To allow for the VMP South extension and Highway 401 interchange improvements and to proceed with future land development, the Crinklaw Municipal Drain is recommended to be revoked under the Drainage Act and be replaced with municipal storm/drainage SWM systems designation under the OWRA. The abandonment of a municipal drain falls under Section 84 of the Drainage Act.

In accordance with this process, a Notice of Abandonment must be issued to all land owners within the Crinklaw Municipal Drain watershed which is presently designated under the Drainage Act. This requires City Council to notify all owners of lands tributary to the subject drain by mail of its intention to abandon such drainage works.

If the City does not receive any written appeal of the proposed abandonment within ten days of the mailing of the notice, then a By-law for Abandonment may be passed by Council and initiated by a separate report to Civic Works Committee. This is consistent with re-designation of former Municipal Drains located within the City of London.

CONCLUSION

In order to proceed with the new required storm/drainage and SWM works for VMP South Extension and Highway 401 Interchange Improvements, the City of London is required to develop a new municipal servicing system under the OWRA. Therefore, the Crinklaw Municipal Drain, which is presently designated under the Drainage Act, is recommended to be re-designated under the OWRA.

Acknowledgements:

This report was prepared with the assistance of the Drainage Superintendent, Don Simpson, C.E.T. and Acting Environmental Services Engineer, Erik Veittiaho, P.Eng. of the Stormwater Management Unit.

PREPARED BY:	REVIEWED AND CONCURRED BY:
BERTA KRICKER, M. ENG., F.E.C., P.ENG. MANAGER OF STORMWATER MANAGEMENT UNIT	EDWARD SOLDI, P.ENG. DIRECTOR, ROADS AND TRANSPORTATION
RECOMMENDED BY:	
JOHN BRAAM, P.ENG. MANAGING DIRECTOR, ENVIRONMENTAL & ENGINEERING SERVICES & CITY ENGINEER	

December 23, 2013

Attach: Appendix 'A' – Location Map

C.c. Don Simpson, Drainage Superintendent
Margo Perkowska, Finance
Brian Goudeseune, Ministry of Transportation
Karl Grabowski, Transportation Engineer