

# **The Corporation of the City of Kawartha Lakes**

## **AMENDED AGENDA**

### **DRAINAGE BOARD**

**DB2017-02**

**Monday, August 28, 2017**

**7:30 P.M.**

**Victoria Room**

**City Hall**

**26 Francis Street, Lindsay, Ontario K9V 5R8**

#### **MEMBERS:**

**Councillor Brian Junkin**

**Councillor Heather Stauble**

**Ed Bagshaw**

**Jim Bedard**

**Robert Bonis**

**Matt Hollinger**

**Jim Oriotis**

**Accessible formats and communication supports are available upon request.**

1.	<b><u>CALL TO ORDER</u></b>	
2.	<b><u>ADMINISTRATIVE BUSINESS</u></b>	
2.1	Adoption of Agenda	
2.2	Declaration of Pecuniary Interest	
2.3	Adoption of Minutes from Previous Meeting	
2.3.1	Minutes of March 29, 2017 Drainage Board	3 - 6
3.	<b><u>DEPUTATIONS</u></b>	
3.1	<i>Joseph Waite</i> (Relating to Item 4.1 on the Agenda)	
4.	<b><u>NEW BUSINESS</u></b>	
4.1	Petition for Drainage Works by Owner(s) - Joseph and Carol Waite	7 - 16
5.	<b><u>OTHER BUSINESS</u></b>	
5.1	Update on the Robertson Drain (Verulam) Maintenance Cleanout	17 - 18
6.	<b><u>ADJOURNMENT</u></b>	

**The Corporation of the City of Kawartha Lakes**  
**MINUTES**  
**DRAINAGE BOARD**

**DB2017-01**  
**Wednesday, March 29, 2017**  
**7:30 P.M.**  
**Victoria Room**  
**City Hall**  
**26 Francis Street, Lindsay, Ontario K9V 5R8**

**MEMBERS:**

**Councillor Brian Junkin**  
**Councillor Heather Stauble**  
**Ed Bagshaw**  
**Jim Bedard**  
**Robert Bonis**  
**Matt Hollinger**  
**Jim Oriotis**

**Accessible formats and communication supports are available upon request.**

**1. CALL TO ORDER**

City Clerk and Recording Secretary J. Currins called the meeting to order at 7:32 p.m. Drainage Board Members E. Bagshaw, J. Bedard, R. Bonis, M. Hollinger, Councillor B. Junkin, J. Oriotis and Councillor Stauble were in attendance.

Drainage Superintendent P. Herlihey and Supervisor - Technical Services M. Farquhar were also in attendance.

City Clerk J. Currins opened the nominations for Chair of the Drainage Board.

**Moved by Councillor Junkin, seconded by E. Bagshaw,  
RESOLVED THAT** Rob Bonis be appointed as Chair of the Drainage Board.

City Clerk J. Currins called two more times for nominations for Chair of the Drainage Board. As there were no further nominations, City Clerk J. Currins declared nominations for the position of Chair of the Drainage Board closed.

City Clerk J. Currins declared Rob Bonis as Chair of the Drainage Board.

R. Bonis assumed the Chair.

**2. ADMINISTRATIVE BUSINESS**

**2.1 Adoption of Agenda**

**Moved By** Councillor Junkin

**Seconded By** J. Oriotis

**RESOLVED THAT** the agenda be adopted as circulated.

**CARRIED**

**2.2 Declaration of Pecuniary Interest**

There were no declarations of pecuniary interest noted.

**2.3 Adoption of Minutes from Previous Meeting**

### **2.3.1 Minutes of March 9, 2016 Drainage Board**

**Moved By** Councillor Junkin

**Seconded By** J. Oriotis

**RESOLVED THAT** the minutes of the Drainage Board meeting held on March 9, 2016, be adopted as circulated.

**CARRIED**

### **3. DEPUTATIONS**

### **4. NEW BUSINESS**

#### **4.1 Update of 2016 Municipal Drainage Works and Proposed 2017 Municipal Drainage Works**

Supervisor M. Farquhar and Superintendent P. Herlihey provided maps and a report summarizing where the maintenance of drain works was completed in 2016 and what was proposed for 2017. Staff provided details on each drain and answered questions put forth by members of Council.

**Moved By** Councillor Stauble

**Seconded By** J. Oriotis

**RESOLVED THAT** the report, maps and verbal update from Supervisor Farquhar and Drainage Superintendent Herlihey regarding the 2016 and 2017 Municipal Drainage Works Update, be received.

**CARRIED**

#### **4.2 Request for Drainage Works - Robertson Drain Update**

Supervisor Farquhar advised the Drainage Board that a request for Drain Maintenance has been received on the Robertson (Verulam) Drain. This work is in a Conservation Authority protected area and therefore requires a permit. The Drainage Superintendent has obtained the permit and the work will be commenced after July 1st when the work would be permitted.

**Moved By** Councillor Stauble  
**Seconded By** E. Bagshaw

**RESOLVED THAT** the verbal update from Supervisor Farquhar regarding the Request for Drainage Works - Robertson Drain, be received.

**CARRIED**

5. **OTHER BUSINESS**

There was a lengthy discussion regarding the impact of the Purchasing Policy requirement to have contracts for municipal drain work bonded. It was noted that the Purchasing Policy is under review and it would be appropriate to make a recommendation to Council regarding this issue.

**Moved By** Councillor Junkin  
**Seconded By** J. Oriotis

**RESOLVED THAT** it be recommended to Council that Municipal Drainage Projects be exempt from the Purchasing Policy Bonding Requirements.

**CARRIED**

6. **ADJOURNMENT**

**Moved By** E. Bagshaw  
**Seconded By** J. Bedard

**RESOLVED THAT** the Drainage Board Meeting adjourn at 9:20 p.m.

**CARRIED**



**THE CORPORATION OF THE  
CITY OF KAWARTHA LAKES**

12 Peel Street P.O. Box 9000  
Lindsay, ON K9V 5R8  
Phone: 705-324-9411, Ext. 1156  
Fax: 705-324-2982

**MEMO**

**Date: August 28, 2017**

**To: Drainage Board**

**From: Mike Farquhar, Supervisor Technical Services – Engineering & Corporate Assets**

**Re: Petition for Municipal Drainage  
Waite Petition**

**CC: Juan Rojas Director of Engineering and Corporate Assets  
Paul Herlihey, Municipal Drain Superintendent.**

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**Recommendation:**

**THAT** the Drainage Board receives the memorandum from the Supervisor of Technical Services- Engineering and Corporate Assets dated August 28, 2017, for information in response to the petition for drainage works by owners of:

Part Lt 10 West Half of Concession 6 Geographic Township of Fenelon

From Joseph and Carol Waite.

**THAT** the Drainage Board recommends to Council for consideration this petition for a Municipal Drain as prescribed under the Ontario Drainage Act; and

**THAT** Staff pursue with the petitioners concurrently an option for a mutual drainage agreement as per the City's Agricultural Tile Discharge to Roadside Ditches Policy.

## **Background:**

The subject area/land is bounded by Cameron road to the West, Chambers Road to the North (refer to Appendix A). There are no existing Municipal Drains within the vicinity. The area of the land identified as Part Lt 10 West Half of Concession 6 is approximately 98 acres in size.

The property is within the Kawartha Conservation Authority jurisdiction as defined under the Ontario Conservation Act and has two separately identified watercourses on the property (see appendix B). The grade of the lands from the middle of the property contours to the east and west.

On August 15, 2017 the City of Kawartha Lakes Clerks department received a petition for Drainage works within the subject area (Appendix C).

## **Alternatives:**

As an option for required drainage the City firstly promotes the use of a Mutual agreement through the City's policy for Agricultural Tile discharge to roadside ditches prior to pursuing a petition for a Municipal drain under the Ontario Drainage Act. At this point in time the Drainage Superintendent has currently presented this option to the petitioners and explained its avenues in comparison to petitioning for a Municipal Drain under the Drainage Act. At this current time the petitioners wish to carry on with the process under the Drainage Act for the petition. Staff will leave the door open for pursuing a mutual agreement up until the prescribed time the petitioner has under the Drainage Act for removing their names and abandoning the petition.

## **Recommendation for appointment of a Drainage Engineer:**

Currently the City has a pool of Drainage Engineers which list in the Following.

Burnside Engineering  
Tulloch Engineering  
K-Smart Engineering  
R. D. Dobbin Engineering  
DM Wills Engineering.

## **Attachments:**



Appendix B.pdf



Appendix A.pdf



Appendix C.pdf

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Petition for Drainage  
Works Form 1 - Waite

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# Waite Municipal Drain Petition



## Legend

- Road Centreline
- Upper Municipalities
- Lower Tier Municipalities
- Populated Places
- Water Labels
- Property ROLL#

## Notes

Notes

0.77

Kilometers

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
© City Of Kawartha Lakes

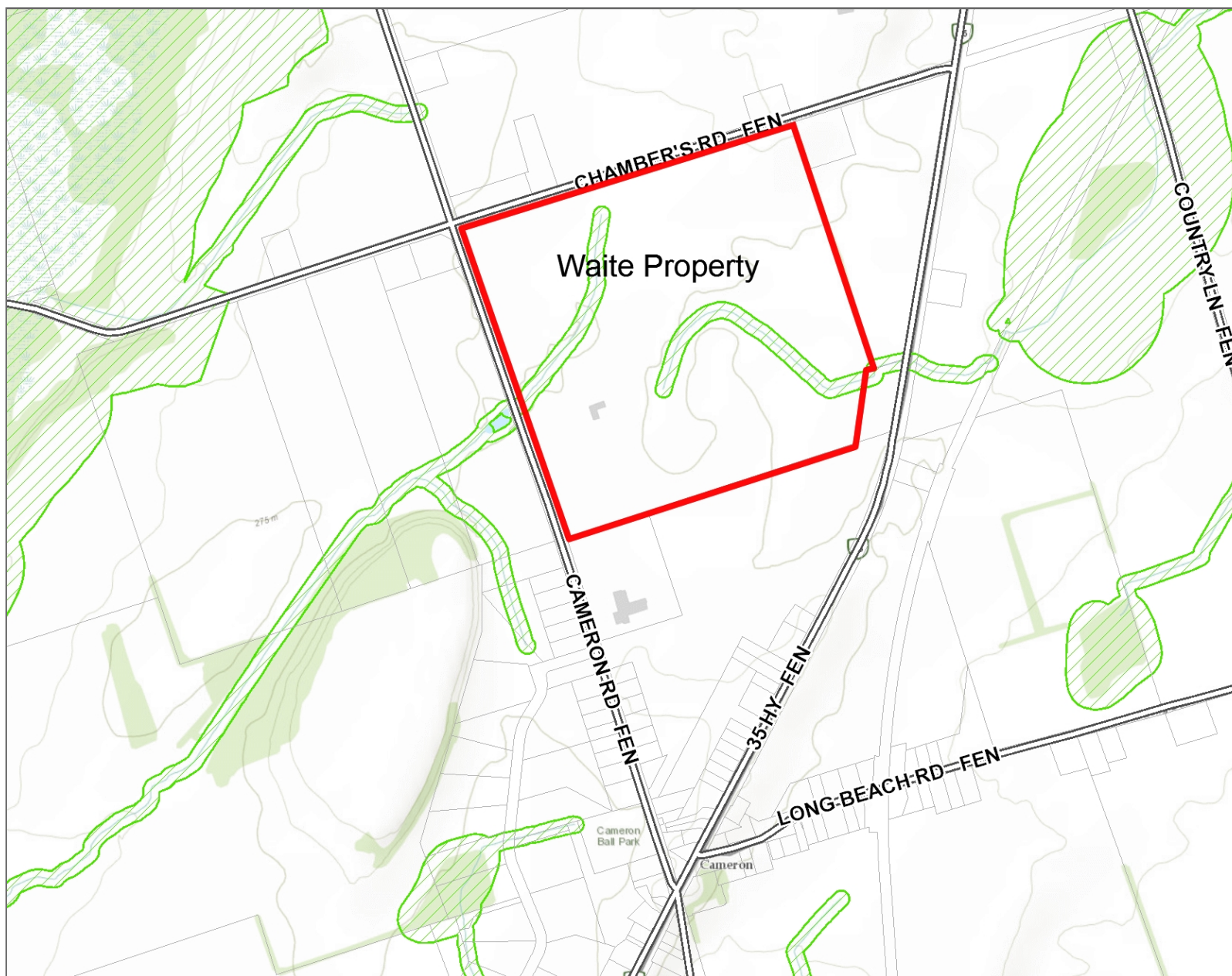


This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR COMMERCIAL OR LEGAL PUPOSES



# KRCA regulated areas and watercourses



## Legend

- Road Centreline
- Upper Municipalities
- Lower Tier Municipalities
- Populated Places
- Water Labels
- Property ROLL#
- ▨ KRCA Regulated Areas
- ▨ LSRCA Regulated Areas
- ▨ ORCA Regulated Areas
- ▨ Oak Ridges Moraine

## Notes

Notes

0.77

Kilometers

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
© City Of Kawartha Lakes



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## CORPORATE POLICY AND PROCEDURES MANUAL

Policy No:

114

EPW

007

Policy Name:

**Agricultural Tile Drain Discharge to Roadside Ditches**

DEVELOPED BY: Wayne Hancock  
DEPARTMENT: Public Works

DATE: Nov. 18/03

REVIEWED BY:  
APPROVED BY: Council

DATE:  
DATE: Oct. 28/03

RESOLUTION  
NUMBER: CR2003-1002

EFFECTIVE: Oct 28/03

CROSS-REFERENCE:

REVISIONS:

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### **POLICY STATEMENT AND RATIONALE:**

The City of Kawartha Lakes is generally concerned with drainage matters, particularly with respect to liability and the assessment of costs for construction and long-term maintenance. This policy deals with the use of roadside ditches as a means for providing outlets for private agricultural drains and ditches.

The *Drainage Act* provides the necessary procedures for obtaining the required drainage systems and for assessing construction and long-term maintenance costs. Details and the *Drainage Act* are not discussed in this policy and may be obtained by contacting the Drainage Superintendent.

### **SCOPE:**

The City encourages the use of the *Drainage Act* as the preferred means for obtaining a suitable outlet for most drainage systems required within the City.

### **DEFINITIONS:**

In reading and interpreting the *Agricultural Tile Drain Discharge to Roadside Ditches* policy, the following definitions apply:

- a) "City" means The Corporation of the City of Kawartha Lakes.

## **POLICY, PROCEDURE AND IMPLEMENTATION:**

### **1.0 Special Considerations**

Listed below are special conditions that roadside drain or ditch may be used for agricultural purposes.

- 1.1. If the roadside ditch is currently a component of an existing Municipal Drain as defined by the *Drainage Act*, then it may be used as an outlet for an agricultural tile drain or ditch.
- 1.2. There is an existing Registered Agreement in place allowing for the discharge of agricultural drains or ditches to the roadside ditch.
- 1.3. A new Registered Agreement is created which allows for the discharge of agricultural drains or ditches to the roadside ditch. The creation of new agreements will generally be limited to minor drainage works.

### **2.0 Details**

- 2.1. Before any work is done for an outlet or crossing on City property, there shall be a Registered Agreement in place between the parties involved as provided for under the *Drainage Act*, Section 2 (Mutual Agreement Drains).
- 2.2. There shall be no outlets or crossings allowed on City property until an adequate outlet has been provided. The adequacy of the outlet must be determined by a professional engineer or by the City's Drainage Superintendent, at the owner's expense.
- 2.3. It shall be the owner's responsibility to obtain all utility (Bell, cables, pipelines etc.) location and approvals.
- 2.4. The parties to an agreement will assume their shared liabilities as described in the terms of the Registered Agreement including, liability as it might relate to the adequacy of the outlet or damage to persons, or property, including all land owners party to the agreement or to any other upstream or downstream land owners, resulting during the construction and/or operation of drains discharging to a roadside ditch or crossing of City property.
- 2.5. The owner(s) involved shall be responsible for drawing the agreement acceptable to Municipal Council. The owner(s) requesting the agreement shall be responsible for all costs including preparation and registering the agreement.
- 2.6. Where the tile drain crosses a road and continues through the lower owner, the crossing method, material and flow capacity must meet Ministry of Transportation standards or approved equivalent. The lower owner(s) must be a party to the agreement.

- 2.7. Where the tile drain crosses the road to an outlets on the downstream road ditch, the crossing method, material and flow capacity must meet Ministry of Transportation standards or approved equivalent. The outlet must be marked and equipped with a hinged rodent grate.
- 2.8. Where a satisfactory outlet exists in the road ditch adjacent to the owners property line, the material used must meet Ministry of Transportation standards or approved equivalent. The outlet must be marked and equipped with a hinged rodent grate.
- 2.9. In the above cases, the owner is responsible for their share of the material and installation costs. Procedures for installation are to be arranged between the owner(s) and the City. The Director of Public Works (or his delegate) must be present before any construction work begins.
- 2.10. Any works done across a road must include restoration of the road to its original condition or better, and to the satisfaction of the Director of Public Works (or his delegate). The owner is responsible for their share of the works constructed.
- 2.11. The roadside ditch must be restored to its original quality or better and to the satisfaction of the Director of Public Works (or his delegate) and at the owner expense.
- 2.12. Maintenance of the private drain or ditch is the responsibility of the landowner, and maintenance of the roadside ditch will be as defined in the terms of the Registered Agreement.

# Petition for Drainage Works by Owners Form 1

*Drainage Act*, R.S.O. 1990, c. D.17, clause 4(1)(a) or (b)

**This form is to be used to petition municipal council for a new drainage works under the *Drainage Act*. It is not to be used to request the improvement or modification of an existing drainage works under the *Drainage Act*.**

To: The Council of the Corporation of the City of Kawartha Lakes

The area of land described below requires drainage (provide a description of the properties or the portions of properties that require drainage improvements)

Part Lt 10 West Half of Concession 6 Geographic Township of Fenelon

In accordance with section 9(2) of the *Drainage Act*, the description of the area requiring drainage will be confirmed or modified by an engineer at the on-site meeting.

As owners of land within the above described area requiring drainage, we hereby petition council under subsection 4(1) of the *Drainage Act* for a drainage works. In accordance with sections 10(4), 43 and 59(1) of the *Drainage Act*, if names are withdrawn from the petition to the point that it is no longer a valid petition, we acknowledge responsibility for costs.

**Purpose of the Petition (To be completed by one of the petitioners. Please type/print)**

Contact Person (Last Name) Waite	(First Name) Joseph	Telephone Number 705 464-2647 ext.
Address		
Road/Street Number 536	Road/Street Name Country Lane	

Location of Project			
Lot Pt. Lt. 10	Concession 6	Municipality Kawartha Lakes	Former Municipality (if applicable) Fenelon Township

What work do you require? (Check all appropriate boxes)

- ☐ Construction of new open channel  
☒ Construction of new tile drain  
☐ Deepening or widening of existing watercourse (not currently a municipal drain)  
☐ Enclosure of existing watercourse (not currently a municipal drain)  
☐ Other (provide description ▼)

Name of watercourse (if known)

N/A

Estimated length of project

Unknown

General description of soils in the area

Loam

What is the purpose of the proposed work? (Check appropriate box)

- ☐ Tile drainage only      ☐ Surface water drainage only      ☒ Both

Petition filed this 15th day of August, 20 17

Name of Clerk (Last, first name)

Currins, Judy

Signature



- Your municipal property tax bill will provide the property description and parcel roll number.
- In rural areas, the property description should be in the form of (part) lot and concession and civic address.
- In urban areas, the property description should be in the form of street address and lot and plan number if available.
- If you have more than two properties, please take copy(ies) of this page and continue to list them all.

Number	Property Description
88	Cameron Road, Cameron ON (Con 6 Pt Lt 10)
Ward or Geographic Township	Parcel Roll Number
Fenelon	165121001036800.0000

I hereby petition for drainage for the land described and acknowledge my financial obligations.

Ownership

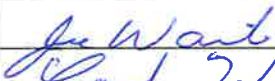

☐ Sole Ownership

Owner Name (Last, First Name) (Type/Print)

Signature

Date (yyyy/mm/dd)

☒ Partnership (Each partner in the ownership of the property must sign the petition form)

Owner Name (Last, First Name) (Type/Print)	Signature	Date (yyyy/mm/dd)
Waite, Joseph		2017/08/15
Waite, Carol		2017/08/15

☐ Corporation (The individual with authority to bind the corporation must sign the petition)

Name of Signing Officer (Last, First Name) (Type/Print)	Signature
Name of Corporation	I have the authority to bind the Corporation.
Position Title	Date (yyyy/mm/dd)

Number	Property Description
Ward or Geographic Township	Parcel Roll Number

I hereby petition for drainage for the land described and acknowledge my financial obligations.

Ownership

☐ Sole Ownership

Owner Name (Last, First Name) (Type/Print)

Signature

Date (yyyy/mm/dd)

☐ Partnership (Each partner in the ownership of the property must sign the petition form)

Owner Name (Last, First Name) (Type/Print)	Signature	Date (yyyy/mm/dd)

☐ Corporation (The individual with authority to bind the corporation must sign the petition)

Name of Signing Officer (Last, First Name) (Type/Print)	Signature
Name of Corporation	I have the authority to bind the Corporation.
Position Title	Date (yyyy/mm/dd)

☐ Check here if additional sheets are attached

Clerk initial

Petitioners become financially responsible as soon as they sign a petition.

- Once the petition is accepted by council, an engineer is appointed to respond to the petition. *Drainage Act*, R.S.O. 1990, c. D. 17 subs. 8(1).
- After the meeting to consider the preliminary report, if the petition does not comply with section 4, the project is terminated and the original petitioners are responsible in equal shares for the costs. *Drainage Act*, R.S.O. 1990, c. D. 17 subs. 10(4).
- After the meeting to consider the final report, if the petition does not comply with section 4, the project is terminated and the original petitioners are responsible for the costs in shares proportional to their assessment in the engineer's report. *Drainage Act*, R.S.O. 1990, c. D. 17 s. 43.
- If the project proceeds to completion, a share of the cost of the project will be assessed to the involved properties in relation to the assessment schedule in the engineer's report, as amended on appeal. *Drainage Act*, R.S.O. 1990, c. D. 17 s. 61.

Notice of Collection of Personal Information

Any personal information collected on this form is collected under the authority of the *Drainage Act*, R.S.O. 1990, c. D.17 and will be used for the purposes of administering the Act. Questions concerning the collection of personal information should be directed to: where the form is addressed to a municipality (*municipality to complete*)

City of Kawartha Lakes 26 Francis Street, Lindsay ON K9V 4R8 (705-324-9411 ext. 1295 or 1341)

and where the form is addressed to a territory without municipal organization, the Drainage Coordinator, Ministry of Agriculture, Food and Rural Affairs, 1 Stone Rd W, Guelph ON N1G 4Y2, 519 826-3552.





The Corporation of the City of Kawartha Lakes  
12 Peel Street, P.O. Box 9000  
Lindsay, ON K9V 5R8  
Phone: 705-324-9411 Ext 1156  
Fax: 705-324-2982

## MEMO

**Date:** August 28, 2017  
**To:** Drainage Board  
**From:** Paul Herlihey, Drainage Superintendent – Engineering & Corporate Assets  
**Re:** Ops #5 Municipal Drain & Robertson Drain/Verulam

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### **Ops #5 Municipal Drain**

Keith Reeds concerns were addressed after inspection.

Upon investigation it was noted that the closed drain needed repairs. The closed tile were exposed and reset to design grade and filter cloth and clear stone was placed around the pipe to help prevent this from happening at a later date.

### **Robertson Drain/Verulam**

As requested by Mr. Schroter the open drain was cleaned out through Vince Donnelly's property and then investigated the closed portion on Mr. Schroter's property. During the investigation it was noted that some of the tiles were broken and tree roots had plugged portions of the drain. After the removal of the broken tiles and replaced with new tiles this resolved some of the problems. The remainder of the tiles that were plugged were removed and cleaned or replaced.

After this was completed the catch basins and ditch outlets were inspected to find that the drain was now working properly as designed.

The second open part of the drain which dumps into Emily Creek cannot be done yet because of the high water table and the direction of KRCA through the permit process.

When the water table drops down this seven hundred feet approximately will be cleaned out with KRCA's consensus. (Hopefully this fall)

Thank you,