



## Town of The Blue Mountains

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**Date:** January 24, 2024

**Re:** Lakewood Drive Reconstruction Project - Public Information Centre #1

This memo is intended to provide a summary of the questions, comments and answers that were received prior to, or asked during, the Public Information Centre (PIC) held on November 9, 2023. The PIC was held virtually on Microsoft Teams from 5:00 p.m. to 7:00 p.m. A total of 30 individuals attended the meeting.

Included below is a summary of the primary themes heard throughout the PIC, as well as a table with the verbatim written questions and comments that were submitted before and after the meeting. To see all of the questions and comments that were brought forward during the PIC, please view the [full recording of the meeting](#).

### **1. Scope of the proposed works identified through the Stormwater Study**

Attendees and residents have a range of opinions on how much of the proposed work should be implemented. The general preference has been to complete work that would direct stormwater towards the communal beach at 159 Lakewood Drive, rather than requiring easements and completing work on private property. (More details about the supported work in each area identified through the Stormwater Study can be found in the "Written Comments Received" included with this memo). With construction being deferred to prioritize other projects, residents have asked that work on the existing roadside ditches be completed as soon as possible to aid stormwater flow in the meantime.

**Staff Response:** The preferred options within the Stormwater Study report present the best method to convey the storm water across private property to the Bay. The options considered storms up to and including the 1 in 100-year storm event. Most of the options would require easements across private property and would likely be a significant change in the look of the drainage outlets. Pursuing any of the proposed solutions will require Tatham to complete further engineering design in consultation with residents and properties specifically impacted.

### **2. Financial responsibility for the proposed works identified through the Stormwater Study**

Attendees and residents indicated that they felt costs for stormwater system maintenance and improvements should be borne by the municipality and the province, and not dealt with through local improvement charges. This is because much of the stormwater being addressed comes from provincial and municipal rights-of-way. Burdening the residents with the costs of these improvements seems to be a misapplication of the provincial Drainage Act, as the members of the community have not requested drainage of individual properties. Rectifying deficiencies and introducing upgrades to meet current standards in the stormwater management system that has existed for more than 50 years should not be considered a local improvement under the Drainage Act. The stormwater study proposes to drain public rights-of-way across private properties, and it is unreasonable to impose the cost of construction and maintenance on property owners.

**Staff Response:** The flooding issue is due to the capacity to convey storm water from the highway and lands to the south, the lots north of the highway and Lakewood Drive to the Bay across private property. It may sound counterintuitive, but the reported flooding is not due to the storm water flows, it is due to the lack of or capacity of the subdivision drainage system to convey the flow. This subdivision is ideally located on the shore of Georgian Bay, a receiving body with unlimited capacity. The developer only had to create drainage outlets that would have been shown on a subdivision grading plan and provide easements for these drainage outlets to allow the Town to maintain them. The Town cannot find the

drainage plan (a past resident reports it did not exist) nor any easements for drainage purposes. The outcome is to protect the subdivision from flooding drainage works will have to constructed. These works will be an increased level of service for the subdivision which would be a local improvement.

**3. Delay in construction**

Attendees and residents raised concerns about the risk of failure of existing underground infrastructure that could come from the reconstruction being delayed by five or more years. There were also concerns about the potential increase in costs to residents that would come from delaying the project by five or more years regarding any private property work that could be required along with the recommended stormwater improvements if they do end up being classified as local improvements.

Staff Response: The Town has several large-scale infrastructure projects that have priority over Lakewood Drive. Lakewood Drive has been removed from the 5-year Capital Plan. Staff are recommending the Council provide direction to advance the design to the 90% stage than put the project on hold until the reconstruction can advance. When the construction is approved the 90% PIC will be conducted ahead of the construction.

**4. Traffic control and calming**

Attendees and residents brought forward concerns about vehicles speeding on Lakewood Drive and Highway 26, along with highlighting the difficulty of crossing Highway 26 as a pedestrian. There are three specific items which they would like to see considered which include: Installation of a traffic light at the intersection of Highway 26 and Grey Road 40, reduction of the speed limit on Highway 26 to 70 km/h, and reduction of the speed limit on Lakewood Drive and Woodland Park Road to 30 km/h.

Staff Response: The Highway 26 / Grey Road 40 Intersection Improvements Municipal Class Environmental Assessment's Preferred Alternative is shown below. Traffic lights are recommended when warranted. Council rejected the closure of Woodland Park Road and Lakewood Drive which could extend the time before the warrants trigger the installation of traffic lights.



**Written Comments Received**

<p>Sarah Mills and Andrea Macecek on behalf of the Shore Acres Property Owners Association</p> <p>Emailed 11/29/23</p>	<p>Thank you for this opportunity to submit a response to the Lakewood Drive Reconstruction Stormwater Study and Public Information Centre #1, held November 9, 2023.</p> <p>We are submitting this response on behalf of the Shore Acres Property Owners Association (SAPOA), representing property owners on Lakewood Drive and Woodland Park Road, and as the entity responsible for the communal beach at 159 Lakewood Drive. We have discussed the proposal with the community and more closely with the property owners most affected by the plan, and offer this consolidated response.</p> <p>Firstly, it is necessary to clarify that the residents of Lakewood Drive and SAPOA did not request this Stormwater Study, contrary to what is stated in the report and on the project webpage. The community was approached by the Town in 2022, when staff were unable to locate stormwater plans or reports from the original subdivision. The Town paid for the new stormwater study, after initially requesting that the community members pay for it, which the community strongly opposed.</p> <p>The proposed works and associated financial and scheduling arrangements have been met with considerable concern and resistance by members of our community. There has been no concerted request for local stormwater improvements, and the few property owners who have experienced drainage issues recognize those to be individual matters, not requiring municipal infrastructure to rectify them. Several owners have noted that the stormwater run-off has increased since the reconstruction of Highway 26 over ten years ago. The community is characterized by large lots with relatively low lot coverage, leaving considerable area on each property for stormwater infiltration at source. Based on the impervious area calculations provided by Tatham [Appendix C], 30% of the total catchment area is deemed impervious. The public rights-of-way, Highway 26 and Lakewood Drive account for 62% of the total impervious area, with very limited capacity for stormwater infiltration on site. Conversely, the private properties where the remaining 38% of impervious areas are situated [buildings and paved driveways] have significant capacity for infiltration on site. This demonstrates that the vast majority of the stormwater requiring management originates as run-off from Highway 26 and Lakewood Drive, both public rights-of-way, and not from private properties.</p> <p>Property owners including SAPOA, whose lots have been identified for the proposed works, are concerned about the lack of detail of the proposed easements [size, access requirements, landscaping requirements/limitations, etc.], and are as such not willing at this time to enter into agreements. There is also a lack of detail or precedent examples for the proposed armoured openings at the beach ends of the outlet pipes, making it difficult for community members to fully understand the scope of the works.</p> <p>There is a range of opinions about how much of the proposed work should be implemented, but there is unanimous agreement that the costs of the work not be borne by members of the community, instead, the works should be paid for by the Town and the province, as the stormwater primarily originates on their rights-of-way.</p> <p>The three key areas of concern are the scope of the proposed works, financial responsibility, and the delay in construction; each is expanded upon below.</p> <p style="text-align: center;"><b>1. Scope of the proposed works</b></p> <p>In general, the preference would be to direct the stormwater to the communal beach at 159 Lakewood Drive, avoiding private properties as much as possible. We ask that the maintenance of the existing roadside ditches be undertaken well before the deferred reconstruction works to improve the flow of stormwater throughout Lakewood Drive.</p> <p><b>Area A - Lakewood Drive and Highway 26 intersection</b></p> <p>We support the proposal [Option A1] to install a culvert at the Lakewood Drive/Highway 26 intersection to redirect water away from the cul-de-sac and instead direct it to the culverts at the communal beach.</p>
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**Area B - Lakewood Drive cul-de-sac**

This area poses the greatest challenge in terms of stormwater management. We hope that the improvements proposed at Area A will significantly reduce the volume of water making its way down to the cul-de-sac and thus preclude the need for the more invasive interventions proposed. There is resistance to the proposal to replace an existing functional drainage system at 185 Lakewood Drive with a significantly larger municipal outlet channel. The lack of details of the recommended easement, the armoured opening at the beach end, and the destruction of mature trees and landscaping are a major concern of both adjacent property owners.

**Area C - Communal beach at 159 Lakewood Drive**

We support options C1 and C6, and are opposed to any of the options that would introduce new culverts and a buried outlet pipe with an armoured opening at the east end of the beach. This most expensive option would be an unsightly addition to our beach, a potential physical hazard, and a potential risk for failure and water backup impacting the adjacent property at 145 Lakewood Drive, similar to that described in the report as having occurred at 129 Lakewood Dr. Currently, stormwater is ponding in the wooded area immediately west of the fire pit. Water then percolates down to the bay, or in heavy storm events, flows overland across the beach. This existing process enables some of the sediment and contamination in the road run-off to be filtered naturally through the beach, rather than being deposited directly into the bay. We believe this to be a reasonable existing condition, given that this ponding occurs as far as possible from both adjacent properties, thus presenting nearly no risk to the structures and landscaping there, and no hazard to the beach itself. The ponding occurs approximately 70m from the structures on the property to the west, at 163 Lakewood Drive, and approximately 60m from the structure on the property to the east, at 145 Lakewood Drive. Concerns have been raised about breeding conditions for mosquitoes; we trust this can be addressed in an environmentally responsible way.

This condition has existed since SAPOA is willing to continue to receive the stormwater at this location, though the drainage passing across this beach originates entirely off the property, and is primarily runoff from public rights-of-way: Highway 26 and Lakewood Drive.

**Area D - 129 Lakewood Drive**

There is resistance to the proposal to replace an existing functional private drainage system at 129 Lakewood Drive with a significantly larger municipal outlet channel. The lack of details of the recommended easement, the armoured opening at the beach end, and the destruction of mature trees and landscaping are a major concern of both adjacent property owners. The owners have both expressed opposition to the option of an open channel, which would limit the use of their land thereby devaluing the property, present a potential fall hazard, and increase the risk for insect breeding. The report recommends that the Town request an easement which would be registered on title, and although we are not appraisers, it is the view of the property owners that the easements tend to devalue the property as well.

Improving the roadside ditches in this area to redirect stormwater towards the communal beach could take some pressure off the existing drain. It would also be prudent to ensure the roadside ditches on the north side of Highway 26 in this vicinity are adequately sized and graded to minimize water from the highway coming through the properties on the south side of Lakewood Drive.

**2. Financial Responsibility**

The costs for stormwater system maintenance and improvements should be borne by the municipality and the province, as the vast majority of the stormwater being addressed comes from their respective rights-of-way, Lakewood Drive and Highway 26. Burdening the residents with the costs of these improvements seems to be a misapplication of the provincial Drainage Act, as the members of the community have not requested drainage of individual properties. Rectifying deficiencies and introducing

upgrades to meet current standards in the stormwater management system that has existed for over fifty years should not be considered a local improvement under the Act.

The stormwater study proposes to drain public rights-of-way across private properties, and it is unreasonable to impose the cost of construction and maintenance on these property owners.

It has been identified that the existing roadside ditches and some swales on private properties have been compromised over the years, impacting the effectiveness of the overland stormwater drainage. The maintenance of the roadside ditches is the responsibility of the Town; we ask that the restoration of the ditches be undertaken as soon as possible to improve the flow of stormwater along Lakewood Drive.

In addition, we note that the 'Opinion of Probable Costs' [Appendix B] contains line items for the removal and reinstatement of roadway and its subcomponents. It is unclear whether or not this may be a duplication of costs for work under the overall Lakewood Drive Reconstruction project.

### **3. Delay in Construction**

This project was initiated in response to identified deficiencies in the existing underground water supply and sewage infrastructure. We are concerned that delaying the work another five years or more could leave the community exposed to the risk of failure in any of these systems. Will the existing deficient systems remain functional until the reconstruction is undertaken and what contingency plans are in place in the event of a failure?

We ask that maintenance of the ditches occur before the roadwork gets underway in 5+ years so that immediate and lower-cost improvements can mitigate the stormwater system deficiencies.

Many residents expressed strong concern with being asked to decide in the very near future on costly improvements with limited specific details, and no sense of the potential cost escalation over a five-year horizon.

#### **Other related items**

There has been growing concern in the community about vehicles speeding on our streets and on Highway 26, and the difficulty of crossing Highway 26, particularly for pedestrians. A survey was done in the SAPOA community and three things came out of that. First, the majority would like to see a traffic light at Highway 26 and Grey Road 40. Second, we would like the speed limit reduced on Highway 26 to 70 km/h. And finally, we would like the speed limit to be reduced on Lakewood Drive and Woodland Park Road to 30 km/h. We hope to advance these matters with the Town as well, though at present the urgent attention is on resolving the Lakewood Reconstruction project.

#### **Conclusion**

While there is generally agreement that some stormwater system improvements are required along Lakewood Drive, there is a sense that the proposed interventions are too invasive on private properties. There is strong opposition to the notion that property owners should be expected to pay for the construction and maintenance, and accept easements across private properties, all to convey stormwater that primarily originates on public rights-of-way. There is a concern about delaying the water distribution and sewage system improvements for five years or more, with fears that failure in these systems may be damaging to properties along Lakewood Drive.

The community looks forward to working with the Town to arrive at a mutually beneficial solution to this matter.

Thank you for your consideration.