



CORPORATE SERVICES *Staff Report*

REPORT NO: COR-2025-17

TO: Committee of the Whole

SUBMITTED BY: Greg Clark, Director of Corporate Services/Chief Financial Officer

PREPARED BY: Kaitlin Bos, Manager of Legislative Services / Municipal Clerk

REVIEWED BY: Greg Clark, Acting Chief Administrative Officer

DATE: April 7, 2025

SUBJECT: Petition for Drainage Works by Owners- Demtec Enterprises Inc

RECOMMENDATION:

THAT Council accepts the Petition for Drainage Works by Owners Demtec Enterprises Inc.

SUMMARY:

As per Section 5(1) of the *Drainage Act, 1990* where a petition is filed with the municipality Council shall forthwith consider the petition and shall, within thirty days after the filing of the petition decide whether or not to proceed with the drainage works and send notice of its decision to the petitioner and prescribed persons.

BACKGROUND:

The Township of Wilmot Drainage Superintendent, John Kuntze over the last two years has been in discussions with the owners of Demtec Enterprises Inc. and conducted site visits to examine the property for excess water, and drainage concerns. The Drainage Superintendent suggested they move forward with a Petition for Drainage Works by Owners – Form 1, which would, if approved set in motion a project to create a new municipal drain under Section 4 of the *Drainage Act, 1990*.

REPORT:

On March 31, 2025 the Clerk's Office received a Petition for Drainage Works by Owners from Demtec Enterprises Inc. under Section 4 of the Drainage Act, 1990 for a property located at Part

Lot 7, Concession South of Snyder's Road. This property is located within the watershed of the Petersburg Drain, 1983.

A Petition by the Road Authority filed by the Regional Municipality of Waterloo was accepted by the Township of Wilmot Council on April 15, 2019 for improvements to the Petersburg Drain, 1983. K. Smart Associates Limited was appointed by the Township of Wilmot on June 3, 2019 to prepare a Report on the Petersburg Drain under Sections 4 and 78 of the Drainage Act, RSO 1990. The project engineer Joel Miller has indicated that the Engineer Report to address this petition should be filed as early as June. The landowners, Drainage Superintendent and Township Staff do not want this petition to delay the improvements proposed to the Petersburg Drain, therefore we are not recommending that this petition be added to that Report.

The landowners request under this petition is that a new open channel and new tile drain be constructed under the *Drainage Act, 1990* to improve drainage on their property known as 1611 Snyder's Road E.

If Council chooses not to accept the petition to proceed with the drainage works, the petitioner under Section 5(2) of the *Drainage Act, 1990* may appeal to the Tribunal or, where lands used for agricultural purposes are included in the area described in the petition, the Minister may refer the matter to the Tribunal, and the Tribunal may confirm the decision of the council or direct the council to make such decision and to take such action as the council is authorized to take under this Act and as the Tribunal considers proper.

If Council chooses to accept the petition, the Municipal Clerk will proceed with the process as prescribed in the *Drainage Act, 1990*.

ALIGNMENT WITH THE TOWNSHIP OF WILMOT STRATEGIC PLAN:

Healthy Community

FINANCIAL CONSIDERATIONS:

There are no financial impacts associated with this report at this time.

ATTACHMENTS:

Attachment A - Form 1 Petition for Drainage Works by Owners (Demtec)