



Staff Report

Report Title: Bruce Beach Municipal Drain Ph 1 – Tribunal Hearing and Construction Update

Prepared By: Emily Dance, Clerk and Grant Collins, Drainage Superintendent

Department: DRAIN

Date: Nov. 1, 2021

Report Number: DRAIN-2021-11-22

File Number:

E090 BBD Ph 1

Attachments:

Recommendation:

THAT the Township of Huron-Kinloss Committee of the Whole hereby receives for information Report DRAIN-2021-11-11 prepared by Emily Dance, Clerk and Grant Collins, Drainage Superintendent.

Background:

Appeals

As previously reported the Bruce Beach Municipal Drain – Phase 1 Report received three appeals under Section 54 of the Drainage Act regarding the assessments which were forwarded to the Drainage Tribunal. Appeals were received by

1. Gary and Karen Pollock, 726 Lake Range Drive
2. Gancevich Family, 98 Bruce Beach Road
3. David and Jackie Brisbin, 111-2 Bruce Beach Road

Construction

On October 1, 2021 the Township received emergency designation for the Bruce Beach Municipal Drain – Ph 1 which allowed for the construction of Phase 1 of the Bruce Beach Municipal Drain (pond, ravine work) to proceed without risk of procedural violations under the Drainage Act.

Discussion:

Appeals

The Tribunal has requested a virtual Pre-Hearing Conference to determine if the Tribunal has jurisdiction with the appeal filed by David and Jackie Brisbin as well to

identify the parties and the scope of their participation in the hearing, disclosure and exchange of information, procedural issues and other administrative items.

The Pre-Hearing Conference is scheduled for Monday November 15, 2021 and will be held by video conference. The pre-hearing is closed to the public.

The Township has retained Lawyer Paul Courey to represent the Township during the pre-conference hearing and the hearing. He has extensive Municipal Drainage experience and has represented the Township on a previous drainage matter.

Construction

Construction will proceed as outlined in the Engineering report. Necessary brushing on both sides of Lake Range Drive will occur first to facilitate construction of the retention pond and moving the excess soil across the road to partially fill the ravine. In the process of filling the ravine, the tile will be installed, and the remaining fill placed over top to complete that phase.

The construction is set to begin on or about the first of November 2021. The construction will require the closure of Lake Range Drive between the 8th Concession and the 10th Concession for a period of approximately 6 weeks. (The operation will be somewhat dependent on the weather conditions.)

Traffic will be detoured to Highway 21 during the closure.



Property owners on Lake Range Drive will still be able to access their properties during the construction and services such as school bus pick-up, garbage and recycling will continue.

Notification of the closure has been provided by direct mail to the property owners along Lake Range Drive between the 8th and 10th, property owners within the watershed and local contractors.

Notice has been included on the Township website, social media and in the local papers.

Financial Impacts:

Associated legal costs are unknown at this time.

Strategic Alignment / Link:

We are an accessible community by being open and transparent

Respectfully Submitted By:

Emily Dance, Clerk

Grant Collins, Drainage Superintendent

Approved By:

Mary Rose Walden, Chief Administrative Officer