



**Subject: Petition for Drainage on Weaver Road**

**To: Council**

**From: Public Works Department**

Report Number: 2021-138

Meeting Date: May 10, 2021

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**Recommendation:**

That Public Works Department Report 2021-138 be received; and

That Council allow Paul Marsh of EWA Engineering Inc. to investigate the validity of the petition and proceed, if valid, under the previous appointment and By-law No. 6602/57/18 for the Beaver Dam drain.

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**Purpose:**

This report is being written as a requirement of the *Drainage Act* and all “sections” quoted herein will be a reference to sections of the *Drainage Act*, R.S.O. 1990. Pursuant to section 5, after the filing of a “Section 4 Petition”, the Council of the municipality shall consider the petition and decide if it shall or shall not proceed.

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**Background:**

Paul Marsh of EWA Engineering was appointed through By-law No. 6602/57/18 (attached as Appendix B) under Section 8 and 78 to complete a new engineer’s report. The report is currently being studied and worked with the potential of completion late this year. To date there have been public consultations (with members of the watershed) as well as additional discussions with a few affected landowners about their specific concerns and additional survey work to the previous engineer’s work.

A petition has been signed by one of the affected property owners who farms the south west side of Weaver Road. The current drainage pattern allows the drainage from the west of his land to cross and interfere with his farming practices and the petitioner wished to have this addressed through a branch drain.

The timing of the filed petition fits with works that are already underway.

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### **Discussion:**

The petition subject area has already been studied through supporting documents completed by EWA Engineering Inc. and documentation has previously been shared with the Niagara Peninsula Conservation Authority in addition to several meetings. This area has already been flagged as having potential to have excess storage for runoff due to increased storm intensities.

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### **Financial Implications:**

All costs associated with this petition shall be assessed through the Engineer's Report and be held by the Municipality until the assessments can be recovered through the billing of the watershed of the Beaver Dam Drain.

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### **Conclusion:**

The Municipality is bound by the *Drainage Act* to comply and proceed accordingly. Staff have been involved in the studies about said area and this petition, which would likely minimize future drainage concerns of the watershed and would assist the petitioner with daily farming practices, would create a nominal increase to the scope of work for the Beaver Dam Drain report.

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### **Appendices:**

- a. Form 1 Petition for Drainage Works by Owner
- b. By-law No. 6602/57/18

Respectfully submitted,

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**Report Approval:**

All reports reviewed and approved by the Department Director and also the City Treasurer when relevant. Final approval is by the Chief Administrative Officer.