

Notice of Appeal to Tribunal from the Court of Revision

Drainage Act, R.S.O. 1990, c. D.17, subs. 54(1)

To: The Council of the Corporation of the Township of Huron-Kinloss

Re: Bruce Beach Municipal Drain, Phase 1
(Name of Drain)

Take notice that I/we, appellant(s) to the Court of Revision, appeal to the Agriculture, Food and Rural Affairs Appeal Tribunal from (check one):

The decision of the Court of Revision dated 2021/08/09
Date (yyyy/mm/dd)

The omission, neglect or refusal of the Court of Revision to hear or decide an appeal

Details of application and relief being sought from Tribunal (attach additional pages if needed):

See Addendum 1

Property Owners Appealing to Tribunal

- Your municipal property tax bill will provide the property description and parcel roll number.
- In rural areas, the property description should be in the form of (part) lot and concession and civic address.
- In urban areas, the property description should be in the form of street address and lot and plan number, if available.
- If appealing to Tribunal regarding multiple properties, attach additional page with property information.

Property Description

726 Lake Range Drive Con A Pt Lots 41 and 42 RP

Ward or Geographic Township

Huron-Kinloss

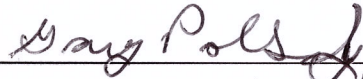
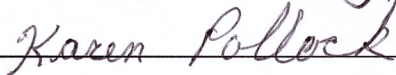
Parcel Roll Number

4107 160 008 23600 0000

If property is owned in partnership, all partners must be listed. If property is owned by a corporation, list the corporation's name and the name and corporate position of the authorized officer. Only the owner(s) of the property may appeal to the Tribunal.

Partnership

Partnership (Each partner in the partnership must complete this section).

Name (Last Name, First Name)	Signature	Date (yyyy/mm/dd)
Gary Pollock		2021/08/26
Karen Pollock		2021/08/26

Enter the mailing address and primary contact information of property owner below:

Last Name Pollock		First Name Gary	Middle Initial J
Current Address			
Unit Number	Street/Road Number 2086	Street/Road Name Liverpool Road N	PO Box
City/Town Pickering		Province Ontario	Postal Code L1X 1C9
Telephone Number 905 839-5540	Cell Phone Number (Optional) 289 979-8910	Email Address (Optional) pollocks@sympatico.ca	

To be completed by recipient municipality:

Notice filed this 27th day of August 20 21

Name of Clerk (Last Name, First Name) Dance, Emily	Signature of Clerk <i>E. Dance</i>
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Timeline for Appeal: This notice of appeal must be served within twenty-one days of the pronouncement of the decision of the court of revision. *Drainage Act*, R.S.O. 1990, c. D.17, subs. 54(1).



Addendum 1 Rev.

Reason for appeal:

1. It has been suggested the ravine would provide easy **private access** to Bruce Beach Road and the beach, however, the original private road to Bruce Beach Road from Lake Range Drive is still located and being used as a footpath along the ravine on the South side. This road was originally used to access Bruce Beach Road before the 8th concession was extended down the hill.
2. There is a small parcel of land on the extreme West of my property and North of the ravine that was being investigated for possible severance and development in the future. To mitigate this and make it worse the engineer advised during the July 19th meeting the pipe (culvert) will be straightened at the bottom of the hill to lesson the stress and future maintenance. This means this lot will be cut down in size. In addition, we were also advised in a private meeting including Steve Brickman and Grant Collins that we will be unable to **build** any structure on the land and must always keep accessible for the Township to provide maintenance. The report shows 10 meters (Sec. 11.2 of report) the length of the drain
As a result, this parcel of land will become **worthless** and development of the lot no longer feasible.
3. The major reason for the appeal is the increase in the volume of water that is now being funneled through the ravine. The landowners on the East side of Lake Range Road have been ditching their fields to increase crop yields which leads to "Increased Revenue" and increased water flow.
Unfortunately, no concern was given to the devastation that was being created throughout the ravine with major erosion and trees uprooted. This **"Increased Revenue"** should now be used to repair the problem created.

As per the Bruce Beach Municipal Drain Phase 1 report prepared July 8th2021 we have been assessed at **\$63,373.00**. This includes a drainage allowance of only **\$12,160.00** compensation which is **"extremely low"**.

This is for a strip of land **30M x ~190M**. The \$12160.00 was **not negotiated but mandated**.

I would be willing to contribute similar amounts as those properties above the hill (Lots 722 to 728) facing Lake Range Road, on either side of my property. These create similar run off and have been assessed in the range of \$1000.00 to \$1800.00.

Why should we be held **financially** responsible for a problem that was **created** and then **intensified** by others?