



*A People Place, A Change of Pace*  
**SHELBURNE**  
ONTARIO, CANADA

---

**Meeting Date:** Monday, September 08, 2025

**To:** Mayor Mills and Members of Council

**From:** **Jim Moss, Director, Development and Operations**

**Report:** DO 2025-02

**Subject:** **Drainage Superintendent**

---

### Recommendation

BE IT RESOLVED THAT Council of the Town of Shelburne receive report DO 2025-02 as information;

AND THAT leave be given for the reading and enacting of By-law 32-2025 being a By-law to appoint Terrance Gole as the Drainage Superintendent for the Town of Shelburne.

### Background

The Drainage Act of Ontario contains several mechanisms whereby landowners may make drainage improvements to their lands and the costs shared among the benefiting landowners. The drains are referred to as Municipal Drains because the municipality is required to administrate all works associated with the drains, from their initial petition to completion. The perpetual care for the drains remains the responsibility of the municipality, but the costs, including administration are charged back to the benefiting landowners.

The municipality does not own the drain or the land they are constructed upon unless they are built upon a road allowance or other City property. The drains tend to be named after the original petitioner such as the Besley Drainage Works or the Jordan Drainage Works.

The Town of Shelburne (Town) is responsible for Municipal Drains as defined by the Drainage Act. In order to fund, inspect, maintain, and receive grant monies from the Province, the Town is responsible for the appointment of a Drainage Superintendent by By-law. The primary responsibility of the Drainage Superintendent is to maintain, repair, and operate the municipality's drainage systems constructed under the Drainage Act. The Superintendent's responsibilities may also include other duties related to municipal drains.

The position of Drainage Superintendent was not required by the Town prior to the expansion of the Town limits in approximately 1983. Prior to this expansion there were no Municipal Drains within the Town Limits. With the expansion of the Towns border, two (2) Municipal Drains fell within the new area. These Drains are the Besley Drainage Works, which traverses through the center of Town and the Jordan Drainage Works, which cut through the southern portion of Fiddle Park.

An oversight at the time of the boundary expansion resulted in no By-law being enacted for a drainage superintendent to oversee these pieces of critical infrastructure.

## Analysis

The individual dealing with the registered drains, must have OMAFA Drainage Superintendent Certification and act if appointed by Council, as the Drainage Superintendent for the Town. The Town currently does not have an appointed Drainage Superintendent. This appointment is intended to ensure compliance with the Municipal Drainage act and to open up streams of funding from OMAFRA that can only be accessed by a Drainage Superintendent.

Section 93 of the Drainage Act authorizes the council of a local municipality to appoint a Drainage Superintendent by By-law. Where so appointed, a Drainage Superintendent has the following duties and responsibilities specified in section 93(3) of the Drainage Act:

- (a) To inspect every drainage works for which the municipality is responsible and report periodically to council on the condition of those drainage works;
- (b) To initiate and supervise the maintenance and repair of the drainage works for which the municipality is responsible;
- (c) To assist in the construction or improvement of the drainage works for which the municipality is responsible; and,
- (d) To report to council on the Superintendent's activities mentioned in clauses (b) and (c).

## Financial Impact

The requirements for maintenance of existing municipal drains varies from year to year. The appointment of an approved Drainage Superintendent will enable the Town to obtain as much as 33 1/3% of the assessment eligible for grants on maintenance and repair works carried out under the Drainage Act.

In addition, it is possible for the Town to apply for a grant from the Ministry for 50% of the costs incurred in the employment of a Drainage Superintendent, but only for the performance of duties and responsibilities of the Drainage Superintendent. Grant monies from the Ministry, are only available to those municipalities who have appointed, by By-law, a Drainage Superintendent who has also been approved by OMAFRA

## Policies & Implications

Not Applicable

## Consultation and Communications

CAO  
Director of Financial Services/Treasurer

## Council Strategic Priorities

Council's Strategic Priorities has three Goals - Sustainable, Engaged and Livable. There are a total of 12 targets with the three Goals.

This report aligns with the Sustainable Goals within the Targets:

SP1 - Responsible financial management through long term planning

SP2 - Invest in critical infrastructure and services for the future

EP1 - Promote effective partnerships

## Supporting Documentation

Appendix A – By-Law Number 32-2025

Respectfully Submitted:

---

Jim Moss, Director, Development and Operations

Reviewed by:

---

Denyse Morrissey, CAO

**THE CORPORATION OF THE TOWN OF SHELBURNE**

**BY-LAW #32-2025**

**Being A By-law to appoint a Drainage Superintendent pursuant to The Drainage Act**

**WHEREAS** Section 93 of The Drainage Act, R.S.O. 1990, Chapter D.17, authorizes the Council of a Municipality to appoint a drainage superintendent;

**AND WHEREAS** Section 227 of the Municipal Act, 2001, S.O. 2001, c.25 provides for officers and employees of the municipality to implement and carry out council's decisions, to establish administrative practices and procedures, to provide advice to council on municipal policies and programs, and to carry out duties required by legislation;

**AND WHEREAS** Council of the Town of Shelburne deems it appropriate to appoint a Drainage Superintendent;

**NOW THEREFORE** the Council of the Town of Shelburne hereby enacts as follows:

1. That Terrance Gole is hereby appointed as Drainage Superintendent for the Town of Shelburne
2. That the Drainage Superintendent shall carry out the duties imposed pursuant to The Drainage Act, 1990.
3. Any previous By-law to Appoint a Drainage Superintendent is hereby rescinded.
4. That this By-law shall come into force and effect on the date of final passing thereof.

Passed in Open Council this 8th day of September 2025.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CLERK

By signing this by-law on September 8, 2025, Mayor Wade Mills will not exercise the power to veto this by-law and this by-law is deemed passed as of this date.