To: Chair and Members
   Public Works Committee
   PW07090

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Re: Flamborough Centre - Flooding Issue (PW07090) (Ward 15)

Council Direction:

At the March 28, 2007 City Council meeting, staff were directed to report back to the Public Works Committee on several flooding issues affecting residents located in Flamborough Centre.

Information:

The Centre Road flooding issue is located in the settlement area of Flamborough Centre located at the intersection of the 6TH Concession East and Centre Road in the former Town of Flamborough. The area has a long history of high water tables, flooding during the spring runoff and experiences some flooding after major rain events. The land adjacent to Mr. Filippetto’s property has been evaluated by the Ministry of Natural Resources (MNR) and has been designated as a provincially significant wetland. The MNR refers to the area as the “Flamborough Wetland Complex. The property in question and a large portion of the lands located around the intersection of the 6th Concession East and Centre Road has been identified on the Approximate Regulation Limit mapping provided by Conservation Halton (CH) as wetland/flood plain and is identified as the “Millgrove Tributary” of the Grindstone Creek which leads from Flamborough Centre to Highway 6 and Millgrove.

The Grindstone Creek Watershed Study of June 1998 prepared by the Halton Region Conservation Authority (now known as Conservation Halton) references the area as the “Flamborough Centre Swamp” and describes the area as “a natural reservoir”. The following excerpt is taken from the above referenced report:

“As a result of a seasonally high water table, Flamborough Centre residents often struggle to keep basements dry and some agricultural fields face limited access. While there is nothing to be done to directly alleviate there problems, stewardship initiatives focused on the swamp will help to improve its capacity to naturally control surface and groundwater flows.”

A recent review of the road side drainage infrastructure undertaken by Roads Operations & Maintenance staff along Centre Road and the 6th Concession in the area in question indicates that the culverts appear to be sized correctly and are presently...
Running free and clear of any significant siltation and/or vegetation build up. Along the west side of Centre Road, a portion of the drainage passes through two (2) parcels of private lands (265 and 271 6th Concession East) before connecting back onto the 6th Concession Road East. Roads Operations & Maintenance staff has approached the two property owners in question and are presently working towards acquiring the necessary easements through their properties.

Council should note that there is no obligation under Common Law for a property owner who has a watercourse that passes through their property to keep that watercourse free and clear of natural vegetation or siltation build up. Roads Operations & Maintenance staff will continue to work with the property owners in obtaining the necessary easements as these easements form an integral part of the drainage system in the area. However if staff are unable to obtain the require easements Roads Operations & Maintenance will continue to monitor the road side ditches in the area for regular maintenance.

District 1 Superintendent Bill Weaver and Drainage Superintendent Bob Paul met with both the Filippetto's and Conservation Halton on September 14, 2006 to discuss the possibility of creating a routine maintenance program to ensure the vegetation and siltation build up within the road side ditches is minimized. Conservation Halton are concerned with the creation of a routine maintenance plan for the area due, in part, to the identification of the road side ditches by the Department of Fisheries and Oceans (DFO) as being a tributary to the Grindstone Creek watershed. Conservation Halton have agreed to work with the City to design an appropriate maintenance schedule that would satisfy the concerns of both the CH and the DFO. This work may include the creation of fish holding areas within the roadside ditches as well as areas of tree planting along the back slopes of the ditches as compensation for the destruction of the vegetation. The purpose for the plantings will be to provide adequate shading for the aquatic life.

In response to the R.J. Burnside & Associates report submitted by Mr. Filippetto regarding the observation by Mr. Davidson at an on site visit of November 8, 2006, it was suggested that some minor regrade of the roadside may relieve the drainage in the area of Mr Filippetto’s property. The author of the report may be not be aware of the history of the high water table, the designation by the MNR of the provincially significant wetland or the identification of the ditches by the CH and the D.F.O as being a tributary to Grindstone Creek. The existing topography around Flamborough Centre and the natural formation and grade of the creek in which the area drains and the ability to establish a sufficient outlet to the creek dictates the grades that are achievable along the entire drainage system for the area.

District 1 Roads Operations completed a cleanout of the road side drainage in the fall of 2005. Works included the removal of the vegetation and siltation build up along sections of the roadside ditches from north of the Filippetto property to where the ditch/creek enters the private property south of the 6th Concession East, east of Centre Road. Observation made at a site visit of May 22 of this year shows that the drainage system is running clear with little vegetation or siltation build up.

One option available to the residents would be to petition the City for the creation of a Municipal Drain under Section 4 of the Drainage Act R.S.O. 1990. In order to initiate Section 4 of the Act the petition would have to include a majority in numbers of the
owners or at least 60% of the hectarage in the area of Flamborough Centre that requires drainage. Staff do not recommend this option as it would create a large financial undertaking by the residents in constructing the drainage work required and the perpetual long term maintenance costs associated with the creation of a Municipal Drain, as well as the opposition that would be created by property owners downstream of the area, CH, D.F.O and the MNR for the possible disruption of a tributary. In the meantime, Staff will continue to pursue obtaining the required easements as well as monitor the area for any large vegetation and siltation build up and respond accordingly.

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