

The Corporation of the City of Kawartha Lakes

Minutes

Drainage Board Meeting

DB2024-01
Tuesday, April 2, 2024
6:30 P.M.
Council Chambers
City Hall
26 Francis Street, Lindsay, Ontario K9V 5R8

Members:
Councillor Ron Ashmore
Councillor Dan Joyce
Councillor Tracy Richardson
Charles Clarke
Robert MacEachern
Jim Oriotis
David Skrabek
Andrew Veale
Tim Willcox

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1. **Call to Order**

Deputy Clerk and Recording Secretary J. Watts called the meeting to order at 6:30 p.m. Drainage Board members Councillors R. Ashmore, D. Joyce, and T. Richardson as well as members R. MacEachern, J. Oriotis (participating via Zoom), D. Skrabek, A. Veale, and T. Willcox were in attendance.

Director of Engineering and Corporate Assets J. Rojas, Manager of Engineering-Technical Services M. Farquhar, and Drainage Superintendent R. Monaghan were also in attendance.

Late Arrivals: C. Clarke at 6:34 p.m.

1.1 Appointment of Chair and Vice Chair

Deputy Clerk Watts welcomed the members of the Board and the Public present, and explained the roles of Chair and Vice-Chair, and the nomination process.

Deputy Clerk Watts called for the nominations for the position of Chair.

A. Veale was nominated. Deputy Clerk Watts asked A. Veale if he wished to let his name stand for Chair of the Drainage Board. He consented to the nomination.

Deputy Clerk Watts called a second time for nominations for the position of Chair.

Councillor R. Ashmore was nominated. Deputy Clerk Watts asked Councillor Ashmore if he wished to let his name stand for Chair of the Drainage Board. He consented to the nomination.

Deputy Clerk Watts called for a third and final time for nominations for the position of Chair.

Deputy Clerk Watts declared nominations for the position of Chair for the Drainage Board closed.

A vote for the position of Chair was conducted by a show of hands of the eight members present. A tie vote was recorded, and no member was elected to the position of Chair.

C. Clarke arrived in the Council Chambers at 6:34 p.m.

Deputy Clerk Watts welcomed Member C. Clarke to the meeting, and informed all members present of the tie vote and of the two candidates nominated. He conducted the for the position of Chair for the second time by the showing of hands of the nine members present.

Deputy Clerk Watts declared A. Veale as Chairperson of the Drainage Board.

A. Veale assumed his position as Chairperson of the Drainage Board.

Chair Veale called for the nominations for the position of Vice-Chair

Councillor Ashmore was nominated. Chair Veale asked Councillor Ashmore if he wished to let his name stand for Vice-Chair of the Board. He consented to the nomination.

Chair Veale called a second time for nominations for the position of Vice-Chair.

Chair Veale called for a third and final time for nominations for the position of Vice-Chair.

Chair Veale declared nominations for the position of Vice-Chair for the Drainage Board closed.

Chair Veale declared Councillor Ashmore as Vice-Chair of the Drainage Board.

The Chair thanked the members of the committee for the appointment as Chairperson of the Drainage Board.

2. Administrative Business

2.1 Adoption of Agenda

DB2024-01

Moved By Councillor Richardson

Seconded By D. Skrabek

That the agenda be adopted as circulated.

Carried

2.2 Declaration of Pecuniary Interest

There were no declarations of pecuniary interest disclosed.

2.3 Adoption of Minutes from Previous Meeting

June 1, 2023 Drainage Board Minutes; and

August 2, 2023 Drainage Board Court of Revision Minutes

DB2024-02

Moved By R. MacEachern

Seconded By C. Clarke

That the minutes of the Drainage Board meeting held on June 1, 2023 and the minutes of the Drainage Board-Court of Revision held on August 2, 2023, be adopted as circulated.

Carried

3. Meeting to Consider - Waite Municipal Drain

3.1 Presentation of Engineer's Report - Waite Municipal Drain

Edward DeLay, M. Eng. P. Eng, R.J. Burnside & Associates Limited

Engineer E. DeLay provided a brief overview of his report and highlighted the following items related to the proposed Waite Municipal Drain:

- Summary of the project team including himself and S. Vander Veen;
- Timelines of the project thus far (noting delays due to COVID-19 regulations in 2020 and 2021, and response timelines from the Ministry of Transportation for the proposed Highway 35 crossing);
- Summary of the steps taken in the Drainage Act Process;
- Particulars regarding the project location;
- Proposed watershed plan, including noting the 3 branches of the proposed municipal drain;
- Construction plans;
- Costs including estimated and known costs; and
- Schedules of assessment and allowances.

Mr. DeLay and Mr. Vander Veen made themselves available for any questions from the members of the Drainage Board and public in attendance.

3.2 Question and Answer Period

1. Members of the Drainage Board
2. Members of the Public

The Chair inquired if there were any questions or comments from the members of the Drainage Board. No questions were posed at this time.

The Chair inquired if there were any questions or comments from the members of the public.

B. and K. Johnston spoke to the proposed municipal drain posing questions regarding:

- Timelines of the process since 2017;
- Lack of notice since initial process started (effecting those who had bought into the watershed area since initial on-site meetings);
- Lack of perceived drainage concerns in the area;
- The cost-benefit analysis for the introduction of drainage in the area;
- The reasoning for petitions by Mr. Waite and the City of Kawartha Lakes;
- The lack of notice on the tax roll for those who purchased in the area since 2017;
- The lack of response from municipal staff and engineers since 2021 on questions;
- Effects on water quality, and quantity in area wells in shale/limestone;
- Effects on algae blooms in nearby lakes;
- Effects on nearby lands of provincial and scientific interest (wetlands and drumlins);
- Liability for potential damages to property and wells;
- Cleanliness of the water being collected and drained (and risks to farm animals drinking it);
- Actual depths of the proposed drain based on likely tile drainage installation;
- Lack of additional on-site meetings following MTO decisions; and
- The lack of the initial report being filed with the Municipality within the one-year timeline established under Section 39 of the Drainage Act.

K. McQuade spoke to the proposed municipal drain posing questions regarding:

- Existing water problems in the area;
- Effects on well water levels;

- Lack of perceived benefit;
- Lack of quality of the roadside and culverts and ditches in the area that could benefit overall area drainage;

C. Yake spoke to the proposed municipal drain posing questions regarding:

- How much water will end up on his property;
- What is the quality of the water that ends at his property;
- Effects on his well;
- The lack of communication regarding the process;
- How will the land be used following the installation of the municipal drain;
- The cost-benefit analysis for the introduction of drainage in the area;
- The purpose for the municipality to join the petition; and
- Whether all options for drainage have been considered including improved roadside drainage.

C. Parson spoke to the proposed municipal drain posing questions regarding:

- General existing water quality and quantity problems in the Cameron area;
- The lack of perceived drainage issues on the land proposed for drainage;
- The plan to bring water on the eastern branch to lands that are already flooded;
- Decisions regarding closed or open drains on specific properties;
- Responsibility for damage to dug wells that are not very deep; and
- Responsibility for costs associated with potential increased need for water deliveries to supplement wells.

The Chair permitted the Engineer E. DeLay, S. Vander Veen or M. Farquhar to respond to the questions put forward by the members of the public. The Chair closed the question and answer period.

3.3 Opportunity to Add or Withdraw Signatures to the Petition

Mr. Farquhar provided an overview of the option for adding or removing names from the petition, and the advantages and responsibilities of doing so. The Chair inquired if any persons in attendance at the meeting wish to add or remove their name to the petition.

Mr. Waite, and the Municipality confirmed that they wished to remain signed on the petition.

No other persons present indicated that they wished to sign or remove their names from the original petition at this time.

Mr. DeLay provided an overview of the appeal options following the potential adoption of the report.

3.4 Recommendation of Drainage Board to Council

DB2024-03

Moved By C. Clarke

Seconded By D. Skrabek

Recommend that the Waite Municipal Drain Engineer's Report, as prepared by E. DeLay M. Eng, P. Eng, R.J. Burnside and Associates Limited, be referred back to the Drainage Engineer for further consultation with the members of the community regarding the issues raised at the Meeting to Consider.

Carried

4. Meeting to Consider - Short and 2A Minor Improvement - Masters

4.1 Presentation of Engineer's Report - Short and 2A Minor Improvement - Masters

Michael Gerrits, P. Eng., M. Gerrits Consulting Inc.

Mr. Gerrits provided a brief overview of his report and highlighted the following items related to the Minor Improvement to the Short and 2A Municipal Drain as requested under Section 78 of the Drainage Act:

- A summary of the low level crossing being requested by the Masters;
- A brief history of the Engineers Reports for the Short and 2A Municipal Drains;
- The proposed solution for the minor improvement request;
- A summary of the proposed costs, and the assessment to the Masters

4.2 Question and Answer Period

1. Members of the Drainage Board
2. Members of the Public

The Chair opened the meeting to questions from the members of the Drainage Board and members of the public present.

G. Masters posed questions regarding whether this crossing should be eligible for grant based on how the property being accessed is landlocked.

No other questions from the members of the Public or the Drainage Board were posed.

The Chair permitted Mr. Gerrits to respond to the question posed, and he noted that the grant will be determined by OMAFRA, and that he had initially been working on an assumption that there was another access point to the lands serviced by the proposed crossing.

4.3 Opportunity to Add or Withdraw Signatures to the Petition

The Chair inquired to Mr. Masters if he wished to keep his name on the petition for the Minor Improvement.

Mr. Masters confirmed wished to keep the name on the petition.

4.4 Recommendation of Drainage Board to Council

DB2024-04

Moved By Councillor Richardson

Seconded By Councillor Ashmore

Recommend that the Short and 2A Municipal Drain Minor Improvement Masters Level Crossing Engineer's Report, as prepared by M. Gerrits P. Eng, be adopted; **That** a by-law be provisionally adopted by first and second reading to provide for the minor improvement amendment to the drainage works in the City of Kawartha Lakes known as the Short and 2A Municipal Drain;

That staff be instructed to provide the necessary notice following the adoption of the provisional by-law; and

That following the last date of appeal to the Drainage Referee on the necessary notice, and if no appeals are filed, Council adopt the provisional by-law with a third reading at the next available Regular Council Meeting.

Carried

5. Other Business

6. Adjournment

DB2024-05

Moved By C. Clarke

Seconded By R. MacEachern

That the Drainage Board Meeting adjourn at 8:33 p.m.

Carried