

# The Corporation Of The City Of Kawartha Lakes

## By-Law 2023-xxx

### A By-Law to Provide for the Subsequent Connection of Lands to the Grant Municipal Drain under Section 65(3) of the Drainage Act

#### Recitals

1. The Drainage Act, R.S.O. 1997 c.D.17 (Act) in Section 65(3) provides that if an owner of land that is not assessed for a drainage works subsequently connects the land with the drainage works for the purpose of drainage, the Clerk of the local municipality in which the land is situate shall instruct an engineer in writing to inspect the land and assess it for a just proportion of the drainage works, taking into account any compensation paid to the owner of the land in respect of the drainage works;
2. The City Clerk subsequently directed that a report be prepared under the provisions of the Drainage Act following the adoption of Drainage Board recommendation DB2019-029;
3. The work to be included in the Section 65(3) Engineer's Report includes the subsequent connection of 15.4 ha of subsurface drainage from 84 Sandringham Road (ARN: 1651160020004000.0000) to the Grant Municipal Drain;
4. The Council of the City of Kawartha Lakes received the Engineer's Report made by Michael Gerrits of M. Gerrits Consulting Inc. dated January 13, 2023 (the "Report") on March 21, 2023;
5. The Report identified a subsequent cost of \$1015.00 for these lands to connect to the Grant Municipal Drain in addition to the \$2965.00 cost of preparing the Report; and
6. At the Drainage Board Meeting held on February 15, 2023, the Board recommended that Council accept the report and approve the subsequent connection to the Grant Municipal Drain by Recommendation DB2023-004.

**Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2023-xxx pursuant to the Drainage Act, R.S.O 1990 as follows:**

1. The Report (attached as Appendix A) is adopted and the drainage works described in it are authorized and the assessment schedule for the Grant Drain adjusted to reflect these lands being added.
2. The City of Kawartha Lakes may borrow on the City's credit the amount of \$2,965.00, which is the amount necessary for the preparation of the Section 65(3) Report.
3. A special rate shall be levied upon the land being connected to the Grant Drain as set forth in the Report for a total of \$3980.00, \$2965.00 for the

preparation of the Report (in accordance with Appendix B) and \$1015.00 cost of the subsequent connection.

4. This By-law shall come into force on the passing thereof and may be cited as the “Grant Municipal Drain Subsequent Connection By-law”

By-law read a first, second and third time on the 21<sup>st</sup> day of March, 2023 and adopted.

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Doug Elmslie, Mayor

Cathie Ritchie, City Clerk

Appendix A – Section 65(3) Report Prepared by Michael Gerrits

Appendix B - Invoice for Section 65(3) Report Prepared by Michael Gerrits



Appendix A  
-Section 65(3) Repor



Appendix B -  
Invoice for Section 6