



# Staff Report

---

## Planning & Development Services – Development Engineering

**Report To:** Committee of the Whole Meeting  
**Meeting Date:** November 1, 2022  
**Report Number:** PDS.22.130  
**Title:** Regional Stormwater Management Plan Drainage Act Assessment –  
Follow up to Provisional By-Law 2022-74  
**Prepared by:** Brian Worsley, Manager Development Engineering

---

### A. Recommendations

---

THAT Council receive Staff Report PDS.22.130, entitled Regional Stormwater Management Plan Drainage Act Assessment – Follow up to Provisional By-Law 2022-74;

AND THAT Council enact a By-law to provide for the maintenance and extension of the Blue Mountain Outlet Diversion Drain and Ford Outlet Drain in the Town of the Blue Mountains as recommended in this report.

### B. Overview

---

Drainage deficiencies on Watercourses 7, 8 and 9 were noted in the 1993 Craigeith Camperdown Sub watershed Study. Drainage Act works were undertaken in 1996 to divert flow from Watercourse 7 to Watercourse 8, but the capacity of the Watercourse 8 culvert beneath Highway #26 was not enhanced as part of the drainage works; Watercourse 8 does not have sufficient capacity to convey existing flows from the 1:100 years storm of the (Timmins Storm) Regulatory event.

The Drainage Act report previously brought to Council on October 11, 2022 will allow the creation of adequate capacity on Watercourse 8 for it to convey flows from the 1:100-year storm and the (Timmins Storm) Regulatory event, with all construction costs being borne by the Developers of the upstream lands.

### C. Background

---

At the October 11, 2022 Council Meeting, Council considered Staff Report [PDS.22.109](#) “Regional Stormwater Management Plan Drainage Act Assessment – Other Agency Approvals and Draft By-law” and requested enactment of a Drainage Act by-law that upon enactment would provide a thirty day appeal period. Upon expiration of the Drainage Act thirty-day appeal period, if no appeals have been received, the by-law is to be made final. Council enacted By-law 2022-74 being a By-law to provide for the maintenance and extension of the Blue Mountain Outlet

Diversion Drain and Ford Outlet Drain in the Town of The Blue Mountains at the October 11, 2022, Council Meeting. Staff confirm that the thirty-day appeal period ends on November 10, 2022, and that as of the writing of this report, no appeals have been received by the Town. The Manager of Development Engineering will be available to speak to this at the November 14, 2022, Council meeting to advise if any appeals have been received. If no appeals have been received, staff are recommending enactment of the attached By-law.

## **D. Analysis**

---

The Engineering solution being proposed by the Developer's Consulting Engineering (C.F Crozier & Associates Inc.) to provide for the Stormwater drainage of the Parkbridge, Eden Oak (Trailshead, and MacPerson (Homefarm) lands has been reviewed by the Town Engineering staff, the independent Drainage Act Engineer retained by the Town (WT Infrastructure Solutions Inc.), the Consultant retained by the Town to undertake the Townwide Master Drainage Plan (Tatham Engineering), and MTO and GSCA Professional staff. Considering the extensive professional review that the proposed engineering solution appropriate.

As mentioned in PDS.22.109, the Drainage Act process requires that 60% of the landowners within the area requiring drainage be in support of the project. The three Developers, Parkbridge, Eden Oak and MacPherson, meet the test required by the Drainage Act. The Drainage Act statutory appeal period is in effect from the enactment of the provisional by-law on October 11, 2022, to be re-enacted at the November 14, 2022, Council meeting. As of the writing of this report, no appeals have been received.

## **E. Strategic Priorities**

---

Through the proposed Drainage Act improvements, and resultant elimination of flooding, the following strategic priorities will be advanced.

### **2. Organizational Excellence**

We will continually seek out ways to improve the internal organization of Town Staff and the management of Town assets.

### **3. Community**

We will protect and enhance the community feel and the character of the Town, while ensuring the responsible use of resources and restoration of nature.

### **4. Quality of Life**

We will foster a high quality of life for full-time and part-time residents of all ages and stages, while welcoming visitors.

## **F. Environmental Impacts**

---

None at this time.

## **G. Financial Impacts**

---

None at this time.

## **H. In Consultation With**

---

None at this time.

## **I. Public Engagement**

---

Public meetings and/or public information center for the general public is not a requirement of the Drainage Act, however, the topic of this Staff Report was before the public as noted below:

- August 11, 2021, Committee of the Whole (PDS.21.082);
- August 23, 2021, Council (PDS.21.082);
- June 21, 2022, Committee of the Whole (PDS.22.085);
- July 4, 2022, Council (PDS.22.085);
- September 27, 2022 Committee of the Whole (PDS.22.109);
- October 11, 2022 Council (PDS.22.109);
- November 1, 2022 Committee of the Whole (PDS.22.130);
- November 14, 2022 Council (PDS.22.130);

Additionally, the report will be taken to the November 14, 2022 Council meeting for adoption of the Drainage Act report and, if no appeals have been received, enactment of the By-Law, to satisfy the provisions of the Drainage Act.

Any comments regarding this report should be submitted to Brian Worsley, Manager Development Engineering at [developmentengineering@thebluemountains.ca](mailto:developmentengineering@thebluemountains.ca).

## **J. Attached**

---

1. By-law 2022-74 Being a provisional By-law to Provide for the Maintenance and Extension of the Blue Mountain Outlet Diversion Drain and Ford Outlet Drain in The Town of The Blue Mountains.
2. Draft By-Law – note the W.T Infrastructure Engineers Report was attached to staff report [PDS.22.085](#) and will be attached to the by-law once enacted.

Respectfully submitted,

Brian Worsley  
Manager Development Engineering

For more information, please contact:  
Brian Worsley, Manager Development Engineering  
[developmentengineering@thebluemountains.ca](mailto:developmentengineering@thebluemountains.ca)

519-599-3131 extension 220

### Report Approval Details

Document Title:	PDS.22.130 Regional Stormwater Management Plan Drainage Act Assessment - Follow up to provisional By-Law .docx
Attachments:	- PDS.22.130 Attachment 1.pdf - PDS.22.130 Attachment 2.pdf - PDS.22.130 Attachment 3.pdf
Final Approval Date:	Oct 20, 2022

This report and all of its attachments were approved and signed as outlined below:

**Brian Worsley - Oct 20, 2022 - 9:55 AM**

**Adam Smith - Oct 20, 2022 - 11:54 AM**

## The Corporation of the Town of The Blue Mountains

### By-Law Number 2022 – 74

**Being a By-law to provide for the maintenance and extension of the Blue Mountain Outlet Diversion Drain and Ford Outlet Drain in the Town of the Blue Mountains.**

Whereas the Council of the Town of the Blue Mountains in accordance with the provisions of the Drainage Act has received a request for the maintenance and extension of the Blue Mountain Outlet Diversion Drain and Ford Outlet Drain in the Town of the Blue Mountains.

And Whereas the Council of the Town of the Blue Mountains has procured an engineer's report prepared by WT Infrastructure Solutions Incorporated, dated March 7, 2022 (the "engineer's report"), and the engineer's report is attached to and forms part of this By-law;

And Whereas the Council of the Town of the Blue Mountains is of the opinion that the maintenance and extension of the drainage works is desirable;


Now Therefore Council of The Corporation of the Town of The Blue Mountains under the Drainage Act hereby enacts as follows:

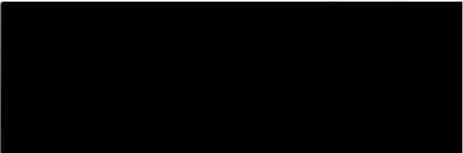
1. That the engineer's report is hereby adopted, and the maintenance and extension of the drainage work as therein indicated and set forth are hereby authorized and shall be completed in accordance therewith.
2. That the costs of the extension of the drainage works as set forth in the engineer's report, including any necessary permits and/or approvals from Grey Sauble Conservation Authority and/or the Ontario Ministry of Transportation, shall be borne entirely by the petitioners, Parkbridge Lifestyle Communities Inc., MacPherson Builders (Blue Mountains) Limited, and Eden Oak (Trailshead) Inc.
3. That the implementation of the works will be through a fully secured agreement prepared by the Town's solicitor.

READ A FIRST AND SECOND TIME AND PROVISIONALLY ADOPTED THIS 11<sup>TH</sup> day of October, 2022.

And Further that this By-law shall come into force and take effect upon the enactment thereof.

Enacted and passed this 11 day of October, 2022

  
Alar Soever, Mayor

  
Corrina Giles, Town Clerk

## The Corporation of the Town of The Blue Mountains

### By-Law Number 2022 –

#### **Being a By-law to provide for the maintenance and extension of the Blue Mountain Outlet Diversion Drain and Ford Outlet Drain in the Town of The Blue Mountains.**

Whereas the Council of the Town of The Blue Mountains in accordance with the provisions of the Drainage Act has received a request for the maintenance and extension of the Blue Mountain Outlet Diversion Drain and Ford Outlet Drain in the Town of The Blue Mountains;

And Whereas the Council of the Town of The Blue Mountains has procured an engineer's report prepared by WT Infrastructure Solutions Incorporated, dated June 6, 2022 (the "engineer's report"), and the engineer's report is attached to and forms part of this By-law;

And Whereas Council has received Staff Report PDS.22.109 and enacted the provisional by-law 2022-74 to provide for the maintenance and extension of the Blue Mountain Outlet Diversion Plan and Ford Outlet Drain in the Town of The Blue Mountains. Town staff confirm no appeals were received during the Drainage Act thirty-day appeal period and recommend the enactment of this By-law;

And Whereas the Council of the Town of The Blue Mountains is of the opinion that the maintenance and extension of the drainage works is desirable;

Now Therefore Council of The Corporation of the Town of The Blue Mountains under the Drainage Act hereby enacts as follows:

1. That the engineer's report is hereby adopted, and the maintenance and extension of the drainage work as therein indicated and set forth are hereby authorized and shall be completed in accordance therewith.
2. That the costs of the extension of the Drainage Works as set forth in the engineer's report, including any necessary permits and or approvals from Grey Sauble Conservation Authority and or the Ontario Ministry of Transportation, shall be borne entirely by the petitioners, Parkbridge Lifestyle Communities Inc., McPherson Builders (Blue Mountains) Limited, and Eden Oak (Trailshead) Inc.
3. That the implementation of the works will be through a fully secured agreement prepared by the Town's solicitor.

READ A THIRD AND FINAL TIME AND ADOPTED THIS 14<sup>th</sup> day of November, 2022.

And Further that this By-law shall come into force and take effect upon the enactment

Enacted and passed this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

---

Alar Soever, Mayor

---

Corrina Giles, Town Clerk