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SENT ELECTRONICALLY ONLY (jsteeper@brucecounty.on.ca)

August 13, 2019

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

ATTENTION: Julie Steeper, Planning Applications Technician

Dear Ms. Steeper,

RE: Proposed Bruce County Official Plan Amendment 243-19.26
No civic address
South Part Lot F Concession 2; and Lot F Concession 1
Roll No.: 410826000107100; and 410826000100300
Geographic Township of Bruce
Municipality of Kincardine (Hopper)

Saugeen Valley Conservation Authority (SVCA) staff has reviewed the proposed Bruce County Official Plan (OP) amendment in accordance with the SVCA's mandate, the Saugeen Valley Conservation Authority Environmental Planning and Regulations Policies Manual, amended October 16, 2018, and the Memorandum of Agreement between the Authority and the County of Bruce relating to Plan Review.

The purpose of the application is to address policies of the Bruce County OP, that would permit a 3rd lot from the original Crown lot, and a reduced lot area. According to the Request for Agency Comments, a similar application was applied for through BCOPA 216-17.26, and according to the current application, BCOPA 216-17.26 was approved by the County of Bruce, but appealed by the OMB. SVCA staff provided comments and mapping with regard to BCOPA 216-17.26 dated February 14, 2017.

The current proposed OP amendment is acceptable to SVCA staff, however, this opinion is based on SVCA staff's assumption that an entrance permit would be available for the South Part Lot F Concession 2 parcel at the existing laneway location. SVCA staff would also recommend revisions to the Hazard Land Area designation and Environmental Protection (EP) zone. Finally, SVCA staff note that according to the application, no new buildings or structures are proposed for the properties at this time. The following comments are offered.

Natural Hazards

Portions of the properties (South Part Lot F, Concession 2 and the northern part of Lot F Concession 1) are designated Hazard Land Area in the Bruce County Official Plan, these same areas are zoned EP in the Municipality of Kincardine Zoning By-law. After SVCA staff's site inspection to the property on February 9, 2017, SVCA staff are of the opinion that the Hazard Land Area designation and the EP zone can be revised for the South Part Lot F Concession 2 parcel to better reflect the existing site conditions. Specifically, the existing laneway on the South



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

Part Lot F Concession 2 parcel, in our opinion, can be removed from the Hazard Land Area designation and EP zone, as this laneway is outside of the flooding hazard associated with the Little Sauble River and its tributaries. It is also the opinion of SVCA staff that the laneway provides safe access (in accordance with Section 3.1 of the Provincial Policy Statement - PPS 2014) to the South Part Lot F Concession 2 parcel. SVCA mapping, dated February 14, 2017, for the South Part Lot F Concession 2 parcel is attached to this correspondence showing SVCA staff's recommended Hazard land Area designation and EP zone and includes the location of the existing laneway referenced above.

Natural Heritage

In the opinion of SVCA staff, the natural heritage features and areas affecting the properties include significant woodlands, fish habitat, potentially significant wildlife habitat, and potentially habitat of endangered species and threatened species.

Significant Woodlands

Although there is no County-wide mapping for significant woodlands, SVCA staff is of the opinion that the woodlands on the properties and on lands adjacent to the properties form part of a larger woodland and therefore are considered significant woodlands. SVCA staff note that significant woodlands are not determined based on property boundaries, nor are they considered interrupted by standard road allowances or roadways. Section 4.3.2.6.2i) of the Bruce County OP states in part that for Townships with less than 30% forest cover, woodlots of 40 hectares or greater are considered significant. According to MNRF mapping, the geographic Township of Bruce has 10-20% forest cover. Furthermore, according to Section 4.3.3 iv) of the Bruce County OP, the preparation of an Environmental Impact Study (EIS) shall be required for proposals within the adjacent lands to significant woodlands.

Fish Habitat

All watercourses on the property, including the Little Sauble River and its tributaries, are considered fish habitat by SVCA staff. Section 2.1.8 of the PPS 2014 indicates that, among other things, development and site alteration shall not be permitted on the adjacent lands of fish habitat unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on fish habitat or on their ecological functions.

Significant Wildlife Habitat

While there is no County-wide mapping of significant wildlife habitat, it has come to the attention of SVCA staff that significant wildlife habitat may be located on and/or on lands adjacent to the properties. Section 4.3.2.10 of the Bruce County OP states in part that development and site alteration shall not be permitted within significant wildlife habitat, or their adjacent lands, unless it has been demonstrated through an acceptable EIS that there will be no negative impacts to the natural features or their ecological functions. According to Section 4.3.3 iv) of the Bruce County OP, the preparation of an EIS shall be required for proposals within the adjacent lands to significant wildlife habitat.

Environmental Impact Study (EIS)

Although there are natural heritage features that affect the properties, in the opinion of SVCA staff, provided the existing laneway can be utilized for the South Part Lot F Concession 2 parcel, and that any future development on the properties occurs in the existing cleared areas on the South Part Lot F Concession 2 parcel, the negative impacts to the natural heritage features listed above, or their ecological functions, would be negligible as a result of this proposal. In accordance with Section 4.3.3.8 of the Bruce County OP SVCA staff is of the opinion that the preparation of an EIS would serve no useful purpose for the protection of these significant natural heritage features and therefore SVCA staff are not recommending the preparation of an EIS at this time. Should the use of the existing laneway be deemed inappropriate for the South Part Lot F Concession 2 parcel, SVCA staff SVCA may request the preparation of an EIS that would support future development of the properties.

Habitat of Endangered Species and Threatened Species

It has come to the attention of SVCA staff that habitat of endangered species and threatened species may be located on and/or on lands adjacent to the property. Section 2.1.7 of the Provincial Policy Statement (PPS 2014) indicates that development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements. It is the responsibility of the applicant to ensure the endangered species and threatened species policy referred to in the PPS has 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 sent via email to: SAROntario@ontario.ca

SVCA Regulation

Portions of the properties are subject to the SVCA's Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation (Ontario Regulation 169/06, as amended). This Regulation is in accordance with Section 28 of the *Conservation Authorities Act*, R.S.O. 1990, Chap. C. 27 and requires that a person obtain the written permission of the SVCA prior to any "development" within a Regulated Area or alteration to a wetland or watercourse.

"Development" and Alteration

Subsection 28(25) of the *Conservation Authorities Act* defines "development" as:

- a) *the construction, reconstruction, erection or placing of a building or structure of any kind,*
- b) *any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure increasing the number of dwelling units in the building or structure,*
- c) *site grading, or*
- d) *the temporary or permanent placing, dumping or removal of any material, originating on the site or elsewhere.*

According to Section 5 of Ontario Regulation 169/06, as amended, alteration generally includes the straightening, diverting or interfering in any way the existing channel of a river, creek, stream or watercourse, or the changing or interfering in any way with a wetland.

To determine where the Approximate Screening Area is located associated with our Regulation on the properties, please refer to the SVCA's online mapping program, available via the SVCA's website at <http://eprweb.svca.on.ca>. Alternatively, the attached SVCA mapping shows the Approximate SVCA Regulation Screening Area limit for the South Part Lot F Concession 2 parcel.

Permission for Development

If development or alteration including construction, reconstruction, conversion, grading, filling or excavation, is proposed within the Approximate Screening Area on the properties, the SVCA should be contacted, as permission may be required.

If upgrades to the existing laneway are required, review by SVCA staff will be necessary. Depending on the location of future development on the properties, permission from the SVCA may be required.

Conclusion

All of the plan review functions listed in the Agreement have been assessed with respect to the application. The proposed amendment is acceptable to SVCA staff provided the existing laneway can be utilized for the South Part Lot F Concession 2 parcel. If the existing laneway to the South Part Lot F Concession 2 parcel cannot be used, SVCA staff request the opportunity to provide updated comments.

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

Sincerely,

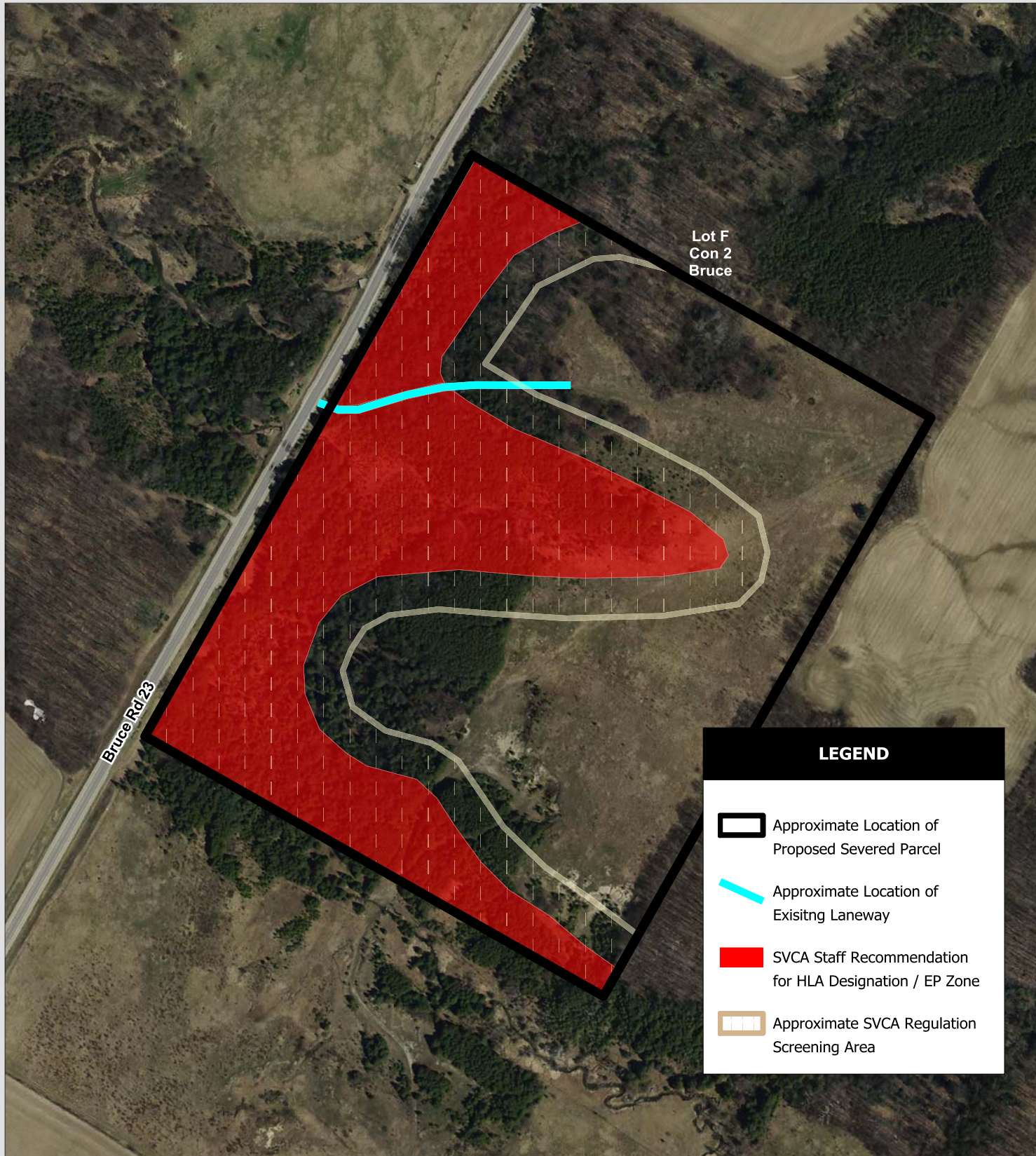


Michael Oberle
Environmental Planning Technician
Saugeen Conservation

MO/

Enclosures

cc: Donna MacDougall, Clerk, Municipality of Kincardine (via email)
Maureen Couture, Authority Member, SVCA (via email)
Bill Stewart, Authority Member, SVCA (via email)



The included mapping has been compiled from various sources and is for information purposes only. Saugeen Valley Conservation Authority (SVCA) is not responsible for, and cannot guarantee, the accuracy of all the information contained within the map.

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N
UTM Zone 17N, NAD 83

1:4000





Proposed BCOPA 216-17.26
and Z-9-17.26 (Hopper)
2970 Bruce Road 15
Part Lot F, Concessions 1 and 2
Geographic Township of Bruce
Municipality of Kincardine
Map 1 of 2



February 14, 2017



LEGEND

-  Approximate Location of Proposed Severed Parcel
-  Approximate Location of Existing Laneway
-  SVCA Staff Recommendation for HLA Designation / EP Zone
-  Approximate SVCA Regulation Screening Area

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UTM Zone 17N, NAD 83

1:750

Proposed BCOPA 216-17.26
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Map 2 of 2



February 14, 2017