

February 8, 2021
GSCA File: P21041

County of Bruce
Planning and Economic Development Department
Box 129, 268 Berford Street
Wiarton, ON
N0H 2T0

Attn: Eric Steele
Planner
ESTeele@brucecounty.on.ca

Dear Mr. Eric Steele,

Re: Consent Application; B-2020-125
Town Plot of Wiarton; Civic Address: 885 Bayview Street
Roll Number: 410258000122000
Town of South Bruce Peninsula, formerly Amabel Township
Applicant: Richard Baumgarten

Staff has reviewed this 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 151/06. Grey Sauble Conservation Authority (GSCA) has also provided comments as per our Memorandum of Agreement (MOA) with the County of Bruce representing their interests regarding natural heritage and water identified in Sections 2.1 and 2.2, respectively, of the Provincial Policy Statement. The application has also been reviewed through our role as a public body under the Planning Act as per our CA Board approved policies. Finally, GSCA has provided advisory comments related to policy applicability and to assist with implementation of the Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Plan under the Clean Water Act.

GSCA staff have reviewed the above-noted applications to sever the subject property and create a new residential lot on municipal services in the Wiarton Primary Urban Community.

1 of 5

Site Characteristics

Existing mapping indicates that the subject property is:

- Entirely regulated under Ontario Regulation 151/06. The regulated area is associated with the shoreline of Colpoy's Bay;
- Currently designated Primary Urban Community in the Official Plan and Serviced Detached Residential (R1B) and Environmental Hazard (EH) in the Zoning By-law;
- Located within an area that is subject to the policies contained in the Source Protection Plan;
- Site visit: no further site inspection was completed for the review of this application due to the restrictions associated with COVID-19. As such, the GSCA's review is limited to a desktop assessment and historical records. Based on the previous site inspection completed for the pre-consultation letter (P11145) issued July 16, 2014 and 2010 and 2015 aerial imagery, the GSCA notes that the property is located on the shoreline of Colpoy's Bay. An existing dwelling and accessory structure are currently located on the property. A concrete retaining wall and boat harbour are located on the south east of the dwelling. The majority of the north west corner of the property features manicured lawn, scattered tree cover extends throughout the remainder of the shoreline portion of the property. The property slopes toward the shoreline.

Delegated Responsibility and Statutory Comments

- 1. GSCA 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.**

The natural hazards identified on the property include flooding and erosion associated with the shoreline of Lake Huron. We have provided comments on the policies which apply to the site.

3.1.1 a) Development shall generally be directed, in accordance with guidance developed by the Province (as amended from time to time), to areas outside hazardous lands adjacent to the shorelines of the Great Lakes - St. Lawrence River System and large inland lakes which are impacted by flooding hazards, erosion hazards and/or dynamic beach hazards;

GSCA Comment: The potential flood and erosion prone area includes the area below the estimated 100-year flood line (at elevation 177.9 metres Geodetic Survey of Canada (GSC)) plus an allowance for wave uprush and other water related hazards. This allowance is generally a minimum of 15-metres in the absence of detailed wave uprush calculations. To date no specific plans for development on the retained and/or severed parcel have been submitted. However, any development within the 15-metres allowance for wave uprush and other water related hazard will require a supporting coastal engineering report.

Subsequent to the aforementioned measures, the GSCA is of the opinion that the subject proposal is consistent with Section 3.1 of the PPS

- 2. GSCA has reviewed the application as per our responsibilities as a regulatory authority under Ontario Regulation 151/06. This regulation, made under Section 28 of the Conservation Authorities Act, enables conservation authorities to regulate development in or adjacent to river or stream valleys, Great Lakes and inland lake shorelines, watercourses, hazardous lands and wetlands. Development taking place on these lands may require permission from the conservation authority to confirm that the control of flooding, erosion, dynamic beaches, pollution or the conservation of land are not affected. GSCA also regulates the alteration to or interference in any way with a watercourse or wetland.**

The entirety of the subject site is regulated under Ontario Regulation 151/06: Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses administered by the GSCA. The regulated areas are associated with the shoreline of Colpoy's Bay.

The regulated areas are generally indicated on the attached map. Development on the proposed severed and retained lots will require approval through the GSCA permitting process.

Advisory Comments

- 3. GSCA has reviewed the application through our responsibilities as a service provider to the Bruce County in that we provide comment on natural heritage features under Section 2.1 of the Provincial Policy Statement and on water under Section 2.2 of the Provincial Policy Statement through a MOA.**

2.1 Natural Heritage

2.1.1 Natural features and areas shall be protected for the long term.

GSCA Comment: The GSCA identified fish habitat as a natural heritage feature on the subject lands.

2.1.6 Development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements.

GSCA Comment: The shoreline of Colpoy's Bay provides excellent potential fish spawning habitat. To date no specific plans for development have been submitted. However, in the event of future development on either the retained or severed parcel, the appropriate sediment and

erosion control measures must be applied to ensure no deleterious materials enter into Colpoy's Bay.

Any potential shoreline works, or dock would potentially require a permit (or exemption) from the Department of Fisheries and Oceans (DFO) and potentially from the GSCA if any modifications are proposed to the shoreline.

2.1.8 Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.4, 2.1.5, and 2.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.

GSCA Comment: The Bruce County Official Plan (OP) and Natural Heritage Reference Manual includes a 120-metre allowance for adjacent lands from fish habitat features. The subject property is within 120 metres of these natural heritage features. However, with future development restricted to the roadside portion of the property and with the appropriate sediment and erosion control measures applied during the construction works, the GSCA is of the opinion that further potential negative impacts to this feature will be minimized.

As such, our office is of the opinion that the proposed development is consistent with the Section 2.1 policies of the PPS.

2.2 Water

GSCA Comment: To date, no specific plans for development have been submitted regarding the proposed severed parcel, however, a grading and drainage plan will be required through the GSCA permit approval process indicating that any development is elevated to ensure proper drainage away from the developments. Further, the plan must indicate that drainage will not be directed onto adjacent properties.

Subject to the submission of an acceptable grading and drainage plan, it is the opinion of the GSCA that the application is consistent with Section 2.2 policies of the PPS.

- 4. GSCA has reviewed the application in terms of the Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Plan, prepared under the *Clean Water Act, 2006*. The Source Protection Plan came into effect on July 1st, 2016 and contains policies to protect sources of municipal drinking water from existing and future land use activities.**

The subject property is located within an area that is subject to the local Source Protection Plan where applicable policies may apply.

Summary

Given the above comments, it is the opinion of the GSCA that:

1. Consistency with Section 3.1 of the PPS has generally been demonstrated;
2. Ontario Regulation 151/06 does apply to the subject site. A permit from GSCA will be required prior to any development or site alteration taking place;
3. Consistency with Sections 2.1 and 2.2 of the PPS have generally been demonstrated;
4. The subject site is located within an area that is subject to the policies contained in the Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Plan.

Recommendation

The GSCA generally has no objection to the subject application as it is not anticipated to negatively impact the Ontario Regulation 151/06 area, natural hazard and/or significant natural heritage features. However, our office notes that development on the proposed severed lot, and retained lot, will require approval through the GSCA permitting process. Furthermore, any development within the 15-metres allowance for wave uprush and other water related hazard will require a supporting coastal engineering report. A grading and drainage plan will be required through the GSCA permit approval process indicating that any development is elevated to ensure proper drainage away from the developments. Further, the plan must indicate that drainage will not be directed onto adjacent properties. The appropriate sediment and erosion control measures must be applied to ensure no deleterious materials enter into Colpoy's Bay.

Please inform this office of any decision made by County of Bruce 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.

Sincerely,

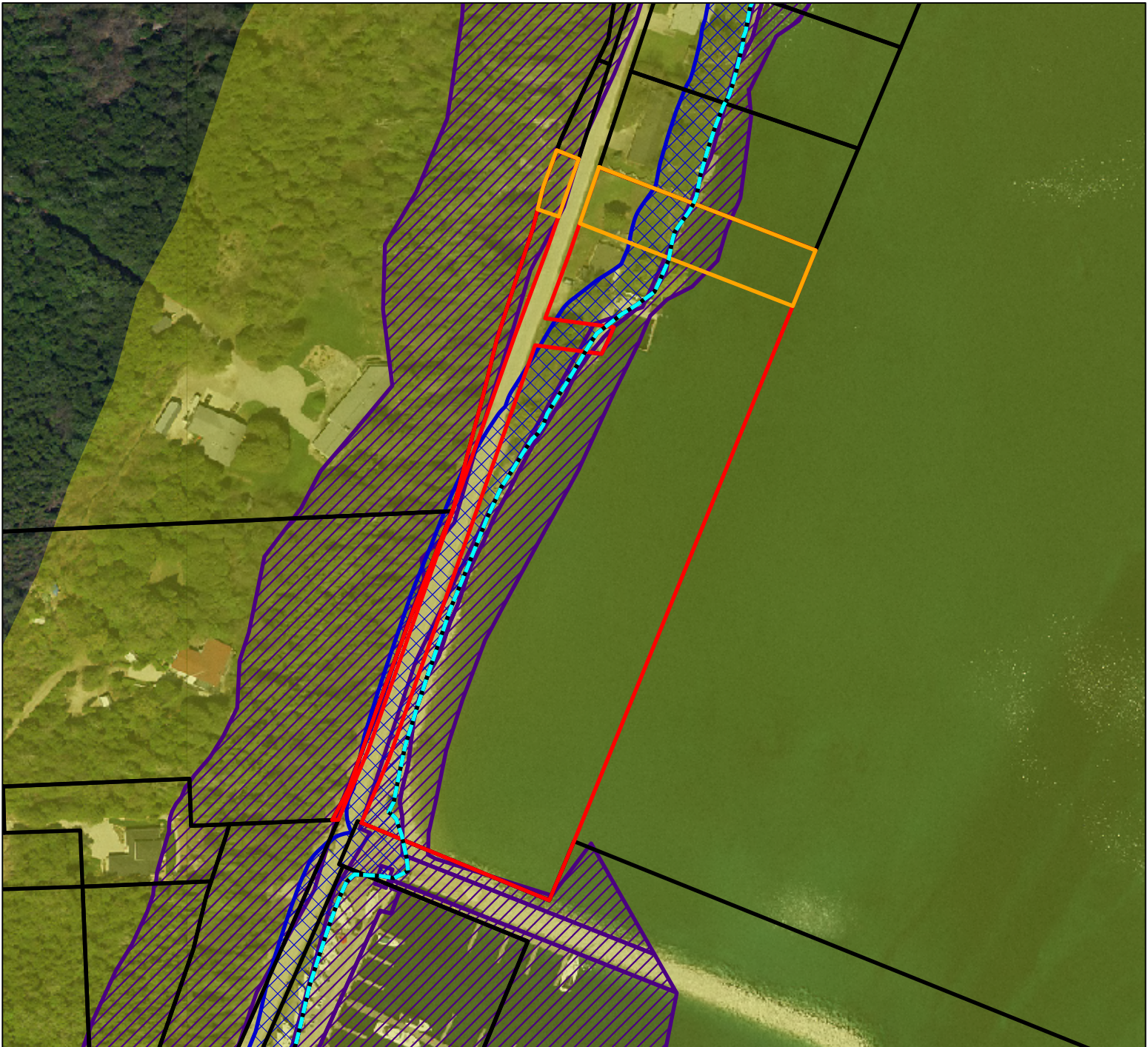


Lauren McGregor
Planning Technician, Environmental Planning & Regulations

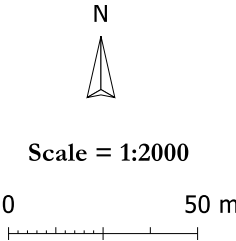
Encl: Map

c.c. Paul McKenzie, GSCA Director, Town of South Bruce Peninsula
Suzy Richardson, Planning/Administrative Assistant, Town of South Bruce Peninsula

GSCA: Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses (Ontario Regulation 151/06)



- Subject Property
- Bruce Parcels (Approx.)
- Ontario Regulation 151/06 area (Approx.)
- Environmental Hazard Zone (Approx.)
- 100 Year Floodline (Approx.)
- 15 metre Wave Uprush Setback (Approx.)
- Proposed Severance (Approx.)



B-2020-0125 Map
885 Bayview Street
Roll Number: 410258000122000
Town of South Bruce Peninsula
Formerly Amabel Township
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The included mapping has been compiled from various sources and is for information purposes only. Grey Sable Conservation is not responsible for, and cannot guarantee, the accuracy of all the information contained within the map. Regulation lines were created by Grey Sable Conservation (GSC) using 1 metre contours interpolated from the Provincial (10 metre) Digital Elevation Model Version 1 & 2 & 1:10000 scale mapping.

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