

The Corporation of the City of Kawartha Lakes

Minutes

Drainage Board Meeting

DB2023-01

Wednesday, February 15, 2023

6:30 P.M.

Council Chambers

City Hall

26 Francis Street, Lindsay, Ontario K9V 5R8

Members:

Deputy Mayor Tracy Richardson

Councillor Ron Ashmore

Councillor Dan Joyce

Charles Clarke

Robert MacEachern

Jim Oriotis

David Skrabek

Andrew Veale

Tim Willcox

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1. Call to Order

1.1 Call to Order

Deputy Clerk and Recording Secretary J. Watts called the meeting to order at 6:31 p.m. Drainage Board members Deputy Mayor T. Richardson, Councillors R. Ashmore and D. Joyce, and C. Clarke, R. MacEachern, J. Oriotis, D. Skrabek, A. Veale and T. Willcox were in attendance.

Director of Engineering and Corporate Assets J. Rojas and Manager of Engineering-Technical Services M. Farquhar were also in attendance.

1.2 Appointment of Chair and Vice-Chair

Deputy Clerk Watts welcomed the new members of the Board, and explained the roles of Chair and Vice-Chair, and the nomination process.

Deputy Clerk Watts called for the nominations for the position of Chair.

A. Veale was nominated. Deputy Clerk Watts asked A. Veale if he wished to let his name stand for Chair of the Drainage Board. He consented to the nomination.

Deputy Clerk Watts called a second time for nominations for the position of Chair.

Councillor R. Ashmore was nominated. Deputy Clerk Watts asked Councillor Ashmore if he wished to let his name stand for Chair of the Drainage Board. He consented to the nomination.

Deputy Clerk Watts called for a third and final time for nominations for the position of Chair.

Deputy Clerk Watts declared nominations for the position of Chair for the Drainage Board closed.

A vote for the position of Chair was conducted by a show of hands of the members present.

Deputy Clerk Watts declared A. Veale as Chairperson of the Drainage Board.

A. Veale assumed his position as Chairperson of the Drainage Board.

Chair Veale called for the nominations for the position of Vice-Chair

Councillor Ashmore was nominated. Chair Veale asked Councillor Ashmore if they wished to let their name stand for Vice-Chair of the Board. He consented to the nomination.

Chair Veale called a second time for nominations for the position of Vice-Chair.

Chair Veale called for a third and final time for nominations for the position of Vice-Chair.

Chair Veale declared nominations for the position of Vice-Chair for the Drainage Board closed.

Chair Veale declared Councillor Ashmore as Vice-Chair of the Drainage Board.

The Chair thanked the members of the committee for the appointment as Chairperson of the Drainage Board.

2. Administrative Business

2.1 Adoption of Agenda

DB2023-001

Moved By C. Clarke

Seconded By Councillor Ashmore

That the agenda be adopted as circulated.

Carried

2.2 Declaration of Pecuniary Interest

There were no declarations of pecuniary interest disclosed.

2.3 Adoption of Minutes from Previous Meeting

March 24, 2022 Drainage Board Meeting

May 12, 2022 Court of Revision Meeting

DB2023-002

Moved By C. Clarke

Seconded By Councillor Joyce

That the minutes of the Drainage Board meeting held on March 24, 2022, be adopted as circulated; and

That the minutes of the Court of Revision meeting held on May 12, 2022 be adopted as circulated.

Carried

3. Meeting to Consider - Desroches Municipal Drain

3.1 Presentation of Engineer's Report - Desroches Municipal Drain

Michael Gerrits, P. Eng., M. Gerrits Consulting Inc.

The Chair asked Drainage Engineer, Michael Gerrits, to present his Engineer's Report on the proposed Desroches Municipal Drain.

Mr. Gerrits provided a brief summary of his report prepared pursuant to Section 4 of the Drainage Act, RSO 1990, noting that this report was prepared at the request of a landowner (J. Desroches and Estate of Desroches) who filed an petition with the City Clerk's Office on November 10, 2020, following the recent installation of a tile system on the Desroches lands. He noted that the objective of this report is to ensure a sufficient outlet for the petitioning landowners lands. Other items from his report he highlighted included the following:

- Existing conditions, including existing drainage systems on the Little and Mark properties;
- Summary of three on-site meetings on August 18, 2021, April 19, 2021 and November 23, 2021;
- Design elements for the proposed drain;
- Cost estimates in the total amount of \$349,123.00;
- Summary of assessment allocations including allowances;
- Maintenance and construction specifications;
- Overview of the plan and profile of the design; and
- A summary of issues presented by four landowners being: D. Desroches, E. Picarelli, M. Whalen, and G. Little

Mr. Gerrits made himself available for any questions from the members of the Board and the public.

3.2 Question and Answer Period

Members of the Drainage Board

Members of the Public

The Chair permitted the Board Members to ask questions of the Engineer. M. Gerrits.

The Chair advised all in attendance today that they would each be given an opportunity to provide comments and questions to the Drainage Board, City Staff and the Engineer. The following members of the public presented the following themes in their questioning:

- G. Little presented questions regarding the loss of topsoil, and erosion on his property prior to the filing of the petition;
- B. Webster (who works the Orsite Development lands) presented concerns whether the proposal has been drained to a sufficient outlet, whether there is liability for the work done on the Desroches land by the tile drainage installer or the landowners, and how deep is the proposed drain going to be;
- L. Moss presented questions about individual and total assessments on the north side of Little Britain Road;
- M. Whalen presented concerns about the design of the drain with the potential for fast water making sharp turns around and directly in front of his properties, as opposed to crossing Little Britain road directly where the drain meets it;
- G. Mark presented concerns with the volume of water existing on his property, and the attempts that have been done to remedy the situation on the land including an existing tile, and excavation works; and
- J. Hughson inquired if the proposed drain only drains the Desroches lands or the whole area.

To each of the questions posed by the members of the public, the Chair permitted the Engineer M. Gerrits, or M. Farquhar to respond to the questions put forward by the members of the public. The Chair inquired if any other persons had any other final questions for the Engineer at this time. Members of the Board put forward final questions, and no other questions were presented by the members of the public.

3.3 Opportunity to Add or Withdraw Signatures to the Petition

Mr. Farquhar provided an overview of the option for adding or removing names from the petition, and the advantages and responsibilities of doing so. The Chair inquired if any persons in attendance at the meeting wish to add or remove their name to the petition. No persons present indicated that they wished to sign or remove their names from the original petition at this time.

3.4 Recommendation of Drainage Board to Council

DB2023-003

Moved By R. MacEachern

Seconded By Councillor Joyce

Recommend that the Council refer the Desroches Municipal Drain Engineer's Report as prepared by M. Gerrits P. Eng back to the Drainage Engineer to address the following issues:

- The concerns raised regarding the fill over the tile on the Little property; and
- An alternate alignment of the drain in the area of the Whalen properties to address access and culvert concerns .

Carried

The meeting recessed at 7:39pm and reconvened at 7:44pm.

4. New Business

4.1 Memorandum - Section 65 Report

Section 65 Report – Subsequent Connection to the Grant Drain (Kressibucher)

Richard Monaghan, Drainage Superintendent

Mr. Farquhar presented an overview of the memorandum which identified the request by the Kressibuchers to have their property drained to a northern portion of the Grant Municipal Drain. This connection would require an amendment to the original Engineer's Report to ensure the landowners are properly assessed. Mr. Farquhar responded to questions from the Board members.

DB2023-004

Moved By Councillor Ashmore

Seconded By D. Skrabek

That the Memorandum from the Drainage Superintendent - Engineering and Corporate Assets, February 15, 2023, regarding the **Section 65 Report – Subsequent Connection to the Grant Drain**, be received;

That Council accept the Section 65(3) Report prepared by Michael Gerrits and approve the subsequent connection of lands known as 84 Sandringham Road (ARN 1651160020004000) to the Grant Drain and that the Grant Drain Assessment Schedule will be updated to reflect this subsequent connection.

Carried

4.2 Memorandum - Minor Improvement Request

Request for Minor Improvement - Short and 2A Drain (Masters)

Richard Monaghan, Drainage Superintendent

Mr. Farquhar presented an overview of the memorandum, stating that the applicants have requested a minor improvement as part of the Short and 2A Municipal Drains to install a ford crossing to access another portion of the Master's lands. It is anticipated that the costs would be assessed to the owner of the property (the applicant). Mr. Farquhar responded to questions from the Board members

DB2023-005**Moved By** C. Clarke**Seconded By** Deputy Mayor Richardson

That the Memorandum from the Drainage Superintendent - Engineering and Corporate Assets, dated February 15, 2023, regarding the **Request for a Minor Improvement - Short and 2A Drain (Masters)** be received;

That Council accept the Request for Minor Improvement on the Short and 2A Municipal Drain submitted by Guy Masters and the City Clerk to proceed with the notices required under Section 78(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 that Council appoint a Drainage Engineer for the examination of the area and proceed with the requirements of the proposed Minor Improvement Project.

Carried**4.3 Memorandum - Update****Drainage Superintendent's Update**

Richard Monaghan, Drainage Superintendent

Mr. Farquhar provided an overview of Mr. Monaghan's memorandum regarding drainage engineer projects, Municipal Drain construction and improvements, and previous and upcoming drain maintenance. He responded to questions from the Board members.

DB2023-006**Moved By** Deputy Mayor Richardson**Seconded By** C. Clarke

That the Memorandum from the Drainage Superintendent - Engineering and Corporate Assets, dated February 15, 2023, regarding the **Drainage Superintendent's Update**, be received.

Carried

5. Other Business

5.1 Appointment of Drainage Board Members to the Court of Revision

Mr. Watts and Mr. Farquhar provided an overview of the role of member of the Court of Revision.

The Chair called upon the members of the Board for nominations for members of the Court of Revision.

Councillor Joyce, Councillor Ashmore and C. Clarke were nominated as members of the Court of Revision.

They consented to the nomination.

The Chair called upon the members of the Board for nominations for alternate members of the Court of Revision.

D. Skrabek, Deputy Mayor Richardson, and R. MacEachern were nominated as alternate members of the Court of Revision.

D. Srabek and R. MacEachern consented to the nomination, and Deputy Mayor Richardson declined the nomination.

DB2023-007

Moved By Deputy Mayor Richardson

Seconded By C. Clarke

That Councillor Joyce, Councillor Ashmore, and Charles Clarke be appointed as members of the Court of Revision until December 31, 2026; and

That David Skrabek and Robert MacEachern be appointed as alternate members of the Court of Revision until December 31, 2026 to act in the place of a member who is unable to perform the duties.

Carried

5.2 Memorandum - Drainage Board Orientation

Drainage Board Requirements and Responsibilities

Joel Watts, Deputy Clerk and Recording Secretary

Mr. Watts provided an overview of his memorandum and requested all Board members sign and submit the declarations supplied to them following the meeting. The declarations confirm that they have reviewed, will abide by, and

agree to adhere to all the administrative documents attached to the memorandum.

DB2023-008

Moved By Councillor Joyce

Seconded By R. MacEachern

That the Memorandum dated February 15, 2023 from Deputy Clerk and Recording Secretary J. Watts regarding Drainage Board Requirements and Responsibilities, be received.

Carried

6. Adjournment

DB2023-009

Moved By C. Clarke

Seconded By R. MacEachern

That the Drainage Board Meeting adjourn at 8:40 p.m.

Carried