



CORPORATE SERVICES

Staff Report

REPORT NO: COR-2025-21
TO: Council
SUBMITTED BY: Greg Clark, Director of Corporate Services / CFO
PREPARED BY: Kaitlin Bos, Manager of Legislative Services / Municipal Clerk
REVIEWED BY: Harold O’Krafka, Acting Chief Administrative Officer
DATE: June 2, 2025
SUBJECT: Appointment of Engineer for Drainage Works Petitioned by Demtec Enterprises Inc.

RECOMMENDATION:

THAT Report COR-2025-21 Appointment of Engineer for Drainage Works Petitioned by Demtec Enterprises Inc. be received for information; and,

THAT Council appoints K Smart Associates Limited as the engineer firm to prepare a report in respect to the Section 4 petition submitted by Demtec Enterprises Inc.

SUMMARY:

As per Section 8(1) of the Drainage Act, 1990 where the council of the initiating municipality has decided to proceed with the drainage works described in a petition, the council shall by resolution appoint an engineer to make an examination of the area requiring drainage as described in the petition and to prepare a report which shall include,

- (a) plans, profiles and specifications of the drainage works, including a description of the area requiring drainage;
- (b) an estimate of the total cost thereof;
- (c) an assessment of the amount or proportion of the cost of the works to be assessed against every parcel of land and road for benefit, outlet liability and injuring liability;
- (d) allowances, if any, to be paid to the owners of land affected by the drainage works; and,
- (e) such other matters as are prescribed or provided for under this Act. R.S.O. 1990, c. D.17, s. 8 (1); 2020, c. 18, Sched. 4, s. 4.

BACKGROUND:

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.

On April 28, 2025 Council accepted the Petition for Drainage Works by Owners Demtec Enterprises Inc.

REPORT:

Staff are recommending the appointment of K Smart Associates Limited, because they are actively working with the landowners through the Petersburg Municipal Drain project and are knowledgeable of the watershed.

If Council proceeds with the appointment of the engineer, the Municipal Clerk will proceed with the process as prescribed in the *Drainage Act, 1990*. The next step is Section 9(1) of the Drainage Act which states that the engineer shall, before making an examination and report, provide notice and hold an on-site meeting to examine the area.

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)