

The Corporation of the City of Kawartha Lakes
Minutes
Drainage Board Meeting

DB2023-02
Thursday, June 1, 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

Chair A. Veale called the meeting to order at 6:30 p.m. Drainage Board members Deputy Mayor T. Richardson, Councillor R. Ashmore, and C. Clarke, R. MacEachern, J. Oriotis, D. Skrabek, A. Veale and T. Willcox were in attendance.

Deputy Clerk and Recording Secretary J. Watts, Director of Engineering and Corporate Assets J. Rojas, Manager of Technical Services M. Farquhar, and Drainage Superintendent R. Monaghan were also in attendance.

Absent: Councillor D. Joyce

2. Administrative Business

2.1 Adoption of Agenda

DB2023-010

Moved By C. Clarke

Seconded By D. Skrabek

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

February 15, 2023 Drainage Board Meeting Minutes

DB2023-011

Moved By Deputy Mayor Richardson

Seconded By C. Clarke

That the minutes of the Drainage Board meeting held on February 15, 2023, be adopted as circulated.

Carried

3. Court of Revision - Desroches Municipal Drain

3.1 Rise from Drainage Board and Move into Court of Revision

DB2023-012

Moved By R. MacEachern

Seconded By Councillor Ashmore

That the Drainage Board rise at 6:31 p.m. to allow for the seating of the pre-appointed members of the Court of Revision for the Desroches Municipal Drain.

Carried

3.2 Signing of the Oath of Members of the Drainage Board Court of Revision

Each member of the Court of Revision (and alternates present) signed the Oath of a Member of the Drainage Court of Revision, as administered by Deputy Clerk and Recording Secretary J. Watts.

3.3 Appointment of Chairperson for June 1, 2023 Court of Revision

The Desroches Court of Revision sat with the following members: Councillor R. Ashmore, C. Clarke, and alternate member D. Skrabek.

Deputy Clerk J. Watts called for Nominations from the members for the position of Chair for the Desroches Court of Revision.

D. Skrabek nominated Councillor Ashmore. Councillor Ashmore consented to the nomination. No other nominations were put forward.

Deputy Clerk J. Watts declared Councillor Ashmore as Chair for the Desroches Court of Revision, and invited him to take his seat and lead the remainder of the Court of Revision proceedings.

3.4 Appeals - Desroches Municipal Drain

3.4.1 Appeals Received Prior to May 23, 2023 Deadline

The Chair confirmed with the Deputy Clerk that no appeals were received by the May 23, 2023 deadline.

3.4.2 Late Appeals

The Chair confirmed with the Deputy Clerk if any late appeals had been received. The Deputy Clerk confirmed no additional appeals had been received.

The Chair asked the Engineer assigned to the Municipal Drain to confirm if any appeals had been received by his office, or if he any further comment at this time. M. Gerrits confirmed no appeals had been received by his office, and that he had nothing further to add at this time.

3.5 Recess of the Court of Revision for Deliberations

With no appeals or comments to consider, the Court of Revision did not recess to consider any appeals.

3.6 Decisions of the Court of Revision

3.6.1 Decision Regarding any Appeal(s)

No decisions were required as no appeals were received for the Desroches Municipal Drain.

3.6.2 Decision Regarding Assessments and Provisional By-law

DB2023-013

Moved By C. Clarke

Seconded By D. Skrabek

That the assessments contained in the **Desroches Municipal Drain Report**, by Drainage Engineer M. Gerrits, and as provisionally adopted by By-law 2023-067, are hereby confirmed;

That should no other appeals be heard within the prescribed timelines, that Council proceed with the third reading of By-law 2023-067 at the next possible City Council meeting.

Carried

The Chair stated that if the affected property owners are dissatisfied with decisions made today by the Court of Revision, anyone may appeal this decision to the Agriculture, Food, and Rural Affairs Tribunal by filing a Notice of Appeal with the Office of the City Clerk within 21 days of the date of this decision.

3.7 Rise from the Court of Revision and Reconvene the Drainage Board

DB2023-014

Moved By C. Clarke

Seconded By D. Skrabek

That the Court of Revision rise at 6:40pm p.m. to reconvene the Drainage Board.

Carried

4. Meeting to Consider - Curtin Municipal Drain

4.1 Presentation of Engineer's Report - Curtin Municipal Drain

Mark Hoar, P. Eng. and Ken Smith, P. Eng.

D. M. Wills Associates Limited

Mr. K. Smith provided a brief overview of his presentation (which is attached to the minutes) and highlighted the following items related to the Curtin Municipal Drain:

- Summary of the project team;
- Particulars regarding the project location;
- Summary of the steps taken in the Drainage Act Process;
- Proposed watershed plan (including a clarification that the MacMinn property will run adjacent to the Municipal Drain);
- Construction plans (including proposed cross sections); and
- Schedule of Assessment.

4.2 Question and Answer Period

No questions were presented by the Board or the Members of the Public.

4.3 Opportunity to Add or Withdraw Signatures from Petition

Mr. Smith 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.

4.4 Recommendation of Drainage Board to Council

DB2023-015

Moved By R. MacEachern

Seconded By C. Clarke

That Council adopt the Curtin Municipal Drain Engineer's Report (as prepared by M. Hoar P. Eng. and K. Smith P. Eng., D.M. Wills) and proceed with first and second reading of a bylaw to provide drainage works in the City of Kawartha Lakes known as the Curtin Municipal Drain;

That Council instructs staff to make the necessary arrangements for a Court of Revision to be held on the Engineer's Report for the Curtin Municipal Drain.

Carried

5. Other Business

6. Adjournment

DB2023-016

Moved By J. Oriotis

Seconded By R. MacEachern

That the Drainage Board Meeting adjourn at 6:57p.m.

Carried