



**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: December 9, 2021
To: Drainage Board
From: Michael Farquhar Manager of Technical Services – Engineering & Corporate Assets
Re: Petition for Municipal Drainage
Curtin Petition
CC: Juan Rojas Director of Engineering and Corporate Assets

Recommendation:

That the Memorandum from the Drainage Superintendent - Engineering and Corporate Assets, December 9, 2021, regarding the Petition for Drainage Works by Owners of Concession 3, Part Lot 8, Geographic Township of Fenelon (being Michael Curtin) be received;

That Council proceed with the petition submitted by Michael Curtin for drainage works for Concession 3, Part Lot 8 Geographic Township of Fenelon to be known as the Curtin 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 Curtin Municipal Drain.

Background:

The subject area/land is located at 168 Halls Road. It is bounded by Halls Road to the west (refer to appendix A) and Killarney Bay road to the east. There are no existing Municipal Drains within the vicinity. The area of the land identified in the petition is approximately 40 acres in size which fronts on Killarney Bay road.

The property is within the Kawartha Region Conservation Authority jurisdiction as defined under the Ontario Conservation Act and has an identified watercourse on the property (see Appendix B).

The Drainage Superintendent had been contacted in the past to assist the land owners in this area for information regarding obtaining an outlet for tile drainage. The land owners initial plan was to tile to the existing watercourse and to deepen and widen the watercourse downstream through the adjacent land owner's properties. Property owners of 168 and 140 Halls road both sought out to achieve a sufficient outlet for their drainage through the property known as 255 Killarney Bay road however were unable to come to terms with the land owner of 255 Killarney Bay road to come to agreement through a Mutual drain under the Ontario Drainage Act.

On December 2, 2021 the City of Kawartha Lakes Clerks Department formally received a Petition for Drainage Works within the subject area (Appendix A).

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 with the information available, this option is not feasible due to topography and the natural watercourse. A pointed engineer can explore this option further. 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 14, 2021 or January 25, 2022 Regular Council Meeting.

Attachments:

Appendix A – Map of area requiring Drainage

Appendix B – Map of KRCA regulated area

Appendix C – Petition for Drainage Works by Owners – Curtin



Appendix A Area
requiring drainage.



Appendix B KRCA
regulated area map.



Appendix C Form 1
Petition for Drainag