

September 14, 2017

Information for land owners and contractors proposing shoreline protection works

Adelaide Metcalfe

Bluewater

Central Huron

Huron East

Lambton Shores

Lucan Biddulph

Middlesex Centre

North Middlesex

Perth South

South Huron

Warwick

West Perth

This document is intended for landowners and contractors wishing to undertake protection works along the Lake Huron shoreline within the jurisdiction of the Ausable Bayfield Conservation Authority (ABCA). This is intended as an aid and to help promote consistency, clarity and transparency in the ABCA's review of applications for permission to undertake shoreline protection works. It will outline application submission requirements, application fees and the ABCA's application review process for shoreline protection.

Under Conservation Authorities Act all conservation authorities in the Province of Ontario have the legislated responsibility to govern certain activities within natural hazard areas within their jurisdiction. In the ABCA's jurisdiction that includes the Lake Huron shoreline.

The ABCA has regulated portions of the Lake Huron shoreline since 1986. In 2006, the province increased the regulated areas to include the entire shoreline within the ABCA's jurisdiction. To implement legislation the ABCA looks to shoreline policies created in 2000. At present, these policies have not been changed.

This document seeks to clarify roles and responsibilities and to outline submission requirements when making an application.

SUBMISSION REQUIREMENTS:

1.) Application Form

A completed application form signed by both contractor and landowner must be submitted. All appropriate fields are to be completed.

Where protection works span multiple properties a signed application form from each affected landowner is required.

Where someone other than the affected landowner is obtaining an ABCA permit, a letter signed by the affected landowner authorizing that person to act as their agent is required.

2.) Application Fee

2017 fees for shore protection works are \$450.00 per property. A fee reduction *may* be applied where protection works span multiple properties.

As application fees are set by the ABCA's Board of Directors and may change from time to time, please contact ABCA staff for the current application fee.

Application fees are non-refundable.

3.) **Drawings**

In order for the ABCA to review a proposal, accurate and complete plans are required. Acceptable plans will provide ABCA staff with enough information such that it will have a reasonable understanding of the scope and location of the proposal.

Appropriate plans will include but not be limited to:

- a scaled and dimensioned plan and profile view of the work site which clearly and accurately shows the following:

- a.) property identification including address, plan and lot number
- b.) property boundaries
- c.) existing site conditions, including the location of the toe of the lake bank, any existing shore protection, any neighbouring shore protection, stairs decks, structures, location of any drains, north arrow, etc.
- d.) clear information regarding the design, location and dimensions of the proposed shore protection
- e.) clear information on how the proposed protection is to be tied into neighbouring protection - if any exists
- f.) dimensions clearly showing the location and extent of the wall in relation to property lines, existing shore protection, existing toe of the slope etc.
- g.) the proposed protection is to be clearly shown (and dimensioned to) in relation to permanent existing features which are not subject to disturbance during construction - such as property boundaries.
 - rocks and trees are subject to movement and removal and are not suitable features
- h.) a clear statement indicating that any material, used in the construction and backfilling of the protection, is to be imported to the site and not sourced on site - NO sand or rock is to be removed from the beach and used in the construction of the protection
- i.) title block showing the date of the drawing or last drawing revision

In general, the information presented in plans must provide the ABCA with enough information to understand the design and location of the work prior to construction. The ABCA must also be able to inspect the site following project completion and confirm construction and location as per the approved design.

The ABCA does have resources, such as air photos, which may help in the preparation of plans. Please contact ABCA staff to discuss resource availability and cost to supply.

Please be aware that ABCA staff is able to provide direction in the preparation of plans, but is unable to help in gathering site information or in preparing plans.

4.) **Additional Supporting Information**

The applicant and or their agent should also submit and other additional supporting information regarding the proposed work. Such information will include:

- the timing of the proposed work
- the means of access for machinery and materials to the proposed site - any crossing of private property will require permission of the affected landowners

Applicants for shore protection should be aware that the ABCA is required to review applications with respect to their potential impacts on flooding, erosion and dynamic beaches – not only on the applicant's property but also on neighbouring properties. As a result, the Authority may require detailed technical review of a proposal. This may include a coastal engineer's and / or and geotechnical engineer's review. Please be aware that any such review will be undertaken at the expense of the applicant.

PROCESS:

To insure consistency, clarity and transparency in its application review process the ABCA will be following the guidelines below. These guidelines, including the stated timelines, were established in 2010 by a provincial committee whose members included representation from multiple stakeholders.

Following receipt of the application described above the ABCA will identify and confirm, in writing, whether the application has been deemed complete or not. Please be aware that substantial changes to a proposal after receipt of the application may necessitate changes to the complete application requirements.

If an application is deemed incomplete, the ABCA will provide the applicant with a written list of missing and needed information.

During the review of an application to determine its completeness, the ABCA may request additional information if it deems an application does not contain sufficient technical analysis. Delays in timelines for making a decision may occur due to ABCA requests for additional information to address errors or gaps in information submitted for review. An application can be put on hold or returned to the applicant pending the receipt of the additional requested information.

Subsequent to receipt of a complete application, delays in timelines for a decision on an application may occur due to ABCA requests for additional information to address errors or gaps in technical information submitted for review. Applications can be put on hold or returned to the applicant pending the receipt of further information to avoid premature refusals of applications due to inadequate information.

Staff of the ABCA is only able to issue a permit when it is determined that an application is permitted by approved policies. Staff can not approve an application that does not meet ABCA policy. Similarly, ABCA staff is unable to deny an application. In cases where an applicant is either unable or unwilling to amend an application to bring it into conformity with approved policies or is unable or unwilling to submit requested technical information the application will be referred to a Hearing under the Conservation Authorities Act.

If you have any questions regarding the ABCA's application requirements or its review process please contact the ABCA.

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