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January 8, 2021

Corporation of the County of Bruce  
Planning and Development  
1243 MacKenzie Road  
Port Elgin, ON N0H 2C6

ATTENTION: Candace Hamm, Planning Applications Technician

Dear Mrs. Hamm,

RE:                   Proposed Local Official Plan Amendment: L-2020-015  
                        Proposed Zoning By-law Amendment: Z-2020-059  
                        Property Roll No: 410821000406201  
                        Part Lot 18, Concession a; RP 3R10305 PART 2  
                        Geographic Township of Kincardine  
                        Municipality of Kincardine (Davidson)

Saugeen Valley Conservation Authority (SVCA) staff has reviewed the above-noted application as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020) and as a regulatory authority under Ontario Regulation 169/06 (SVCA's Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Regulation). SVCA staff has also provided comments as per our Memorandum of Agreement (MOA) with the County of Bruce representing natural hazards, natural heritage, and water resources; and the application has also been reviewed through our role as a public body under the *Planning Act* as per our CA Member approved Environmental Planning and Regulations Policies Manual, amended October 16, 2018.

The purpose of the applications are to facilitate the development of four 1.5 storey townhouses with secondary dwellings. The zoning by-law amendment is seeking to rezone the subject lands from Residential One (R1) to Residential Three (R3-Exception). The amendment also addresses Section 6.34 v of the Zoning Bylaw such that the principal townhouse dwelling is not required to be situated on a separate parcel before a secondary dwelling may be permitted. The proposed Official Plan amendment is seeking to increase the maximum permitted density from 40 units per hectare to 54 units per hectare

Staff have received and reviewed the following documents submitted with this application:

- 1) Request for Agency Comments and associated application, dated Decembers 8, 2020.



## **RECOMMENDATION**

SVCA find the application acceptable and we offer the following comments.

## **SITE CHARACTERISTICS**

The subject property is located within the urban boundary of the Town of Kincardine. The property is sited north of Golf Links Road with direct access and is surrounded by residential development. The area behind the subject property is currently wooded but is also proposed to be developed into a multi-residential lot. Currently the subject property is a cleared of trees.

## **DELEGATED RESPONSIBILITY AND ADVISORY COMMENTS**

**SVCA staff has reviewed the application through our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020). We have also reviewed the application through our responsibilities as a service provider to the County of Bruce in that we provide expert advice and technical clearance on *Planning Act* applications with regards to natural hazards, natural heritage, and water resources as set out in the PPS 2020, County Official Plan and/or local official plans. Comments below only include features/technical requirements affecting the property.**

### **Natural Hazards**

In the opinion of SVCA staff, the subject property is not affected by natural hazards. Accordingly, the subject property does not appear to be designated Natural Environment as per the Municipality of Kincardine Official Plan Schedule A (March 2006), nor is it zoned Environmental Protection (EP) as indicated in the Municipality of Kincardine Zoning By-Law No. 2003-25.

### **Natural Heritage**

It is the opinion of SVCA staff, the subject property is adjacent to fish habitat.

### **Fish Habitat – Adjacent Lands**

The subject property and potential future development are located within adjacent lands to fish habitat. South of Golf Links Rd. is what appears to be an intermittent watercourse / drain that runs parallel to the road and outlets to Lake Huron. It is the opinion of SVCA staff, proposed development on the subject lands should not have an impact on fish habitat, provided appropriate sediment and erosion control measures are used and maintained during construction; as well as other standard mitigation measures. As such, we do not recommend that an Environmental Impact Study (EIS) be undertaken to address Fish Habitat concerns on adjacent lands.

## **STATUTORY COMMENTS**

**SVCA staff has reviewed the application as per our responsibilities as a regulatory authority under Ontario Regulation 169/06 (SVCA's Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Regulation). This regulation, made under Section 28 of the *Conservation Authorities Act*, enables SVCA to regulate development in or adjacent to river or stream valleys, Great Lakes and inland lake**

**shorelines, watercourses, hazardous lands, and wetlands. Subject to the CA Act, development taking place on or adjacent to these lands may require permission from SVCA to confirm that the control of flooding, erosion, dynamic beaches, pollution, or the conservation of land are not affected. SVCA also regulates the alteration to or interference in any way with a watercourse or wetland.**

Please be advised, the subject property is not affected by a SVCA regulated area.

**SUMMARY**

SVCA staff has reviewed this application in accordance with our MOA with the County of Bruce and as per our mandated responsibilities for natural hazard management, including our regulatory role under the *Conservation Authorities Act*.

SVCA staff find the application acceptable, and given the above comments, it is the opinion of staff that:

- 1) Consistency with Section 3.1, Natural Hazard policies of the PPS has been demonstrated.
- 2) Consistency with Section 2.1, Natural Heritage policies of the PPS has been demonstrated.
- 3) Consistency with local planning policies for natural hazards and natural heritage has been demonstrated.

Please inform this office of any decision made by the Municipality with regard to this application. We respectfully request to receive a copy of the decision and notice of any appeals filed.

Should you have any questions, please contact the undersigned.

We trust this information is helpful. Should questions arise, please do not hesitate to contact this office.

Sincerely,



Brandi Walter  
Environmental Planning Coordinator  
Saugeen Conservation

BW/

cc: Bill Stewart, Authority Member, SVCA (via email)  
Maureen Couture, Authority Member, SVCA (via email)