



**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

## **Memorandum**

**Date:** November 17, 2020  
**To:** Drainage Board  
**From:** Lucas Feitler, Drainage Superintendent – Engineering & Corporate Assets  
**Re:** Petition for Municipal Drainage  
Desroches Petition  
**CC:** Juan Rojas Director of Engineering and Corporate Assets  
Mike Farquhar, Supervisor of Technical Services.

---

### **Recommendation:**

**That** the Memorandum from the Drainage Superintendent - Engineering and Corporate Assets L. Feitler, dated November 24, 2020, regarding the Petition for Drainage Works by Owners of Concession 4, South ½ Lot 15, Geographic Township of Mariposa (being Janette Desroches) be received;

**That** Council proceed with the petition submitted by Janette Desroches for drainage works for Concession 4, South ½ Lot 15 Geographic Township of Mariposa to be known as the “Desroches Municipal Drain” and instruct the City Clerk to proceed with the notices required under Section 5 of the *Drainage Act*;

**That** Staff concurrently continue to pursue with the petitioners options for a mutual drain agreement as per the City Policy; and

**That** pursuant to Section 8(1) of the *Drainage Act, R.S.O. 1990, Chapter D. 17*, staff recommend to Council a Drainage Engineer for the examination of the area requiring drainage and proceed with the requirements of the proposed Desroches Municipal Drain.

## **Background:**

The subject area is located at 281 Ranch Road. It is bounded by Eldon Road to the east and Ranch Road to the south (refer to Appendix A). There are no existing Municipal Drains within the vicinity. The area of the land identified in the petition is approximately 100 acres in size.

The property is within the Kawartha Region Conservation Authority jurisdiction as defined under the Ontario Conservation Act and has a regulated area on the property (see appendix A).

The Drainage Superintendent was called to site to assist the land owner in obtaining an outlet for tile drainage. The land owner found two buried catch basins on either side of Eldon Road. The catch basins were completely covered with soil and debris. The Eldon road drawings confirm the existence of the two catch basins and a buried 24" cast iron pipe under Eldon Road which connects these two catch basins. The Road drawings show that the Desroches' field tile was at some point tied into the catch basin on the west side of Eldon Road. The water travelled through the underground pipe onto the east side on Eldon Road, and from there, onto Con 4 PT Lot 16.

A records request was completed to determine if this area contained a drain governed by the Drainage Act or predecessor Act. However, no information was found. Several meetings and phone calls were had with both land owners in an attempt to form a mutual agreement. However, one was never presented to the City for review and the Desroches' opted to petition for a Municipal Drain.

On November 10, 2020 the City of Kawartha Lakes Clerks Department formally received a Petition for Drainage works within the subject area (Appendix B).

## **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 petitioner wishes 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 include the following.

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

The Drainage Board may recommend a firm to Council directly today, or direct staff to recommend to Council a firm at the December 15, 2020 Regular Council Meeting.

**Attachments:**

Appendix A – Kawartha Conservation Regulated Area Map

Appendix B – Petition for Drainage Works by Owners - Desroches