



## The Corporation of the Township of Huron-Kinloss

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### Staff Report

**Report Title: Bruce Beach Municipal Drain Phase I– Tribunal Hearing and Construction Update (6), Bruce Beach Municipal Drain – Phase II (3)**

**Prepared By: Emily Dance, Clerk**

**Department: DRAIN**

**Date: May. 2, 2022**

**Report Number: DRAIN-2022-05-6  
L09 BRU Ph1, E09 BRU Ph2**

**File Number: E09-BRU Ph1**

**Attachments: Bruce Beach Drain Tribunal Decision April 22, 2022**

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#### **Recommendation:**

THAT the Township of Huron-Kinloss Committee of the Whole hereby receives for information Report DRAIN-2022-05-6 prepared by Emily Dance, Clerk.

#### **Background:**

##### Appeal to the Tribunal

Gary and Karen Pollock, Mark and Samira Gancevich submitted appeals to Agriculture, Food and Rural Affairs Appeal Tribunal under Section 54 of the Drainage Act, with respect to the Bruce Beach Municipal Drain, Phase 1.

##### Construction - Bruce Beach Municipal Drain – Phase I

Bruce Beach Municipal Drain – Ph 1 report includes the pond, ravine work of the Bruce Beach Municipal Drain Project. The report received provisionally approval on July 19, 2021

##### Bruce Beach Municipal Drain – Phase II

The Phase II report will finalize a legal outlet to the lake for this water course.

#### **Discussion:**

##### Appeal to the Tribunal

An electronic hearing regarding the appeals under Section 54 took place on March 23 and March 24, 2022, with Mr. Paul Courey of O'Brien Courey & Miller representing the Township.

On April 22, 2022, the Township received confirmation from the Tribunal that the appeal by Gary and Karen Pollock and the appeal by Mark and Samira Gancevich under Section 54 of the Drainage Act were dismissed. In addition, the non-administrative costs of the municipality (legal fees) shall form part of the costs of the drainage works. The decision is attached to the report and will be forwarded to all landowners within the watershed and posted on the Have your Say HK site.

#### Construction Bruce Beach Municipal Drain – Phase I

Construction (Phase 1):

Upcoming activities:

The upcoming activities are waiting on dryer conditions before Birnam Excavating can complete them.

- Place topsoil in the detention centre and Lake Range Drive Right of Way
- Lake Range Drive asphalt restoration (by Township)
- Construct Lake Range Drive north road ditch rock chute
- Placing and compacting 'A' gravel on the new detention centre facility access off Lake Range Drive
- Hydroseeding all disturbed areas

#### Bruce Beach Municipal Drain – Phase II

Phase 2 -Headway Engineering is completing:

- hydraulic modelling to determine the Hurricane Hazel flow paths. (SVCA requirement)
- Revisions to the outlet structure at the beach
- Consultation with Coastal Engineer to review proposed outlet design (SVCA requirement)
- Revisions to the backyard branch per landowner comments (re-design, re-cost, re-assess)
- Utility locates (all locates have been completed except one utility owner) and corresponding revisions to the design

#### **Financial Impacts:**

Associated costs for the drain are indicated in the assessments, legal costs are be apportioned to the drainage project.

#### **Strategic Alignment / Link:**

We are an accessible community by being open and transparent.

#### **Respectfully Submitted By:**

Emily Dance, Clerk

#### **Approved By:**

Mary Rose Walden, Chief Administrative Officer