



TOWN OF MINTO

DATE: March 12, 2018

REPORT TO: Mayor Bridge and Members of Council

FROM: Mike McIsaac, Roads Foreman

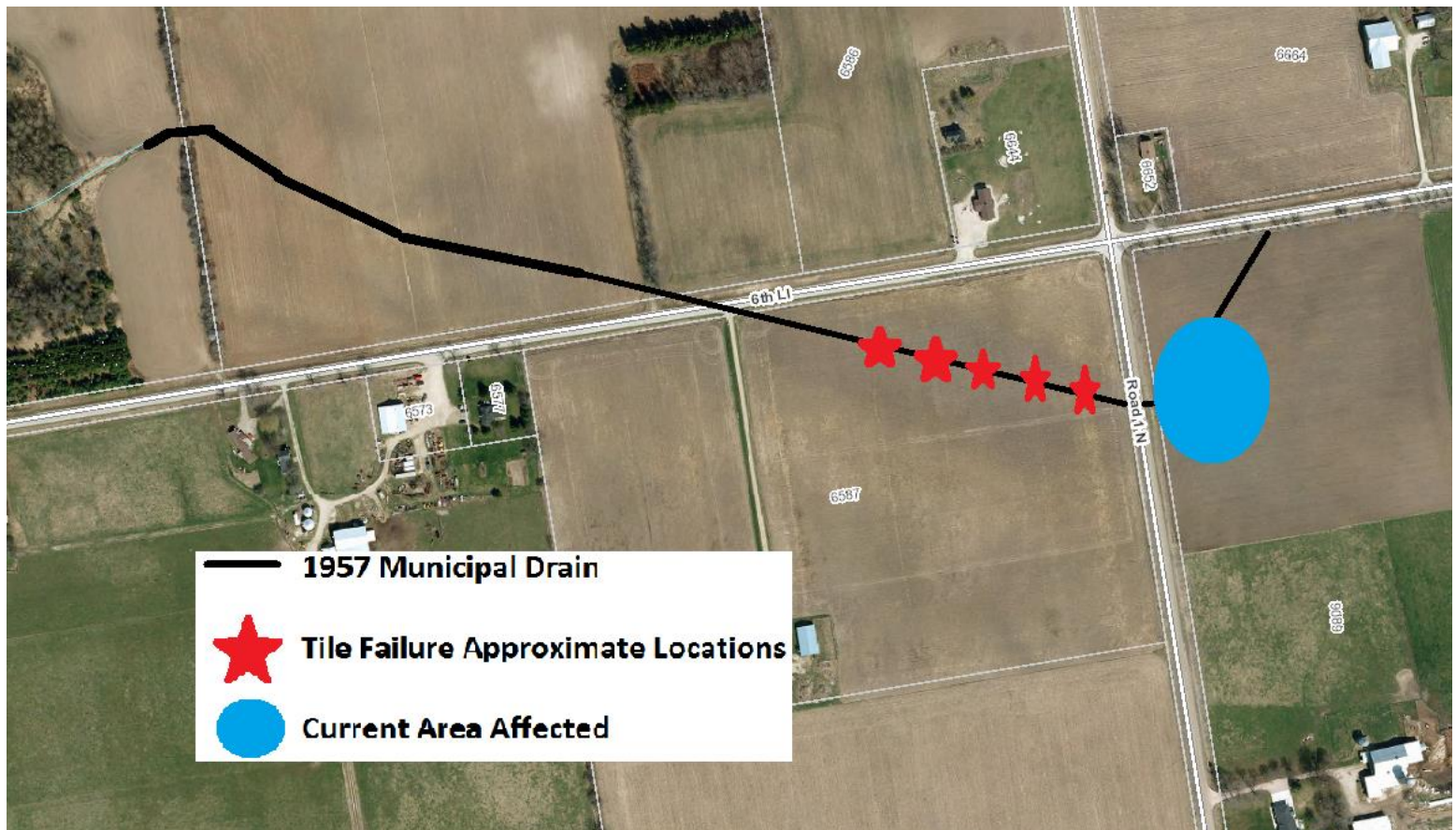
SUBJECT: Municipal Drain #39 Improvement

STRATEGIC PLAN:

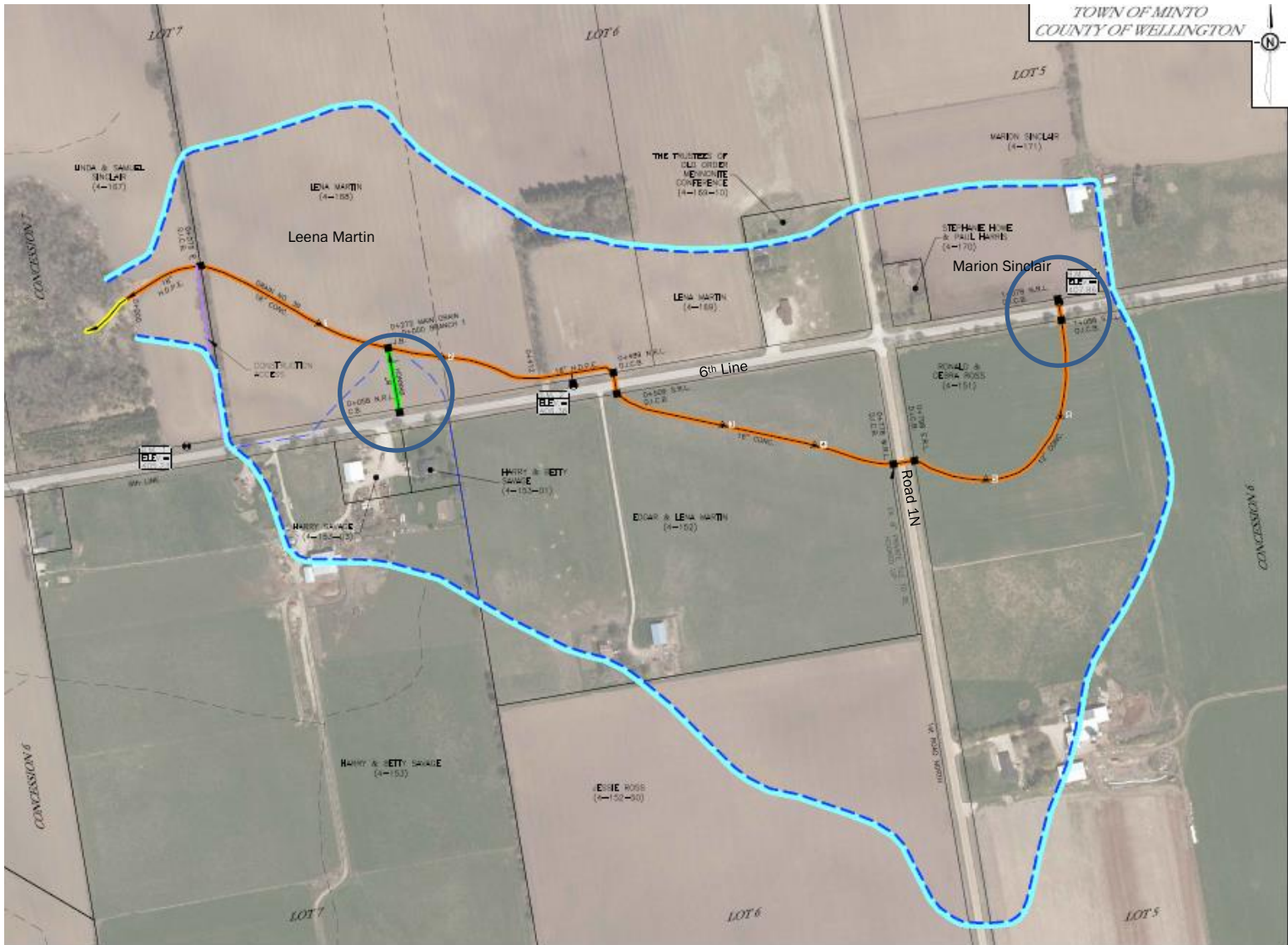
Support programs that maintain Minto's strong agricultural identity, enhance agricultural work, and protect and restore the natural environment given Minto's location in the heartland of Ontario surrounded by farmland and acknowledging that farming and a healthy natural environment are inextricably linked.

BACKGROUND:

April 2016 staff presented a report to Council regarding a signed section 78(1) petition under the Drainage Act to upgrade the current system for Municipal Drain #39 on the 6th Line west of Road 1 North shown on the map below.



At a meeting in the Town Municipal Office Friday March 9 Dietrich Engineering provided a preliminary design to property owners impacted by the municipal drain.



To complete the project as designed, a section 4 under the Drainage Act is required for New Drainage works to be able to incorporate the Branch 1 as well as the road crossing at the top end, both circled. Section 4 (1c) is shown below.

PETITION DRAINS

Petition

4 (1) A petition for the drainage by means of a drainage works of an area requiring drainage as described in the petition may be filed with the clerk of the local municipality in which the area is situate by,

- (a) the majority in number of the owners, as shown by the last revised assessment roll of lands in the area, including the owners of any roads in the area;
- (b) the owner or owners, as shown by the last revised assessment roll, of lands in the area representing at least 60 per cent of the hectareage in the area;
- (c) where a drainage works is required for a road or part thereof, the engineer, road superintendent or person having jurisdiction over such road or part, despite subsection 61 (5);
- (d) where a drainage works is required for the drainage of lands used for agricultural purposes, the Director. R.S.O. 1990, c. D.17, s. 4 (1).

COMMENTS:

At the December 19, 2017 Council meeting, staff provided an update on a number of municipal drains. Council passed a resolution that included “**Dietrich Engineering and staff to move forward in 2018 with any drain work that can be accommodated**”. On Friday March 9 meetings on four municipal drains were held on the Council Chambers.

The following is an excerpt from the report considered December 19, 2017 on Drain 39:

- **Drain 39 (6th Line at Road 1N)** Onsite meeting was held on November 4, 2016 with impacted landowners. A survey of the drain was completed spring of 2017 and preliminary design is started. An information meeting will be held in early 2018.

Although Dietrich Engineering is already appointed to deal with Municipal Drain 39, a specific appointment for the additional work on Branch 1 is needed as a formality. Branch 1 is required to eliminate localized ponding on the Lena Martin property at the cross culvert through the 6th Line. The road crossing to the Marion Sinclair property is required to provide an outlet for the tile system which is currently being installed.

Council should also be aware that Mayor Bridge, Councillors Turton and Elliott, staff and Greg Nancekivell of Dietrich Engineering had a delegation before Ministry of Agriculture officials on Monday February 26 regarding delays and misuse of authority by some agencies related to municipal drain approvals. The Ministry officials were beginning to hear these concerns from other municipalities and were supportive of regional meeting being held by the Drainage Association to try and educate agencies about municipal drains.

FINANCIAL CONSIDERATIONS:

The cost of this project will be provided in the schedule of assessment for construction which will be submitted in the final report presented to council.

RECOMMENDATION:

That Council receives the Road Foreman’s report regarding the Petition under Section 4 of the *Drainage Act* for Municipal Drain 39 and appoints Dietrich Engineering Limited to represent the Town’s interest with regard to work on Branch 1 and the road crossing between stations 1+058 and 1+078 as proposed.

Mike McIsaac
Road Foreman