

## Lucas Feitler

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**From:** Lucas Feitler  
**Sent:** Monday, July 20, 2020 3:00 PM  
**To:** [REDACTED]  
**Cc:** Mike Farquhar  
**Subject:** RE: Drainage Act information

Hi Karen,

You're welcome, please see my answers below. I have also tried to include the Drainage Act sections that correspond with my answers.

is this project already approved to go ahead?

The simple answer, Yes.

A petition has been submitted to council which initiates the procedures of the Drainage Act. The City of Kawartha Lakes has a Drainage Board that can also make decisions on City Council's behalf. The Drainage Board and City Council elected to proceed and accept the petition. If a municipality decides to accept a petition, it must appoint an engineer to determine the validity of said petition (section 8). So far the Engineer has conducted the on-site meeting and determined the petition is valid. Under section 9(5)) of the Drainage Act, the Drainage Board must now instruct the engineer to proceed with a report or preliminary report.

The Municipality must follow the procedure as it is laid out in the Drainage Act.

We are currently arranging this Drainage Board meeting. Please let me know if you would like to view or participate as this meeting can be livestreamed.

who is paying for D.M. Wills engineering company?

Throughout the design and construction phase, and until the drainage costs can be levied to assessed owners, the fees are paid by the Municipality. Once all construction and appeal periods have expired, costs are assessed to land owners. If requested by the land owner, the fees can be debentured over a period of 10 years. The engineering fees form part of the drainage works and are therefore paid by the watershed (section 70)

who is responsible to contact the Lake Simcoe Conservation Authority, the Planning and Development Environmental Regulations and related Watershed departments, and the Planning and Regulations dept.? And, at what point in the process are they involved?

It is the Municipalities' responsibility to notify the local Conservation Authority when a petition is submitted to Council (Section 5(1)(b)). This notification was sent to the General Manager of Planning and Development on November 1<sup>st</sup>, 2019.

In addition, the same Section 9 'On-Site' meeting invitation, that was sent to yourself, was sent to the General Manager of Planning and Development.

Once the design is completed, Lake Simcoe Conservation Authority will have to review. They must approve and issue a permit to complete the work. No construction will begin without approval from the Lake Simcoe Conservation Authority.

Thank you,

**Lucas Feitler**

Senior Engineering Technician, Municipal Drainage Superintendent  
Engineering and Corporate Assets, City of Kawartha Lakes  
705-324-9411 ext. 1167 [www.kawarthalakes.ca](http://www.kawarthalakes.ca)



**From:** karen buckmackintosh [REDACTED]  
**Sent:** Friday, July 17, 2020 1:27 PM  
**To:** Lucas Feitler <lfeitler@kawarthalakes.ca>  
**Subject:** Re: Drainage Act information

Lucas

Thank you for this information.

Can you please clarify a couple of things.

- is this project already approved to go ahead?
- who is paying for D.M. Wills engineering company?
- who is responsible to contact the Lake Simcoe Conservation Authority, the Planning and Development Environmental Regulations and related Watershed departments, and the Planning and Regulations dept.? And, at what point in the process are they involved?

Sincerely,  
Karen Buck-Mackintosh

On Wed, Jul 15, 2020 at 3:29 PM Lucas Feitler <lfeitler@kawarthalakes.ca> wrote:

Hello Karen Buck-Mackintosh,

Thank you for attending last week's on-site meeting for the MacEachern-Brown municipal drain.

The *Drainage Act*, R.S.O. 1990, c. D.17 contains a detailed and specific procedure for land owners to obtain a legal outlet for their water. As discussed on site, I wanted to reach out and provide some additional informational sheets regarding municipal drains.

I have attached two factsheets from the Ontario Ministry and Agriculture, Food and Rural Affairs (OMAFRA) to this email. For a better understanding of the Drainage Act, I recommend that you read

through these, as well as visit OMAFRA's website at <http://www.omafra.gov.on.ca/english/landuse/drain-pub.htm>. This website is a great resource for drainage information and legislation. I highlight and recommend reading over the following additional factsheets from OMAFRA's website; Drainage Act Appeals, Duties of the Landowner Under the Drainage Act, and Municipal Drains and the Land Owner.

Should you have any general questions related to the *Drainage Act, R.S.O. 1990, c. D.17* please do not hesitate to contact me. If you have specific questions or requests related to the MacEachern-Brown drain, please direct them to Ken Smith at D. M. Wills Associates Limited. He can be reached by calling their office at (705) 742-2297 or alternatively by emailing [ksmith@dmwills.com](mailto:ksmith@dmwills.com).

Thank you,

**Lucas Feitler**  
Municipal Drainage Superintendent  
Engineering and Corporate Assets, City of Kawartha Lakes  
705-324-9411 ext. 1167 [www.kawarthalakes.ca](http://www.kawarthalakes.ca)



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**Lucas Feitler**

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**From:** [REDACTED]  
**Sent:** Wednesday, July 15, 2020 5:11 PM  
**To:** Lucas Feitler  
**Subject:** Re: Drainage Act information

Hello Lucas,

Thank you for coming out to the site to explain all the particulars to myself and all the neighbours.

"Climate Change" has not been factored into the equation, this will be the 5th drought in 8 years on record. Will this drain be the bane of the whole area's crops being burned off in the scorching heat and lack of rain? And who will be responsible for this catastrophe?

Mr. Brown voluntarily filled in his portion of an awarded ditch and caused all the trouble with Mr. MacEachern, this is a litigation matter rather than shared expense on neighbouring farms that clearly don't want this drain and cannot afford this extravagant expense, people have been bankrupted for less.

We clearly do not want our lands drained into a desert during these times of climate insecurity. We do not want any type of ditching system that renders our crops without the moisture to grow. Over a 33 year period we have carefully nurtured a 55 ac. ecological reserve on lot 17, conc.3 to hold back any runoff and sequester the water for a slow release over severe drought years. This proposed municipal drain will devastate the whole area in a dry year.

Please feel free to forward on this email to council, neighbour's or anyone else involved in this case.

Thank you for your consideration in this matter and have a good day.

Yours very truly,

Christine Halbot & Fraser Currie

On 2020-07-15 15:41, Lucas Feitler wrote:

Hello Christine Halbot,

Thank you for attending last week's on-site meeting for the MacEachern-Brown municipal drain.

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