



TOWN OF INNISFIL STAFF REPORT

Staff Report No.: DSR-128-19
Date: September 11, 2019
To: Mayor, Deputy Mayor and Members of Council
From: Jason Inwood, Strategic Leader, Operations
Jeremy Nyenhuis, Drainage Superintendent
Subject: Carson Creek Improvement – Appointment of Engineer

RECOMMENDATION:

1. That Staff Report DSR-128-19 regarding the Carson Creek Improvement – Appointment of Engineer dated September 11, 2019 be received; and
2. That R.J. Burnside and Associates Limited be appointed as the Town's Drainage Engineer for the Carson Creek Improvement drainage works pursuant to the provisions outlined in Section 78 of *the Drainage Act, R.S.O. 1990, c. D.17*.

BACKGROUND:

In April 2016 Council received a report entitled *2015 Municipal Drain Inspection Report – Town of Innisfil* from R.J. Burnside and Associates Limited (Burnside). Contained in this report was an in depth and forecasted work plan based on the file review and physical conditions of all of the municipal drains located within the Town's boundaries.

Outlined under the field investigation section of the inspection report, it was indicated that the Carson Village Drainage Award drain was in fair condition with fallen trees throughout, beaver dams present and that there is erosion present on both banks throughout the lower section of the main drain. Under the background documents section of this report it indicated that the Town is missing the existing profiles and specifications for the drain. Therefore, the overall recommendation was that procedural work would be required and that a new engineer's report would need to be considered in the future for this municipal drain.

On June 5, 2019 Council received Staff Report DSR-084-19 and approved its recommendations which included direction that an Improvement Report be completed under Section 78 of *the Drainage Act* on the existing Carson Village Drainage Award, and that staff undertake a Request for Proposal process to find a Drainage Engineer. This municipal drain was constructed under By-law A-124 dated October 2, 1961 and is in the need of improvement and repairs.

ANALYSIS/CONSIDERATION:

On August 12, 2019 the Bid Submission Deadline closed for RFP #: P-19-87 regarding the Engineering Services Under the *Drainage Act, R.S.O. 1990, c. D.17* for the Carson Creek Improvement with only one proposal received being from Burnside.

Burnside's proposal outlines several key steps within their Work Plan and Time-Task Table that ensure the processes related to developing a design and Final Engineer's Report are undertaken in a manner that fully engages all parties. There are key commitments outlined specific to the landowners ensuring accountability and transparency in the proposal including the options of holding a Drainage 101 Session in a unique public consultation. This would help better inform and serve the property owners in the watershed who may have little to no knowledge of the *Drainage Act* and its processes.

FINANCIAL CONSIDERATION:

On June 5, 2019 Council approved the recommendations in Staff Report DSR-084-19 and the approved in-year budget for RDS364 Carson Creek Improvement in the amount of \$276,909 which has been funded from developer contributions previously received for this purpose.

As indicated in that staff report, the cost for the Section 78 Improvement Report will be paid by the Town of Innisfil and subsequently charged back to the affected landowners. With all Municipal Drain projects, costs associated with the overall costs of the work are tallied and levied against all upstream owners of lands and roads as indicated in the assessment schedules contained within Engineer's Report. It is estimated that there is approximately 1,000 affected property owners, both urban and rural, within the approximated 650 hectare Carson Creek watershed.

Burnside's estimated engineer's cost for the Carson Creek Improvement was \$170,138.48 plus applicable taxes which is less than the Council approved budget amount for this project as already funded by developer contributions. Burnside's pricing was based on their understanding of the Carson Creek project in general as well as their extensive past knowledge and experience with municipal drain projects. It was prepared to the best of their abilities and OMAFRA Drainage Statistics were also consulted to determine the magnitude of the overall cost of the possible Carson Creek Improvement in order to arrive at an "estimated" engineering value for this project.

OPTIONS/ALTERNATIVES:

As Council received Staff Report DSR-084-19 on June 5, 2019 and approved the recommendation to proceed with an Engineer's Improvement Report under Section 78 of *the Drainage Act* for the Carson Creek Improvement, Council must appoint an engineer. Council does have the option of deferring this report for consideration at a later date, however, this would open up the potential under Section 8(3) of *the Drainage Act* to have landowners appeal to the Tribunal and the Tribunal may direct Council to take such action as the Council is authorized to take under *the Drainage Act*.

CONCLUSION:

Staff recommend that Council proceed to appoint R.J. Burnside & Associates Limited as the Town's Drainage Engineer for the Carson Creek Improvement drainage works pursuant to Section 78 of *the Drainage Act*.

PREPARED BY:

Jeremy Nyenhuis, Drainage Superintendent

APPROVED BY:

Jason Inwood, Strategic Leader, Operations

ATTACHMENTS:

2019 Drain Inspection Map – Carson Village Drainage Award