



1078 Bruce Road 12, P.O. Box 150, Formosa ON Canada N0G 1W0  
Tel 519-367-3040, Fax 519-367-3041, publicinfo@svca.on.ca, www.svca.on.ca

SENT ELECTRONICALLY ONLY: [bmugabe@brucecounty.on.ca](mailto:bmugabe@brucecounty.on.ca) and [bcplpe@brucecounty.on.ca](mailto:bcplpe@brucecounty.on.ca)

March 19, 2022

County of Bruce Planning & Development Department  
1243 Mackenzie Road  
Port Elgin, Ontario N0H 2C6

ATTENTION: Barbara Mugabe, Planner

Dear Ms. Mugabe,

RE: Z-2022-008 and B-2021-111 and C-2022-002 (Robertson)  
19 Cayley Street - Inverhuron  
Part Lot 36 Lake E  
Roll No.: 410826000403600  
Geographic Township of Bruce  
Municipality of Kincardine

---

Saugeen Valley Conservation Authority (SVCA) staff has reviewed the above-noted applications 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), dated September 2019, 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 Conservation Authority Member approved Environmental Planning and Regulations Policies Manual, amended October 16, 2018.

### **Purpose**

The Consent Application is seeking to split the subject land in half to create a new building lot. Both lots will be 2272.6 m<sup>2</sup>. The severed parcel is vacant and will have 40.2 m of frontage on Wood Street. The retained parcel is occupied by a dwelling and will have 56.5 m of frontage on Cayley Street. The County Official Plan Amendment Application is seeking to amend Section 4.7.5.5.1 to permit full private services on the retained lands whereas municipal services, partial services and communal services are the only forms of servicing permitted within the Secondary Urban Communities designation. The Zoning By-law Amendment Application is required to address Section 4.7.5.5.1 (v) of the County Official Plan in relation to the severed lands. The Policy states, "New lots created by consent or other planning approvals, and proposed to be serviced by a private sewage disposal system, shall be zoned so as to require the building envelope for the primary building/structure to be located in close proximity to the geographic centre of the new lot". On the retained lot the Zoning By-law Amendment Application is seeking to reduce the lot area from 4,000 m<sup>2</sup> to 2272.6 m<sup>2</sup> and the front yard setback for the existing dwelling from 6 m to zero m.



Watershed Member Municipalities  
Municipality of Arran-Elderslie, Municipality of Brockton, Township of Chatsworth, Municipality of Grey Highlands,  
Town of Hanover, Township of Howick, Municipality of Morris-Turnberry, Municipality of South Bruce,  
Township of Huron-Kinloss, Municipality of Kincardine, Town of Minto, Township of Wellington North,  
Town of Saugeen Shores, Township of Southgate, Municipality of West Grey

## **Recommendation**

The proposed applications are acceptable to SVCA staff.

## **Delegated Responsibility and Advisory Comments**

**SVCA staff has reviewed the applications 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 applications 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 (OP) and/or local official plans. Comments below only include features/technical requirements affecting the property.**

### **Natural Hazards:**

It is the opinion of SVCA staff that the property is not affected by any natural hazard features. Therefore, the applications appear to comply with section 3.1 of the PPS, 2020; the natural hazard policies of the County of Bruce OP and the natural hazard policies of the Municipality of Kincardine OP.

### **Natural Heritage:**

It is the opinion of SVCA staff that the natural heritage features affecting the property include fish habitat and its adjacent lands, and possibly habitat of endangered species and threatened species.

### **Provincial Policy Statement – Section 2.1**

Section 2.1 of the PPS, 2020 states in part that development shall not be permitted in fish habitat and its adjacent lands, habitat of endangered species and threatened species, and the adjacent lands to the above referenced features except in accordance with the specified policies found in Section 2.1.

### **Municipality of Kincardine OP Policies**

#### **Fish Habitat and its Adjacent Lands**

The property is located within the adjacent lands to the Little Sauble River (to the north) and Lake Huron to the west. The Little Sauble River, and Lake Huron are both considered fish habitat by SVCA staff. Section 4.3 of the Bruce County OP generally prohibits development within fish habitat and its adjacent lands, except in accordance with applicable policies. SVCA staff are of the opinion that the negative impacts to fish habitat and its adjacent lands as a result of this proposal will be negligible, and SVCA staff are not recommending the preparation of an Environmental Impact Study (EIS) at this time.

#### **Threatened and Endangered Species**

It has come to the attention of SVCA staff that habitat of endangered species and threatened species may be located on and/or adjacent to the property. The SVCA's role is to identify habitat through a screening process in consideration of the PPS and local policies, however, it is the responsibility of the applicant to ensure the endangered species and threatened species policy referred to in the PPS and the local policies have been appropriately addressed. Please contact the Ministry of Environment, Conservation and Parks (MECP) for information on how to address this policy. MECP inquiries can be addressed to SAROntario@ontario.ca.

### **Statutory Comments**

**SVCA staff has reviewed the applications 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.**

The property is not within the SVCA Approximate Screening Area and/or within the SVCA Approximate Regulated Area, associated with Ontario Regulation 169/06. Therefore permission (SVCA permit) is not required for development on the property.

### **Summary**

SVCA staff has reviewed the applications 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*.

The applications are acceptable to the SVCA.

Given the above comments, it is the opinion of the SVCA staff that:

- 1) Consistency with Section 3.1, Natural Hazard policies of the PPS, 2020 has been demonstrated;
- 2) Consistency with Section 2.1, Natural Heritage policies of the PPS, 2020 has been demonstrated, with the exception of endangered species and threatened species policy, which must be addressed by the owner/applicant; and
- 3) Consistency with local planning policies for natural hazards and natural heritage has been demonstrated, with the exception of endangered species and threatened species policy, which must be addressed by the owner/applicant.

Please inform this office of any decision made by the Municipality of Kincardine and/or the County of Bruce with regard to the applications. We respectfully request to receive a copy of the decisions and notices of any appeals filed. Should you have any questions, please contact the undersigned.

Sincerely,



Michael Oberle  
Environmental Planning Technician  
Saugeen Conservation  
MO/

cc: Jennifer Lawrie, Clerk, Municipality of Kincardine (via email)  
Maureen Couture, SVCA Member representing the Municipality of Kincardine (via email)  
Bill Stewart, SVCA Member representing the Municipality of Kincardine (via email)