

# Staff Report to Council

**Title:** Kozak Mutual Agreement Drain

**Report Number:** Environmental Services-2025-01

**Director:** Infrastructure & Development

**Manager:** Environmental Services

**Meeting Date:**  
Wednesday, January 8, 2025

**Date to be considered by Council:**  
Wednesday, January 8, 2025

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## Recommendation:

That Council accept the Kozak Mutual Agreement Drain report as provided and pass a By-law to authorize the execution of the agreement.

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## Executive Summary:

In 2023, a request was made under Section 2 of the Drainage Act and presented to the Municipality for consideration. This request was forwarded to the Drainage Superintendent for review and determination of boundaries and watershed area. This process indicated three properties and two owners of those and the Municipality as beneficiaries of the drainage works. The process of starting a Mutual Agreement Drain commenced, which is concluding with the execution of this agreement.

## Strategic Priorities:

B.6-Protect and preserve our environment

## Financial Considerations:

The estimated costs associated with the project is about \$34,000 dollars, excluding legal costs, to have this drain registered with each property. Through the MAD agreement cost sharing proportions were agreed to for current and future drainage works. There were no financial impacts to the Municipality and any future works that would be needed on the Municipal Right of Way would be the only impact.

**Policy:**

Drainage Act, R.S.O 1990, cD.17

**Context and Background Information:**

The work consisted of the installation of 20-feet of HDPE outlet pipe with rodent grates. An additional 2200-feet of Plastic Drainage Tubing, and 66-feet of Smooth Wall Welded Steel Pipe with catch-basin installations.

**Consultation Overview:**

The project was reviewed by the Municipality's Drainage Superintendent, and consultation was discussed with the two property owners associated with the MAD agreement and the Municipality. The agreement includes costs for the works that were completed, as well as any future work and maintenance as well as who will be responsible for those works and fees.

**Origin:**

Landowner Request.

**Implementation Considerations:**

The works highlighted in the MAD agreement have already taken place on each property. The importance of accepting and signing the agreement is to have this MAD registered on all properties and include responsibilities for future works and maintenance.

**Risk Analysis:**

With an agreement in place, it will ensure maintenance and upkeep of the works is done and at the cost of the benefiting landowners.

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**Attachments:** Kozak Mutual Agreement Drain

**Prepared by:** Mark O'Leary

**Submitted by:** Mark O'Leary