



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.

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

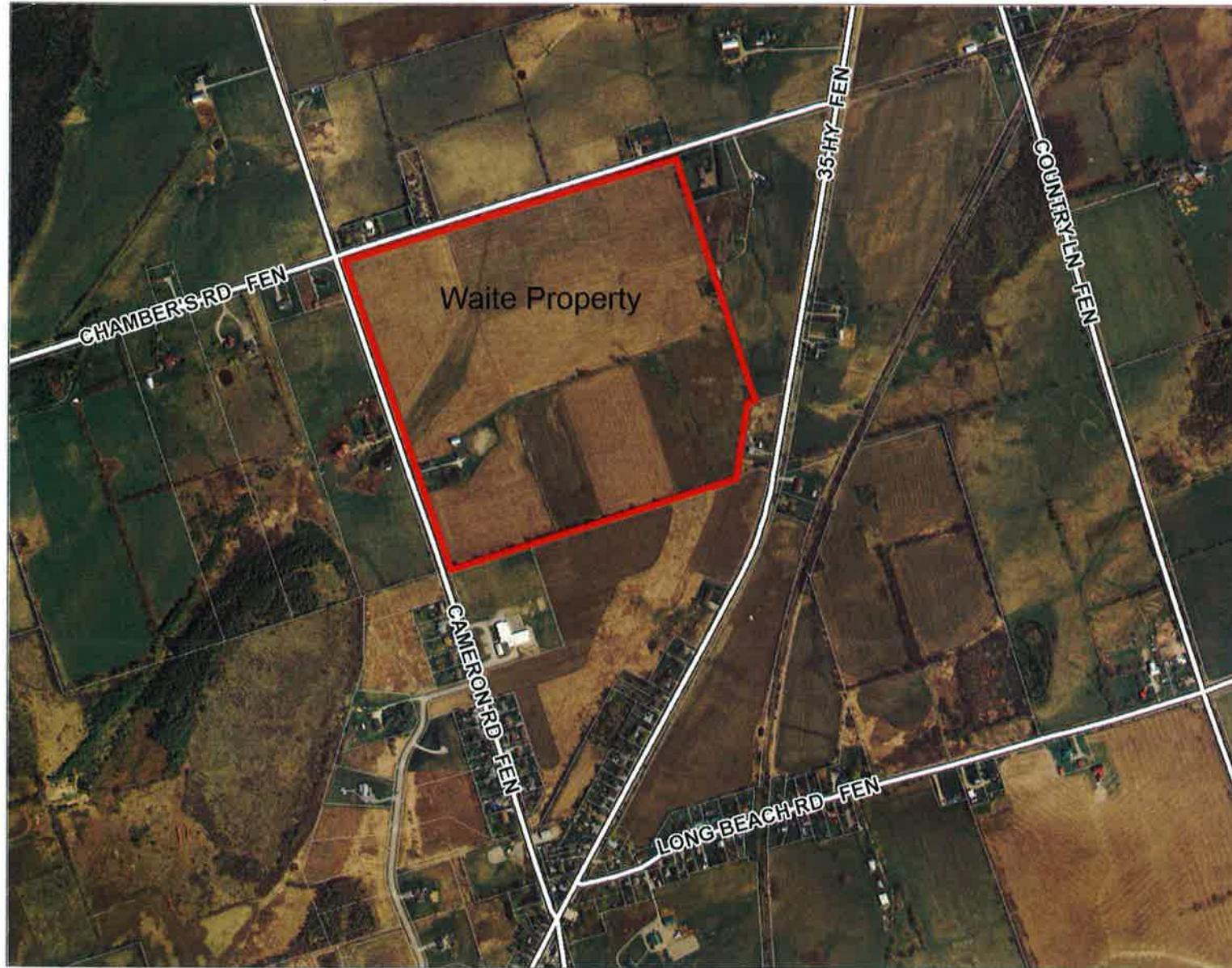


Petition for Drainage
Works Form 1 - Waite



GEOMATICS
MAPPING

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



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



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 CR2003-1002
NUMBER:

EFFECTIVE: Oct 28/03

CROSS-REFERENCE:

REVISIONS:

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 114 EPW 007
Agricultural Drainage Tile to Roadside Ditches
Page 1 of 3

**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

Judy Currins

- 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

Position Title

I have the authority to bind the Corporation.

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

Position Title

I have the authority to bind the Corporation.

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.