



## Council Report

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<b>Report Number:</b>	<b>ENG2022-016</b>
<b>Meeting Date:</b>	April 19, 2022
<b>Title:</b>	<b>Martin Municipal Drain – Consideration of Engineer’s Report</b>
<b>Description:</b>	Municipal Drains
<b>Author and Title:</b>	Michael Farquhar, Manager of Technical Services, Engineering and Corporate Assets

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### **Recommendation(s):**

**That** Report ENG2022-016, **Martin Municipal Drain – Consideration of Engineer’s Report**, be received;

**That** City Council adopt the Martin Municipal Drain Engineer’s Report (as prepared by M. Gerrits P. Eng) and proceed with first and second reading of a by-law to provide drainage works In the City of Kawartha Lakes known as the Martin Municipal Drain;

**That** City Council instructs staff to make the necessary arrangements for a Court of Revision to be held on the Engineer’s Report for the Martin Municipal Drain.

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

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

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

## **Background:**

At the December 15<sup>th</sup> 2020, Council meeting the following resolution was adopted for the Martin Municipal Drain.

### **CR2020-451**

**Moved By** Councillor Veale

**Seconded By** Councillor Yeo

**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; and

**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.

**Carried**

Since that time and in accordance with Section 9(1) of the Drainage Act, a well attended on-site meeting was held on August 18, 2021 at 11:00 am at the Martin property at 1899 Pigeon Lake Road. Michael Gerrits explained the Drainage Act and sought input about local drainage characteristics. At the conclusion of the on-site meeting, Michael Gerrits determined that the petition remained valid and proceeded to prepare an Engineer's Report.

At the Drainage Board Meeting of March 24, 2022, a Meeting to Consider the Martin Municipal Drain Report was held. Michael Gerrits presented his Engineer's Report to the Drainage Board and members of the public. Following the presentation, Michael Gerrits answered questions from the board and some landowners within the drainage shed of this proposed Drain. At the conclusion of the Meeting to Consider, the Drainage Board adopted the following recommendation:

### **DB2022-008**

**Moved By** Councillor O'Reilly

**Seconded By** C. Clarke

**Recommend that** City Council adopt the Martin Municipal Drain Engineer's Report (as prepared by M. Gerrits P. Eng) and proceed with first and second reading of a by-law to provide drainage works in the City of Kawartha Lakes known as the Martin Municipal Drain;

**That** City Council instructs staff to make the necessary arrangements for a Court of Revision to be held on the Engineer’s Report for the 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:**

Where a report is not adopted by Council, any petitioner may appeal to the Tribunal or, where lands used for agricultural purposes are included in the area to be drained, the Minister may refer the matter to the Tribunal. In light of the Drainage Board’s position, it is recommended that Council adopt the Martin Municipal Drain Report.

## **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:**

Engineer’s Reports prepared under the Drainage Act have costs assessed to affected landowners as outlined within the assessment schedule in the report.

## **Consultations:**

City Clerk’s Office  
Drainage Superintendent

## **Attachments:**

Appendix A – Martin Municipal Drain Report



Appendix A -  
Martin Municipal Dr

Appendix B – Minutes of the March 24, 2022 Drainage Board Meeting



Appendix B -  
Minutes of the Marc

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**Department Head: Juan Rojas**