Subject: 215 Scotts Point Road Erosion Control/Restoration to Retaining Wall.

Report Number: Planning-2020-03

Meeting Date: Wednesday, May 20, 2020

Recommendation: THAT Council provide written authorization to allow Mr. Scott to make application and complete erosion control/restoration to the retaining wall located at 215 Scotts Point Road (4108-260-005-11500) as per Report Number: Planning-2020-03

Date to be considered by Council: Wednesday, May 20, 2020

Report Summary:

The property located at 215 Scotts Point Road is owned by the Municipality in c/o Gordon Scott. The property was originally under a License of Occupation Agreement with the Township of Bruce from 1979 to 1999 and has since been under an Encroachment Agreement with the Municipality of Kincardine. Mr. Scott is requesting authorization from Council to make application and complete erosion control/restoration to the retaining wall along the shoreline as approved by Saugeen Valley Conservation Authority (SVCA) staff and subject to any requirements from Ministry of Natural Resources (MNR). The Encroachment Agreement requires the Licensee to keep and maintain the encroachment in a good and proper state of repair and safety at its own cost, charge, and expense to the satisfaction of the Municipality. The owner would like to complete some restoration of the retaining wall in order to maintain the safety of the retaining wall and the lands.

Origin: Licensee Mr. Scott request.


Background/Analysis: The property known Municipally as 215 Scotts Point Road is owned by the Municipality of Kincardine in c/o Gordon Scott. The cottage and deck are located on the original shore road allowance. In 1979 the Township of Bruce and Gordon Scott entered into a License of Occupation Agreement to
permit the seasonal use of the buildings. In 1979 the Township also provided permission to repair a retaining wall on the property. The License of Occupation was renewed annually until 1999.

At the time of amalgamation many License of Occupation Agreements were transferred to Encroachment Agreements. In 2000 an Encroachment Agreement was entered into with Mr. Scott and has been kept in good standing since. The Encroachment Agreement is renewed every five years (2006, 2013, 2018) and has valid insurance as required by the Agreement.

Mr. Scott would like to complete erosion control/restoration work along the existing retaining wall. The work will include placement of Terra Blocks along the existing retaining wall and filling behind the blocks with drainage stone and sand. The length of shoreline affected is approx. 100’. He has been in contact with SVCA to determine what SVCA requires to obtain a permit. As the property is owned by the Municipality, Mr. Scott requires authorization of Council before obtaining a permit from SVCA. Mr. Scott has also made application to the Ministry of Natural Recources (MNR) to see if there is any interest in the work under the Public Lands Act.

Section 3. (i) of the Encroachment Agreement requires the Licensee to keep and maintain the encroachment in a good and proper state of repair and safety at its own cost charge, and expense to the satisfaction of the Municipality.

Staff is recommending that Council authorize Mr. Scott to be applicant acting on behalf of the Landowner to make application and proceed with the erosion control/restoration work for the retaining wall as approved by SVCA staff and subject to any requirements from the MNR.

**Community Plan and Integrated Community Sustainability Plan (ICSP) Considerations:** NA

**Financial Implications:** None.

**Attachments:**

215 Scott’s Point Retaining Wall – Picture and Site Plan