



Council Report

Report Number:	ENG2024-016
Meeting Date:	August 27, 2024
Title:	Jewell Drain – Petition for Drainage
Description:	Municipal Drains
Author and Title:	Richard Monaghan, Drainage Superintendent, Engineering and Corporate Assets

Recommendation(s):

That Report ENG2024-016, **Jewell Drain – Petition for Drainage**, be received;

That Council proceed with the petition submitted by Sarah Jewell for drainage works for Concession 6, Lot 21 Geographic Township of Fenelon to be known as the Jewell Municipal Drain and instruct the City Clerk to proceed with the notices required under Section 5(1)b of the Drainage Act;

That Staff concurrently continue to pursue with the petitioner options for a mutual drain agreement as per the City Policy;

That pursuant to Section 8(1) of the Drainage Act, R.S.O. 1990, Chapter D. 17, Staff recommend to Council, Ken Smith and Mark Hoar of D.M. Wills and Associates Limited be appointed as the Engineer's of Record for the examination of the area requiring drainage and proceed with the requirements of the Drainage Act for the proposed Jewell Drain.

Department Head: _____

Financial/Legal/HR/Other: _____

Chief Administrative Officer: _____

Background:

At the Drainage Board Meeting of June 20, 2024, the Board adopted the following recommendation:

(Regarding the Jewell Petition)

DB2024-09

Moved By Councillor Richardson

Seconded By Councillor Joyce

That the Memorandum from the Drainage Superintendent - Engineering and Corporate Assets of June 20, 2024, regarding the Petition for Drainage Works by Owners of Concession 6, Part Lot 21, Geographic Township of Fenelon (being Sarah Jewell), be received;

That Council proceed with the petition submitted by Sarah Jewell for drainage works for Concession 6, Part Lot 21 Geographic Township of Fenelon to be known as the Jewell Municipal Drain and instruct the City Clerk to proceed with the notices required under Section 5(1)b of the Drainage Act;

That Staff concurrently continue to pursue with the petitioner options for a mutual drain agreement as per 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 Jewell 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 December 9th 2021 Drainage Board meeting.

The recommendations made at this 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:

Council holds the authority to alter any recommendation made by the Drainage Board prior to adoption. Should Council not proceed with the Petition for Drainage, the petitioner has a right to appeal the decision to the Drainage Tribunal.

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:

Petitions for Drainage have costs assessed out to affected landowners as determined by the Drainage Engineer and pursuant to the Drainage Act.

Consultations:

Deputy Clerk
Manager of Technical Services

Attachments:

Appendix A – Memorandum to the Drainage Board (Jewell Petition)



Appendix A -
Memorandum to the

Appendix B – Minutes from the June 20, 2024 Drainage Board Meeting



Appendix B -
Minutes from the Ju

Department Head email: irojas@kawarthalakes.ca

Department Head: Juan Rojas