

# Council Report

Report Number ENG2020-028

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**Meeting Date:** December 15, 2020

**Title:** Recommendations from the November 24, 2020 Drainage Board Meeting (Martin Petition)

**Author and Title:** Michael Farquhar, Supervisor of Technical Services Engineering and Corporate Assets.

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## Recommendation(s):

**That** Report ENG2020-028, **Recommendations from the November 24, 2020 Drainage Board Meeting (Martin Petition)**, be received;

**That** Council proceed with the petition submitted by Adam Martin for drainage works for Concession 12, Part Lot 19 Geographic Township of Emily to be known as the Martin Municipal Drain and instruct the City Clerk to proceed with the notices required under Section 5 of the Drainage Act;

**That** pursuant to Section 8(1) of the Drainage Act, R.S.O. 1990, Chapter D. 17, Staff recommend to Council Michael Gerrits of M. Gerrits Consulting Inc. for the examination of the area requiring drainage and proceed with the requirements of the proposed Martin Municipal Drain

**Department Head:**\_\_\_\_\_

**Financial/Legal/HR/Other:**\_\_\_\_\_

**Chief Administrative Officer:**\_\_\_\_\_

## **Background:**

At the Drainage Board Meeting of November 24, 2020 , the Board adopted the following recommendation:

### **(Regarding the Martin Petition)**

**DB2020-025**

**Moved By** M. Verbik

**Seconded By** C. Clarke

**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 12, Part Lot 19, Geographic Township of Emily (being Adam Martin) be received;

**That** Council proceed with the petition submitted by Adam Martin for drainage works for Concession 12, Part Lot 19 Geographic Township of Emily to be known as the Martin 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 Martin Municipal Drain.

**Carried**

This report addresses that direction.

## **Rationale:**

The City of Kawartha Lakes Drainage Board is established under the authority of the City of Kawartha Lakes Act, 2000. The Act states the following regarding Drainage Matters:

**6 (1)** The council may by by-law,

(a) establish a drainage board;

(b) delegate to the drainage board any of the council's powers and duties under the *Drainage Act*, except for its power to make by-laws and resolutions; and

(c) require the drainage board to exercise the council's powers and duties with respect to any matter under the *Drainage Act* in which the council is required by law to hold hearings or afford an opportunity to be heard. 2000, c. 43, s. 6 (1).

As the Kawartha Lakes Drainage Board does not have authority to make resolutions, or pass by-laws this, report is presented to Council to confirm the recommendations made at the most recent Drainage Board meeting.

The recommendations made at the last Drainage Board meeting were made based on the material submitted to the Drainage Board. The material is attached to this report for Council's review.

### **Other Alternatives Considered:**

Council holds the authority to alter any recommendation made by the Drainage Board prior to adoption.

### **Alignment to Strategic Priorities**

The Kawartha Lakes Strategic Plan identifies the following two priorities that bolster support for an active and effective Drainage Program in the City of Kawartha Lakes:

- Protect and support agricultural land and businesses
- Offer business development programs to support the agricultural, tourism, cultural, manufacturing and innovation sectors

### **Financial/Operation Impacts:**

Financial and Operational Impacts are identified in the attached memorandum to the Drainage Board.

### **Consultations:**

Consultations are identified in the attached memorandum to the Drainage Board.

### **Attachments:**

Appendix A- November 17, 2020 Memorandum to the Drainage Board (Martin)



Appendix A.pdf

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**Department Head:** Juan Rojas