



The Corporation of the Township of Huron-Kinloss

Staff Report

Report Title: Municipal Drain Status Update September 2024

Date: Sep. 4, 2024

Report Number: DRA-2024-10-04

Department: DRAINS

File Number: C11 DRA 24

Prepared By: Ken McCallum, Drainage Superintendent & Jennifer White, Clerk

Attachments: None

Recommendation:

That the Township of Huron-Kinloss Committee of the Whole hereby receives for information Report DRAIN-2024-10-04 prepared by Ken McCallum, Drainage Superintendent.

Background:

Municipal Drainage projects are in various stages of completion. This report is to provide the Committee with an update on each drain in progress.

Discussion/Analysis/Overview:

Capital Works

Hamilton Municipal Drain:

K. Smart & Associates Limited are appointed under Section 78 of the Drainage Act to make improvements to the Hamilton Municipal Drain. Staff continue to work with the appointed Engineer to address changes to the scope of work to address identified concerns and change requests from impacted landowners.

The drainage plan includes a downstream pond which is being restored by Ducks Unlimited as part of conservation efforts. Staff have been advised that the Ducks Unlimited restoration work will be moving forward. The outfall of the Drain design plan will need to incorporate this pond feature into the base design.

Design considerations would allow the municipality to control the normal water levels of the pond suitable for upstream landowners' drainage requirements while allowing Ducks Unlimited to manage any future maintenance or restoration to the pond below specified water levels.

When the final report is received from the appointed Engineer, Council will consider it at a public meeting, following notification of affected landowners. Maintenance work to remove beavers was additionally conducted as noted later in this report.

Gaunt-Laidlaw Municipal Drain

The Engineer's report was referred back to the Engineer by Council for changes to the design and report. Municipal staff have followed up with the engineer to make the necessary changes required and expect to provide the revised report to Council in Fall of 2024 for consideration, pending landowner notification. The Engineer has been delayed in scheduling a landowners meeting to review the revised report, due to the unavailability of one of the landowners.

Vandiepenbeek Municipal Drain

The construction of the drain has been certified complete and has entered the one year warranty period. Municipal staff will continue to work with the project Engineer to address any outstanding concerns identified by landowners during this period.

Black Creek Municipal Drain

A meeting with impacted landowners to review scope of work is being scheduled for November/December of 2024.

Park Street & Railway Street Municipal Drains

RJ Burnside & Associates Ltd. have been appointed under section 78 of the Drainage Act, to improve the Park Street Municipal Drain. Council passed By-law No. 2023-38 and By-law No. 2024-03 to accept the Engineer's report and award the construction tender, respectively. Construction is nearly complete on the Park Street drain, and a one-year warranty period will commence when the Engineer declares the project substantially complete. Municipal staff will continue to work with the project Engineer to address any outstanding concerns identified by landowners during this period. Landowners dissatisfied with the quality of construction may appeal to the Tribunal under section 64 of the Drainage Act.

Bruce Beach Drain (Phase I)

Phase 1 of the Bruce Beach Municipal Drain project has reached completion. While the process involved significant challenges, the drainage system is now fully operational and meeting its intended purpose. As part of this phase, the Township will soon be issuing final assessments to the residents involved.

Bruce Beach Drain (Phase II)

Current Status and Approvals

For Phase 2, the project has secured approvals from the Saugeen Valley Conservation Authority (SVCA) and the Department of Fisheries and Oceans (DFO) following their reviews of the necessary studies. Although these approvals are important, the design continues to be refined, incorporating both regulatory feedback and public input from earlier engagement sessions.

Ongoing Design Refinement and Public Engagement

The project team continues to refine the design while taking public input into consideration. Future engagement opportunities are being planned, being mindful of the availability of seasonal populations and will provide updates when more

information becomes available. The goal of Staff and the appointed Engineer is to ensure that all stakeholders can contribute meaningfully as the project progresses.

Clark Creek Municipal Drain Construction of the Clark Creek Municipal Drain Site 'J' (the final site in the overall project), began in August. Additional Work was required to remove soils along one embankment. Municipal staff continue to work closely with the Engineer and Contractor to finalize the completion of the project. A site visit is with SVCA is being scheduled to ensure all construction undertaken is compliant with the proposed plans.

Thompson Lamont Deyell Municipal Drain

The Municipality of Morris-Turnberry has received a notice of request for a drain improvement. Lands within the Township of Huron-Kinloss contribute to the watershed and shall be assessed costs. No further update has been provided at this time.

Unresolved Capitol Works

Staff are aware of outstanding reports from appointed engineers on several drains. Information of these unresolved projects are listed below. A further report may be brought forward to Council with options for consideration to move these requests forward, if staff efforts are unsuccessful.

Pennell Municipal Drain

DEL was appointed by the Council of the Township of Huron-Kinloss to investigate improvements to the Pennell Drainage Works on August 5th, 2020. An onsite meeting was held on September 3rd, 2020, at 87 Statters Lake Ave. Staff are working with DEL to proceed with the project and produce a report to council.

If the engineer determines that the drainage works are not required or are impractical, Township staff have directed the engineer to file a report to the Council under Section 40 of the Drainage Act. This report will provide the reasons for the decision and include details about the distribution of any costs associated with the project.

Jantzi Municipal Drain

DEL was appointed by the Council of the Township of Huron-Kinloss to investigate a Petition under Section 4 of the Drainage Act for the Jantzi Drainage Works on May 21st, 2014. An onsite meeting was held on July 3rd, 2014, at 445 South Kinloss Ave. (Martin Metzke's property) with a representative of DEL.

If the engineer determines that the drainage works are not required or are impractical, Township staff have directed the engineer to file a report to the Council under Section 40 of the Drainage Act. This report will provide the reasons for the decision and include details about the distribution of any costs associated with the project.

Von Hoevel Municipal Drain

DEL was appointed by the Council of the Township of Huron-Kinloss to investigate a legal outlet for landowners followed by a Petition under Section 4 of the Drainage Act for the Von Hoevel Drainage Works on May 20th, 2020. An onsite meeting was held on September 17th, 2020, at Lot 55 Lake Range in the Township of Huron-Kinloss with a representative of DEL. Staff are working with DEL to proceed with the project and produce a report to council.

If the engineer determines that the drainage works are not required or are impractical, Township staff have directed the engineer to file a report to the Council under Section 40 of the Drainage Act. This report will provide the reasons for the decision and include details about the distribution of any costs associated with the project.

Kempton Municipal Drain

Council appointed R.J. Burnside & Associates under section #78 of the Drainage Act to investigate a legal outlet for landowners. Subsequently to a meeting held on November 6, 2014, 2 of the landowners with a large portion of the area requested that the Engineer put the project on hold until the Improvements were complete to the McNain Municipal Drain which serves outlet for the Kempton Drain. The landowners concluded that Improvements to the McNain drain would help alleviate flooding to their lands, therefore potentially reducing the scope of work proposed for the Kempton Drain. Staff are working to host a meeting with the affected landowners to obtain a better understating of the required improvements if any to the Kempton Drain.

If the landowners decide that the drainage works are either unnecessary or impractical, the Township staff will instruct the engineer to submit a report to the Council under Section 40 of the Drainage Act. This report will outline the reasons for the decision and provide a breakdown of the costs incurred in connection with the project up to that point. The report will ensure that all parties are informed about the rationale behind discontinuing the project and how the expenses will be allocated.

Maintenance Works

Ackert Municipal Drain

A drain maintenance request has been received to remove trees and blockages from the Ackert drain downstream of Karishea Ave. The works has been scheduled. Landowners upstream of the work will be assessed costs for the maintenance work.

Stewart Municipal Drain

A request has been made for a clean out downstream of Concession A, Pt. Lot 60, Parcel ID (9-121-01). A landowner has requested that a portion of Concession 12 roadside ditch be cleaned out to relieve private lands from flooding. Staff are working with the contractor to complete the municipal drain cleanout in September 2024.

Municipal staff have been made aware with the maintenance recently conducted, that a culvert that may be installed at improper grades proving to be detrimental to the functionality of the drain. Staff is scheduling to survey the drain and bring a report to council on the specific findings and any actions recommended.

Reavie Municipal Drain

1 to 1.5 ft of sediment has been observed in the entire length of the Reavie drain. Approximately 3,500 meters of bottom cleanout is required to have the drain function as it was originally designed again. Brushing will be necessary at the drain outlet and along various parts of the drain for access to complete the work. All approvals have been obtained.

The original contractor has been unable to complete the requested work to date. Staff may contact an alternative contractor if required to complete the works.

John-Fair Municipal Drain

Sediment has accumulated in the ditch bottom over the past several years and needs to be removed to improve flows at Concession 12 Road. Approximately 1,000m of bottom cleanout is required to have the drain function properly again. Minor brushing is also required along the top of bank and side slopes to access the drain. Work was completed in September in accordance with the governing report.

Carrick Municipal Drain

The Carrick municipal tile drain has failed and created a sinkhole in a resident's yard within the village of Whitechurch. Investigations revealed that the Carrick municipal drain open portion needs repair and maintenance. The open portion of the drain has become overgrown with trees which have caused obstructions in the drain. Sediment has built up causing the Municipal drain tile outlet to be submerged under water. Staff are working to obtain approval from DFO. A permit will be required from the Conservation Authority as the work will commence within a regulated wetland area. It is anticipated that due to Conservation Authority timing windows for work, this work will be completed in summer of 2025.

A. McDonald Municipal Drain

A request has been made to cleanout a section of the A. McDonald Award Municipal Drain. The Landowner of Lot 2, Concession 2, Huron would like approximately 450m of the open drain maintained on his property. Required approvals have been obtained and the work has been contracted for completion this fall.

Black Creek SW Municipal Drain (Hayes Lake Beaver's)

Beavers are in the Black Creek municipal drain Southwest section blocking the outlet to Hayes Lake raising water levels the are encroaching Hayes Lake Ave. A trapper has been notified to remove the beaver.

Royal Oak Municipal Drain

Beavers are located in the Royal Oak drain causing blockages and holding back waterflows causing flooding to neighbouring lands. Staff have contacted a local trapper to remove the nuisance Beaver's and will proceed to remove the dams after

potentially impacted crops have been harvested. Staff will now proceed with the removal of the obstructions.

Kincardine-Kinloss Municipal Drain.

Sediment has accumulated in the Kincardine-Kinloss drain in Lots 7 & 8, Range 1 NDR Kinloss Ward. Maintenance is required from the Kincardine-Kinloss towline upstream to County Road 9. Staff are working to obtain approvals from DFO to complete in water work and have notified the Conservation Authority as permits are required due to work inside a regulated wetland area. As Conservation Authority timing windows for this work will delay work to 2025, Staff have scheduled for this fall a cleanout of 300m of open ditch to provide some measure of relief to landowners in advance of the other maintenance work.

Pollard Municipal Drain

The Pollard municipal drain has failed within the road allowance of Statter's Lake Ave. The landowner of Lot 5m Concession 10, Kinloss is experiencing flooding to his lands. Staff have requested locates and are working with a contractor to complete the repairs once the locates are complete.

Hamilton Municipal Drain

Beavers have been trapped as requested.

McDonald Bushnell Municipal Drain

Beavers are in the McDonald-Bushnell drain causing blockages and holding back waterflows in Lot 19, 2 Range SDR Kinloss Ward. The Beaver's have been removed and staff have scheduled a contractor to remove the damns this fall and cleanout approximately 350m of drain to re-establish grades.

Other Drainage Items of Note

The Township's Drainage Superintendent duties are provided through a shared services agreement with the Municipality of Huron-East. Typically, the Drainage Superintendent would split time between both municipalities weekly. The Township of Huron-Kinloss would typically have two days each week of availability for the Drainage Superintendent to perform the duties assigned.

Urgent situations impacting drainage in either municipality however would require the Drainage Superintendent to focus attention on the municipality where the crisis, emergency or urgent work is located. Through September, challenges with drainage related issues in Huron-East have limited the Drainage Superintendent's availability to deal with ongoing or arising issues within the Township of Huron-Kinloss. It is anticipated that the Drainage Superintendent will focus additional time in the Township of Huron-Kinloss at the conclusion of the current challenge, before typical availability resumes.

Financial Impacts:

The cost of constructing, maintaining and/or repairing municipal drains is assessed to all the landowners within the drain watershed depicted in the last engineer's report as outlined in the *Drainage Act, 1990*. The Township is responsible for any Assessments to all Municipal lands and roads as determined by the engineer.

Performance Measurement:

N/A

Strategic Area:

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|---|--|
| <input type="checkbox"/> Embrace a thriving rural lifestyle | <input checked="" type="checkbox"/> Enhance Municipal Service Delivery |
| <input type="checkbox"/> Prepare for Inclusive Growth | <input type="checkbox"/> Ensure Financial Stability |

Strategic Goal: Protect, promote and restore our natural environment

Respectfully Submitted By:

Ken McCallum, Drainage Superintendent & Jennifer White, Manager of Legislative Services/Clerk

Report Approved By:

Jodi MacArthur, Chief Administrative Officer