



July 13, 2020

The Corporation of the City of Kawartha Lakes
12 Peel Street
P.O. Box 9000
Lindsay, ON
K9V 5R8

Attention: Lucas Feitler, Drainage Superintendent

Dear Mr. Feitler:

**Re: Petition for Municipal Drainage MacEachern - Brown Petition
Validity of Petition
D.M. Wills Associates Project No. 19-5377**

To satisfy Section 9(1) and 9(2) of the Drainage Act for the MacEachern Brown Municipal Drain project, the On-Site Meeting was carried out on July 7, 2020. The purpose of the On-Site Meeting was to determine the Area Requiring Drainage and confirm the Validity of the Petition.

In order to satisfy Section 4 (1) of the Drainage Act, the engineer must evaluate the Validity of the Petition, based on four (4) criteria. The petition is determined to be valid if any of one (1) of the following criteria are satisfied:

- a) the majority in number of the owners, as shown by the last revised assessment roll of lands in the area, including the owners of any roads in the area;
- b) the owner or owners, as shown by the last revised assessment roll, of lands in the area representing at least 60 per cent of the hectarage in the area;
- c) where a drainage works is required for a road or part thereof, the engineer, road superintendent or person having jurisdiction over such road or part, despite subsection 61 (5); or
- d) where a drainage works is required for the drainage of lands used for agricultural purposes, the Director. R.S.O. 1990, c. D.17, s. 4 (1).

Based on the results of the On-Site Meeting, D.M. Wills estimated the Area Requiring Drainage, which is highlighted on the attached figure drawing.

Section 4(1)(a) – Evaluation of the percentage of land owners. A petition is valid when the percentage of number of petitions exceeds 50% of the total number of properties. Within the Area Requiring Drainage, there are



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four (4) land owners and only two (2) signed petitioners, or 50%. Therefore, section 4(1)(a) is Not satisfied.

Section 4(1)(b) – Evaluation of the percentage of land area. A petition is valid when the percentage of area of the signed petitioners exceeds 60% of the total area. The Area Requiring Drainage was estimated at 34.14 ha in size. The area of the two (2) signed petitioners was estimated at 31.98 ha, or 94%. Therefore, Section 4(1)(b) is satisfied.

With Section 4(1)(b) satisfied, a review of Section 4(1)(c) and Section 4(1)(d) is not required.

With Section 4(1)(b) of the Drainage Act satisfied, the petition for the MacEachern Brown Municipal Drain is a valid petition.

If you have any questions or concerns, please don't hesitate to contact the undersigned.

Regards

A handwritten signature in black ink, appearing to read 'Mark Hoar'.

Mark Hoar, P.Eng.
Senior Water Resources Engineer

MJH/kr

Enclosure