

# Report to Municipal Council



<b>Meeting Date:</b> February 19, 2025	<b>Report Date:</b> February 13, 2025
<b>Reason Before Council:</b> Financial Approval	<b>Priority:</b> Normal
<b>Department:</b> Planning & Development	<b>Type of Meeting:</b> Regular Meeting

**Report Title:** Request for Reduction of Invoice Regarding Section 65 Reapportionment

## **Recommended Resolution:**

That Council provide direction to staff regarding the requested reduction.

## **Options:**

1. Maintain payment of the invoice as issued in full – no reduction.
2. Grant reduction requested in the amount of \$2,500.00.
3. Grant reduction based on a calculation of how many properties had to be reapportioned multiplied by the number of properties owned by the requester ( $\$5,000 / 7 = \$714.29 \times 4 = \$2,857.16$  to be paid by property owner). Reduction would be \$2,142.84.
4. Grant reduction of another amount.

## **Analysis & Background:**

On February 11, 2025 the Clerk received the attached letter from Canadian Shield requesting that Council consider a reduction in the Invoice issued to it for the cost of preparing Section 65 reapportionments pursuant to the *Drainage Act*. The letter is self-explanatory in so far as the background is concerned. The Invoice is in the amount of \$5,000.00 plus HST of \$650.00, for a total of \$5,650.00.

As was explained to the Clerk by the Drainage Superintendent, the issue arises due to how severances were completed in the past and that there was no requirement for Section 65's. All the properties involved in this particular matter did at one point belong to this same family. Over time pieces were severed off and sold but the drainage apportionments were never updated. Currently this



landowner (or it's principle) owns four (4) of the affected properties that required reapportionment.

The Drainage Act now requires reapportionment, however, there is a way that landowners can “agree” on a split without the need for the formal Section 65 report. This method however can be contested in certain situations (as the Clerk had questioned this method while in drainage training with the educator from OMAFRA). It is therefore highly recommended to proceed with the official Section 65 via the engineers and obtaining accurate numbers.

This particular Invoice is the highest this Clerk has encountered. Although the Drainage Superintendent did advise that the cost was going to be higher, it was never brought to our attention that it was this high until the work was done.

Moving forward, the Clerk will be requesting Quotes from the Drainage Superintendent before moving forward with the work to be done.

**Attachments:**

- Letter from Canadian Shield – 2025-02-11

**Prepared By:** Tammy Godden, Clerk