

CHAPTER 13

ENVIRONMENTAL STEWARDSHIP

13.1 BASIS OF ENVIRONMENTAL STEWARDSHIP POLICIES

The Township places a high priority on the protection and wise stewardship of the municipality's environmental features and functions. Collectively they contribute to the conservation of biological diversity and maintenance of air, land and water quantity and quality.

With respect to the natural environment, the Township has the following goals:

- to protect, conserve or wherever feasible, enhance the natural environment within the Township for its valuable ecological functions and for the enjoyment of the Township's residents;
- to provide for the management of natural resources within the Township in a manner that minimizes or eliminates undesirable short and long-term impacts on the natural environment, the quality and quantity of ground and surface water, and the quality of life for existing and future residents;
- to preserve, maintain and enhance significant woodlands, wetlands, watercourses, aquatic and terrestrial habitats and corridors for wildlife and native plants.
- to improve the quality of the local environment, including soil quality, air quality, water quality in rivers, streams and aquifers and the ecological integrity of the landscape over the life of this Plan.

It is recognized that the responsibilities for protection of the environment are spread among the many Provincial and Federal Ministries and agencies, the Region and the Township. It is the intent of this Plan to adopt policies, within the authority available to the municipality, which will lead to the protection, conservation and wise management of the environment.

The Township, in co-operation with the Region, the Grand River Conservation Authority and other authorities having jurisdiction, will, through its powers to control, regulate and recommend, attempt to minimize or eliminate adverse environmental impacts.

It is also recognized that private citizens and public interest groups have a significant role to play in the stewardship of the municipality's environmental features and functions. In this regard, the Township adopts the following policy:

13.1.1 Council shall support private landowners in their efforts to manage property in a way which maintains or enhances the natural environment, by encouraging publicly-funded programs, such as reforestation and stream improvement, to focus on measures which enhance the natural environment system including:

- increasing connectivity between natural habitat areas;
- increasing native vegetative cover within and around significant natural areas, on steep slopes and adjacent to watercourses;

- encouraging initiatives in the agricultural community to develop environmental farm plans and other programs to support farming practices which maintain or enhance environmental quality;
- making available information to landowners on environmental issues; and
- pursuing opportunities to combine education and communication on environmental issues with other Township activities.

13.2 NATURAL HABITAT NETWORK

13.2.1 The Township recognizes the existence of a diverse and complex network of environmental features. These features are often crucial to the existence of various forms of wildlife, play an important role in maintaining hydrological and hydrogeological functions, and provide a range of benefits to Woolwich residents. The Township is required by Provincial Policy Statements and policies in the Regional Official Policies Plan to take measures to protect elements of the Natural Habitat Network.

This Natural Habitat Network consists of Provincially, Regionally and locally significant natural areas, which may be under the jurisdiction of the Provincial government, the Regional Municipality of Waterloo or the Township of Woolwich. The identification of the elements of the Natural Habitat Network will be accomplished through cooperative efforts by the Township, the Regional Municipality of Waterloo, the Grand River Conservation Authority, the Province and landowners.

13.2.2 Components of the Natural Habitat Network are:

- Environmental Preservation Areas;
- Environmentally Sensitive Policy Areas;
- Provincially Significant Wetlands;
- Significant Valleylands;
- Sensitive Groundwater Areas, Recharge Areas, Discharge Areas and Headwaters and Aquifers;
- Significant Woodlands;
- Fish Habitat;
- Significant Wildlife Habitat; and
- Locally Significant Natural Areas.

13.2.3 Where development is proposed on or contiguous to lands that have not been adequately evaluated or classified to identify components of the Natural Habitat Network, the applicant will be required to prepare a Natural Habitat Network Inventory in accordance with the Natural Habitat Network policies contained in the Regional Official Policies Plan and regard shall be had for the Provincial Natural Heritage Reference Manual. Where elements of the Natural Habitat Network are identified in a Natural Habitat Inventory, the submission of an Environmental Impact Statement or other appropriate Study will be required and the policies of this plan with respect to the identified component of the Natural Habitat Network apply.

13.2.4 The acquisition of components of the Natural Habitat Network by the Township or other public agencies will be promoted wherever feasible.

13.2.5 Privately owned components of the Natural Habitat Network are not for use by the public, except at the discretion of the owner.

13.2.6 The Township will participate in a study with the Region, the Ministry of Natural Resources, and the Grand River Conservation Authority and other qualified persons, to address the following:

- a) establish definitions for Regionally "Significant Natural Corridors";
- b) identify Regionally and Locally Significant Natural Corridors through the completion of watershed studies, community plans, local Official Plan amendments, and other public processes; and
- c) recommend policies and mapping for inclusion by amendment to this Plan to provide for the appropriate conservation, protection or enhancement of Regionally Significant and Locally Significant Natural Corridors. **Modification No. 85**

13.3 ENVIRONMENTAL PRESERVATION AREAS

13.3.1 Environmental Preservation Areas are significant habitat of endangered and threatened species and designated as illustrated on Map 1 of the Regional Official Policies Plan, and identified for information purposes on the Environmental Areas Map of this Plan. The boundaries of Environmental Preservation Areas may be refined, and areas added or deleted within the Regional Official Policies Plan, without amendment to this Plan. While this Plan will be amended from time to time to reflect amendments to Environmental Preservation Area boundaries, the boundaries as established in the Regional Official Policies Plan will be the boundaries used to interpret the policies of this Plan.

13.3.2 There are no Environmental Preservation Areas designated at this time. This Plan may be amended to show Environmental Preservation Areas on the Environmental Areas Map of this Plan. **Modification No. 86**

13.3.3 Development is not permitted within Environmental Preservation Areas. Development proposed contiguous to an Environmental Preservation Area is subject to the provisions of Section 4.2 of the Regional Official Policies Plan including the submission of an Environmental Impact Statement for review by the Region. **Modification No. 87**

13.4 PROVINCIALY SIGNIFICANT WETLANDS

13.4.1 Provincially Significant Wetlands are designated as illustrated on Map 2 of the Regional Official Policies Plan and are identified for information purposes on the Environmental Areas Map of this Plan. The Ministry of Natural Resources is responsible for identifying Provincially Significant Wetlands and for determining the boundaries of Provincially Significant Wetlands and Wetland Complexes. The Boundaries of Provincially Significant Wetlands may be refined, and areas added or deleted within the Regional Official Policies Plan, without amendment to this Plan. While this

Plan will be amended from time to time to reflect amendments to Provincially Significant Wetland boundaries, the boundaries as established in the Regional Official Policies Plan will be the boundaries used to interpret the policies of this Plan.

- 13.4.2 Development that would result in the construction of new structures, significant alterations to existing structures, significant fill, grading and excavation, or the creation of new lots is not permitted within Provincially Significant Wetlands. Development proposed adjacent to a Provincially Significant Wetland is subject to the provisions of Section 4.4 of the Regional Official Policies Plan including the submission of an Environmental Impact Statement for review by the Grand River Conservation Authority. For the purposes of interpretation of this Policy, adjacent will be defined as lands within 120 metres of the boundary of the Provincially Significant Wetland. **Modification No. 88**
- 13.4.3 Notwithstanding policy 13.4.2, the creation of lots that extend into Provincially Significant Wetlands may be permitted where:
- a) An Environmental Impact Statement submitted in accordance with Policy 4.4.5 of the Regional Official Policies Plan has demonstrated that the proposed development would have no serious adverse impact on the significant features and functions of the Provincially Significant Wetland; and
 - b) The Township has enacted a Zoning By-law or other development controls, which prohibit the establishment of structures on:
 - i) that portion of the lot which is within the Provincially Significant Wetland; or
 - ii) on adjacent lands where the Environmental Impact Statement has demonstrated that such development would negatively impact the significant features and functions of the Provincially Significant Wetland.
- 13.4.4 Where the construction of a road on a new right -of-way, a widening of an existing roadway, a trunk sewer or trunk watermain on a new right-of-way or easement, waste water treatment facility, waste management facility, or groundwater taking project is proposed within or adjacent to a Provincially Significant Wetland, the submission of an Environmental Impact Statement is required or other appropriate study in accordance with Policy 3.2 of the Regional Official Policies Plan is required.
- 13.4.5 Where a study completed in accordance with Policy 4.4.8 of the Regional Official Policies Plan demonstrates to the Region and the Township that the construction of the infrastructure project will:
- a) result in only localized and/or reversible impacts to the Provincially Significant Wetland, and that other alternatives are less feasible from a technical, environmental and/or financial perspective the Township will without amendment to this Plan:
 - i) require that appropriate mitigation measures be implemented; and
 - ii) approve the undertaking; or

- iii) support the undertaking in comments, submissions, or recommendations; or **Modification No. 89**
- b) result in widespread adverse impacts to the Provincially Significant Wetland or result in long term damage to its significant features and functions, and that other technically and financially feasible alternatives exist that would have less negative impact on the Provincially Significant Wetland, the Township will:
 - i) not approve the undertaking; or
 - ii) not support the undertaking in comments, submissions or recommendations; or
- c) result in widespread adverse impacts to the Provincially Significant Wetland, or result in long term damage to its significant features and functions, but that there is a clearly demonstrated need for the undertaking, and that all alternatives to the recommended undertaking are substantially less feasible from a technical, environmental, and/or financial perspective, the Township will:
 - i) require that appropriate mitigation measures be implemented; and
 - ii) approve the undertaking; or
 - iii) support the undertaking in comments, submissions, or recommendations. **Modification No. 90**

13.5 ENVIRONMENTALLY SENSITIVE POLICY AREAS

13.5.1 Environmentally Sensitive Policy Areas are designated as illustrated on Map 1 of the Regional Official Policies Plan and are identified for information purposes on the Environmental Areas Map of this Plan. The boundaries of Environmentally Sensitive Policy Areas may be refined, and areas added or deleted within the Regional Official Policies Plan, without amendment to this Plan. While this Plan will be amended from time to time to reflect amendments to Environmentally Sensitive Policy Area boundaries, the boundaries as established in the Regional Official Policies Plan will be the boundaries used to interpret the policies of this Plan.

13.5.2 All development proposed within or contiguous to an Environmentally Sensitive Policy Area is subject to the provisions of Section 4.3 of the Regional Official Policies Plan, including the submission of an Environmental Impact Statement to the Region.

13.6 FISH HABITAT

13.6.1 Fish habitat will be identified through the Natural Habitat Network Inventory, by the Grand River Conservation Authority or the Ministry of Natural Resources

13.6.2 Any development affecting existing or potential fish habitat will be reviewed by the Federal Department of Fisheries and Oceans or its delegate with respect to its potential impact. Any proposal will be subject to an environmental impact statement to determine if it will result in negative impacts to fish habitat or in a net loss of the productive capacity of fish habitats and where possible to achieve a net gain in productive capacity. **Modification No. 91**

- 13.6.3 In all cases the Township, in conjunction with the Federal Department of Fisheries and Oceans or its delegate, will impose minimum naturally vegetated buffer zones adjacent to existing or potential fish habitat areas.
- 13.6.4 Where it has been determined by the Federal Department of Fisheries and Oceans or its delegate that any development or site alteration could result in negative impacts to fish habitat or in a net loss of the productive capacity of fish habitat, the development will be prohibited unless the proponent follows the process for authorization of fish habitat alteration administered by the Federal Department of Fisheries and Oceans.
- 13.6.5 The hierarchy of preferences used by the Federal Department of Fisheries and Oceans or its delegate to achieve no net loss of fish habitat is to:
- a) maintain fish habitat without disruption of the natural productive capacity;
 - b) mitigate to alleviate potential adverse impacts; and
 - c) compensate, if habitat alterations cannot be avoided or mitigated, but only if the alteration is approved by the Department of Fisheries and Oceans or its delegate.
- 13.6.6 The Federal Department of Fisheries and Oceans or its delegate may require the submission of an Environmental Impact Study with any proposal for development near or adjacent to an existing or potential fish habitat area. Such Environmental Impact Study shall include:
- a) a description of the project;
 - b) an inventory of the fish habitat area;
 - c) an evaluation of the quantity and quality of water that sustains the fish habitat;
 - d) alternative ways of undertaking the project and the potential impacts associated with the various alternatives;
 - e) proposed mitigation measures to alleviate potential negative impacts; and
 - f) opportunities to compensate for loss of habitat if there will be a loss that cannot be avoided or mitigated.
- 13.6.7 Where it is determined by the Federal Department of Fisheries and Oceans or its delegate that any development will cause harmful alteration or loss of habitat, which is unavoidable and unmitigated, and that compensation is not possible, the Federal Department of Fisheries and Oceans may prohibit the development. Where compensation is permitted for loss of habitat, the proponent shall be required to negotiate compensation conditions with the Federal Department of Fisheries and Oceans or its delegate.
- 13.6.8 The Township supports the objective of achieving a net gain in the productive capacity of fish habitats. This may be achieved through such measures as enhancing or rehabilitating watercourses and creating or recreating fish habitat as opportunities arise.

13.7 SIGNIFICANT VALLEYLANDS

13.7.1 The Township will participate in a study with the Region, the Ministry of Natural Resources, the Grand River Conservation Authority, and other Area Municipalities, and in consultation with affected landowners, to address the following:

- a) establishment of a definition for Significant Valleylands;
- b) identification of Significant Valleylands;
- c) recommendation of lands for designation as Environmentally Sensitive Policy Areas by amendment to the Regional Official Policies Plan; and
- d) recognition of lands for designation as Locally Significant Natural Areas by their inclusion in this Plan. **Modification No. 92**

13.7.2 Significant Valleylands identified through the above-noted study, a Watershed Study, or any other appropriate field study to the satisfaction of the Township, will be designated on the Environmental Areas Map by amendment to this Plan. **Modification No. 93**

13.8 WELLHEAD PROTECTION AREAS, SENSITIVE GROUNDWATER AREAS, RECHARGE AREAS, DISCHARGE AREAS, AND HEADWATERS **Modification No. 94**

13.8.1 Wellhead Protection Areas related to potable water supply are as designated on Map 4 of the Regional Official Policies Plan and will be subject to the provisions of Section 5.2 of the Regional Official Policies Plan. **Modification No. 95**

13.8.2 Where Sensitive Groundwater Recharge Areas, Discharge Areas or Headwaters are identified through the completion of a Watershed Study, such Study will be required to determine areas where no development will be permitted, and areas where development may be permitted subject to appropriate mitigation measures. **Modification No. 96**

13.8.3 Where Sensitive Groundwater Recharge Areas/Discharge Areas or Headwaters are identified through the completion of the Natural Habitat Network Inventory the submission of an Environmental Impact Statement will be required to determine areas where no development will be permitted, and areas where development may be permitted subject to appropriate mitigation measures.

13.9 LOCALLY SIGNIFICANT NATURAL FEATURES

13.9.1 The Township places a high priority on the protection and stewardship of Locally Significant Natural Areas, however, it is recognized that the need to protect Locally Significant Natural Areas must be balanced against the objective of allowing desirable development.

13.9.2 Locally Significant Natural Areas are designated as shown on the Environmental Areas Map of this Plan. As noted in Policy 13.2.3, where development is proposed on or contiguous to lands that have not been adequately evaluated or classified to identify components of the Natural Habitat Network including Locally Significant Natural Areas, the applicant will be required to prepare a Natural Habitat Network Inventory in accordance with the Regional Official Policies Plan Policy 4.1.12 and regard shall be had for the Provincial Natural Heritage Reference Manual.

Where areas are identified in a Natural Habitat Inventory, which meet the criteria as a Locally Significant Natural Area then, the policies of this Plan with respect to Locally Significant Natural Areas apply.

13.9.3 It is the intent of the Township to preserve, as much as possible, and, where appropriate, enhance Locally Significant Natural Areas. Any development within or adjacent to a Locally Significant Natural Area must have regard for the conservation and enhancement of the significant features and functions of the Locally Significant Natural Area in accordance with the policies of this Plan.

13.9.4 A Locally Significant Natural Area is a natural area not warranting designation as an Environmental Preservation Area, Environmentally Sensitive Policy Area, Regionally Significant Valleyland or Provincially Significant Wetland which:

- a) is identified as a Locally Significant Wetland by the Ministry of Natural Resources; or
- b) is identified as a significant woodland in the Woodland Strategy to be completed pursuant to Policy 4.1.8 of the Regional Official Policies Plan; or
- c) is identified as a Locally Significant Valleyland by a study completed in accordance with Policy 13.7.1; or
- d) is identified by the Ministry of Natural Resources as significant wildlife habitat ; or
- e) provides a significant connection or acts as a significant buffer or supporting area to other designated natural areas, thus maintaining ecological connection between communities; or
- f) performs vital hydrogeological functions, such as serving as headwaters of a stream, groundwater recharge and discharge areas; or
- g) fulfils at least two of the following criteria:
 - i) is a good quality, representative example of a particular type of ecosystem native to the Township;
 - ii) contains uncommon or rare ecological communities such as old growth forests, marl meadows, bogs, fens, riparian meadows, forest interior, and so on;
 - iii) is a relatively large natural area;
 - iv) supports a moderate to high diversity of native species and ecological communities due to varied topography, microclimates, soils, and/or drainage;
 - v) sustains nationally, provincially, or regionally significant species; or
 - vi) contains 'special' physical features (e.g. landforms, springs, fossils).

Regard shall be had for the Provincial Natural Heritage Reference Manual when conducting the above noted evaluations of sites.

13.9.5 The submission of an Environmental Impact Statement for review by the Township in consultation with the Region and the Grand River Conservation Authority will be required for all development proposed within or contiguous to a Locally Significant Natural Area.

13.9.6 Where an Environmental Impact Statement demonstrates that the proposed development will not have adverse environmental impacts upon the significant features and functions of the Locally Significant Natural Area, the Township may, subject to appropriate conditions, approve or recommend approval of the application without amendment to this Plan.

13.9.7 Where an Environmental Impact Statement demonstrates that a development may have adverse environmental impacts upon the environmentally significant features and functions of the Locally Significant Natural Areas the Township will undertake one of the following:

- a) negotiate an agreement with the owner of the land requiring conditions of approval, or dedication of land to protect the lands supporting the environmentally significant features and functions of the locally significant natural area;
- b) request the Province, the Region, or the Grand River Conservation Authority to use powers within their jurisdiction to enable acquisition of the Locally Significant Natural Area;
- c) encourage public and/or private agencies to acquire all or the affected portion of the Locally Significant Natural Area;
- d) require a Conservation Easement; or
- e) refuse the application.

13.9.8 The interpretation and definition of the limits of a Locally Significant Natural Area and adjacent lands will be the responsibility of the Township in consultation with the Region and the Grand River Conservation Authority.

13.9.9 Where the construction of a road on a new right -of-way, a widening of an existing roadway, a trunk sewer or trunk watermain on a new right-of-way or easement, waste water treatment facility, waste management facility, or groundwater taking project is proposed within or adjacent to a Locally Significant Natural Area, the submission of an Environmental Impact Statement is required or other appropriate study in accordance with Section 3.2 of the Regional Official Policies Plan is required.

13.9.10 Where a study completed in accordance with policy 4.4.8 of the Regional Official Policies Plan demonstrates to the Township that the construction of the infrastructure project will:

- a) result in only localized and/or reversible impacts to the Locally Significant Natural Area, and that other alternatives are less feasible from a technical, environmental and/or financial perspective the Township will without amendment to this plan:
 - i) require that the appropriate mitigation measures be implemented and approve the undertaking; or
 - ii) support the undertaking in comments, submissions, or recommendations; or
- b) result in widespread adverse impacts to the Locally Significant Natural Area or result in long term damage to its significant features and functions, and that other technically and financially feasible alternatives exist that would have less negative impact on the Locally Significant Natural Area, the Township will: **Modification No. 97**
 - i) not approve the undertaking; or
 - ii) not support the undertaking in comments, submissions or recommendations; or
- c) result in widespread adverse impacts to the Locally Significant Natural Area, or result in long term damage to its significant features and functions, but that there is a clearly demonstrated need for the

undertaking, and that all alternatives to the recommended undertaking are substantially less feasible from a technical, environmental, and/or financial perspective, the Township will:

- i) require that appropriate mitigation measures be implemented; and
- ii) approve the undertaking; or
- ii) support the undertaking in comments, submissions, or recommendations.

13.9.11 Where a Locally Significant Natural Area is subsequently designated by the Region as an Environmental Preservation Area, Provincially Significant Wetland, Environmentally Sensitive Policy Area or Significant Valleyland, the provisions of Sections 13.3, 13.4, 13.5, and 13.7 will apply respectively.

13.9.12 Where lands are identified through a watershed or other appropriate field study as fulfilling the criteria for a Locally Significant Natural Area designation in accordance with Policy 13.9.4, an amendment to this Plan will be considered to designate such lands as a Locally Significant Natural Area.

13.10 SIGNIFICANT WOODLANDS

13.10.1 The Township will participate in a study with the Region, the Ministry of Natural Resources, the Grand River Conservation Authority, and other Area Municipalities, and in consultation with affected landowners, to address the following:

- a) establishment of a definition for Significant Woodlands;
- b) identification of Significant Woodlands;
- c) recommendation of lands for designation as Environmentally Sensitive Policy Areas by amendment to the Regional Official Policies Plan; and
- d) recognition of lands for designation as Locally Significant Natural Areas by their inclusion in this Plan.

13.10.2 Significant Woodlands identified through the above-noted study or through a Watershed Study or other appropriate field study will be designated on the Environmental Areas Map by amendment to this Plan.
Modification No. 98

13.11 RESTRICTED LAND USE AREAS

13.11.1 Restricted Land Use Area is a Land Use designation, which indicates areas where special consideration is to be given prior to the issuance of building permits or changes in land use. Areas designated as Restricted Land Use have physical characteristics, which could cause severe property damage or loss of life. It is the intent of this Plan to prevent the loss of life and minimize property damage and social disruption through the restriction of land use activities on lands susceptible to erosion, flooding or unstable soils, while permitting limited development on lands where it is determined to be appropriate and safe. The Restricted Land Use designation is imposed in addition to the Land Use Designations as established by this Plan resulting in a dual land use designation on such properties. **Modification No. 135n**

13.11.2 Restricted Land Use Areas include:

- a) steep slopes/erosion areas;
- b) unsuitable /organic soils;
- c) flood plain.

The existence of such conditions indicates the need to adopt special policies relative to proposed developments in, on or adjacent to such conditions.

13.11.3 The major areas where such conditions are likely to be found are illustrated on the Restricted Land Use Area Map of this Plan. It is recognized that it is impractical to locate and map in detail all areas, which might fall within this designation and the mapping therefore is intended to indicate the major areas only. Where development is proposed for an area not contained within the Restricted Land Use designation and it is determined that the site contains characteristics identified in Section 13.11.2 an appropriate evaluation of the site must be conducted to determine the acceptability of the site for the proposed development. **Modification No. 135o**

13.11.4 If after review of a development proposal in accordance with the Restricted Land Use Area policies:

- a) it is concluded that a development can satisfactorily address the Restricted Land Use concern and the development is supported by the Township and approved by the Grand River Conservation Authority, where appropriate, then the Land Use designation accompanying the Restricted Land Use designation shall be used to guide such development;
- b) it is concluded that a development cannot satisfactorily address the Restricted Land Use concern and development is not approved by the Grand River Conservation Authority, where appropriate, then the development shall not be permitted.

13.11.5 It is the intent of this Plan that when application is received for a permit to erect a building or structure or for any proposed change in the use of land in, on or adjacent to a Restricted Land Use Area, the following shall apply:

- a) prior to the issuance of a permit to erect a new building or structure or for the alteration or enlargement of an existing building or structure in, on or adjacent to areas defined in this Plan as a Restricted Land Use Area or prior to consideration of any proposed change in the use of land required municipal consideration or approval in, on or adjacent to areas defined in this Plan as a Restricted Land Use Area, such application shall be referred to the Grand River Conservation Authority for review and report;

- b) the Grand River Conservation Authority shall be requested to consider and advise the municipality with regard to the following:
 - i) the existing environmental or physical conditions, which place these lands within this designation;
 - ii) the potential impact of these conditions on the proposed development and the potential impact of the proposed development on the Restricted Land Use Area;
 - iii) the proposed methods by which these impacts may be overcome in a manner consistent with accepted engineering techniques and resource management practices, and the policies of the Conservation Authority.
- c) prior to the issuance of a permit or approval of a change in the use of land in, on or adjacent to a Restricted Land Use Area, the municipality shall:
 - i) give consideration to the report received from the Grand River Conservation Authority and any recommendations contained therein; and **Modification No. 99**
 - ii) ensure that the proposed change in use would conform to the policies contained in this Plan and the relevant policies of the Regional Official Policies Plan.
- d) when it is determined by the Grand River Conservation Authority that the site involved in the application lies below the Regulatory Flood Line as established by the Grand River Conservation Authority, policies 13.11.6, 13.11.7 and 13.11.8 shall apply. Flood plains are identified on the Flood Plain Map of this Plan.

13.11.6 ONE ZONE FLOOD PLAIN:

- 13.11.6.1 The “One Zone Flood Plain” concept is used in those areas of the Township where Township Council wishes to prohibit development within the entire Flood Plain. These areas are found around streams and rivers, where buildings/structures do not currently exist within the Flood Plain. All areas of the Township that are contained within regulatory floodlines as identified by the Grand River Conservation Authority are subject to the One Zone Flood Plain policies of this Plan with the exceptions noted in Section 13.11.7.
- 13.11.6.2 No development is permitted within the Flood Plain;
- 13.11.6.3 Lands within the floodplain may be used for:
 - a) Outdoor recreation, including buildings and structures where approved by the Grand River Conservation Authority; **Modification No. 100**
 - b) Open space and conservation areas;
 - c) Wildlife sanctuaries;
 - d) Nurseries and forestry; and

- e) Agricultural purposes, including accessory buildings and structures where approved by the Grand River Conservation Authority.

13.11.6.4 This Plan does not imply that Flood Plain lands are open to the general public or that the Township, or any other public agency will purchase such lands.

13.11.6.5 Flood Plain lands will be zoned in an appropriate hazard category in the implementing Zoning By-law.

13.11.6.6 Notwithstanding Policy 13.11.6.2 minor expansions or alterations may be undertaken to buildings existing in the flood plain at the time of adoption of this plan provided that:
Modification No. 101

- a) no dwelling units are created, funeral home, hotel, in addition to those uses outlined in Section 13.11.19 of this Plan; **OPA No. 10**
- b) such minor expansions or alterations including mechanical and electrical services are generally flood proofed to the Regulatory Flood elevation. Under certain circumstances, reductions in the level of flood proofing may be permitted where deemed appropriate and feasible by the Grand River Conservation Authority; and
- c) provided there are no adverse impacts on floodflows.

13.11.7 TWO ZONE FLOOD PLAIN POLICIES

13.11.7.1 The Two-Zone floodway-flood fringe concept is selectively applied to portions of the flood plain where development could potentially occur without adverse impacts on flood flows, flood elevations or adjacent structures.

13.11.7.2 Two-Zone Flood Plain Policies apply to portions of the developed areas of the Canagaguige Creek and its tributaries, Drain Number 1 and the Weigel Drain all within the in Elmira Settlement. The extent of the Two-Zone area will be determined through the completion of detailed technical analysis to the satisfaction of the Grand River Conservation Authority, the Region and the Township. Following the identification of the Two Zone areas through such analysis the policies of Section 13.11.7 apply.

13.11.7.3 Two-Zone Flood Plain Policies apply to areas of existing built-up areas only, and shall not be applied to rural areas or to new areas of growth. **Modification No. 102**

13.11.7.4 Under the Two-Zone concept, the floodway and the flood fringe shall be identified as follows:

- a) Floodway – for river, stream and small inland lake system, means the portion of the flood plain where development and site alteration would cause a danger to public health and safety or property damage. Where the one zone concept is applied, the floodway is the entire contiguous

floodplain. Where the two zone is applied, the floodway is the contiguous inner portion of the floodplain, representing that area required for the safe passage of the flood flow and/or the area where flood depth and/or velocities are considered to be such that they pose a potential threat to life and/or property damage. **OPA No. 10**

- b) Flood fringe - for river, stream and small inland lake system, means the outer portion of the flood plain between the floodway and the flooding hazard limit. Depths and velocities of flooding are generally less severe in the flood fringe than those experienced in the floodway. **OPA No. 10**

Development in the floodway shall be restricted to minor expansions or alterations to buildings existing as of the date of adoption of this Plan in accordance with Policy 13.11.6.6.

13.11.7.5 Development may be permitted within the flood fringe provided that the following conditions are met:

- a) a permit is issued by the Grand River Conservation Authority or it's designate, pursuant to Ontario Regulation 156/06, as amended; **OPA No. 10**
- b) all development is suitably flood proofed to the Regulatory Flood elevation as determined by and to the satisfaction of the Grand River Conservation Authority and the Township;
- c) all habitable floor space is constructed at or above the Regulatory Flood elevation and all essential building services (i.e. electrical, telephone, heating, etc.) are constructed at or above or are protected to the Regulatory Flood elevation;
- d) the creation of any uninhabitable floor space below the Regulatory Flood elevation where there is the possibility of conversion to habitable floor space is not permitted;
- e) notwithstanding d) above, the creation of uninhabitable floor space below the Regulatory Flood elevation may be permitted if it is associated with an apartment building, commercial, industrial or other non-residential development. Such areas in an apartment building may include foyers, recreation rooms, communal storage areas, or other uninhabitable floor space that is normally associated with this type of development. All such floor space in any development must be flood proofed to the Regulatory Flood elevation with the maintenance of safe access ensured;
- f) access for all new habitable buildings located in the flood fringe shall be such that emergency vehicular and pedestrian movement is not prevented during times of flooding in order that safe access/evacuation is ensured.

The determination of “safe” access shall be made by the Grand River Conservation Authority based on the depth and velocity factors as they affect individual sites; and

- g) conversions of non-residential buildings in the flood fringe to residential use may be permitted provided that the requirements of (b) through (f) above are satisfied.

13.11.7.6 Outdoor industrial storage is prohibited within the floodway in Two-Zone Flood Plain Policy Areas.

13.11.7.7 Outdoor industrial storage may be permitted within the flood fringe of the Two-Zone Flood Plain Policy Areas, subject to the protection of such storage from flood related damages, to the elevation of the Regulatory floodline to the satisfaction of the Grand River Conservation Authority.

13.11.8 It is the intent of this Plan that Flood Plain lands may be used only in accordance with the statutory regulations of the Grand River Conservation Authority and in accordance with the policies for such lands contained in Chapter 13 of this Plan and the relevant policies of the Regional Official Policies Plan. **Modification No. 103**

13.11.9 Notwithstanding the provisions in Section 13.11, development shall not be permitted to locate in the Restricted Land Use Area where the use is:

- i) An institutional use associated with hospitals, nursing homes, pre-school, school nurseries, day care and schools, where there is a threat to the safe evacuation of the sick, the elderly, persons with disabilities or the young during an emergency as a result of flooding, failure of flood proofing measures or protection works, or erosion;
- ii) An essential emergency service such as that provided by fire, police and ambulance stations (but not including the Township emergency control centre), and electrical substations, which would be impaired during an emergency as a result of flooding, the failure of flood proofing measures and/or protection works, and/or erosion;
- iii) Uses associated with the disposal, manufacture, treatment or storage of hazardous substances, and
- iv) Industrial outdoor storage within the floodway.

OPA No. 10

13.12 BIODIVERSITY

13.12.1 The Township values its rich natural biodiversity and will encourage the conservation and enhancement of the native biodiversity of the natural environment in Woolwich Township.

13.12.2 The Township will co-operate with the Region in the development and maintenance of an environmental database to document the occurrence and distribution of significant species and other features.

13.12.3 The Township will encourage the use of native species appropriate to the Township and will discourage the use of non-native or invasive species in accordance with the Regional List of Native Trees and Shrubs and Non-Native Species, when planting within or contiguous to Environmental Areas.

13.12.4 The Township will promote the use of native trees, shrubs and herbaceous vegetation for plantings along Township Roads and for new development subject to Site Plan Control.

13.13 TREE MANAGEMENT

13.13.1 The Township recognizes the environmental, aesthetic and heritage values of trees lining urban streets and rural roads.

13.13.2 The Township shall protect and preserve trees located within road rights of way wherever practical. Trees removed from a road right of way due to development or public utilities projects shall be required to be replaced wherever possible with native species by the individual or body responsible for their removal, to the satisfaction of the Township.

13.13.3 The Township shall implement a program of planting native trees within the boulevards on Township roadways where appropriate.

13.13.4 The Township shall implement a program of planting native trees where appropriate along streets where the existing trees in those areas are mature and are close to the end of their natural life cycles.

13.13.5 The Township encourages private landowners to protect and preserve street trees located outside of road rights of way.

13.13.6 The Township shall require, as necessary, the preparation of a Tree Management Plan prior to consideration of a development application, with an aim to preserve and protect significant individual trees, tree stands, hedgerows, woodlots and forested areas within the municipality.

13.14 OTHER NATURAL AREAS AND FEATURES

It is recognized that some environmental areas and features in the Township may not meet the criteria as components of the Natural Habitat Network as identified in Policy 13.2.2. Notwithstanding this, the Township recognizes that these areas and features contribute to the environmental health of the Township and the Township shall require, as necessary, the preparation of a Tree Management Plan prior to consideration of a development application, with an aim to preserve and protect significant individual trees, tree stands, hedgerows, woodlots and forested areas within the municipality.

13.15 WATERSHED PLANNING

13.15.1 The Township recognizes the direct relationship between human activities and impacts on water and other natural resources. Watershed studies help assess the nature of impacts from development on ecosystem features and functions by assessing the interconnections between human activities and environmental resources. They also provide recommendations concerning land use planning actions and conditions of development approval the Township can implement to prevent or minimize those impacts.

- 13.15.2. The Township will participate in co-operation with other municipalities, the public, landowners, the Grand River Conservation Authority, the Region, the Provincial Ministries and other interested agencies in the completion of watershed studies. A watershed study of the Canagagigue Creek is in progress and this plan will be amended, as appropriate, to incorporate the findings of that study.
- 13.15.3 Priorities and guidelines for the completion of watershed studies will be determined in accordance with Section 3.1 of the Regional Official Policies Plan. **Modification No. 104**
- 13.15.4 The Township will consider amendments to this Plan and/or the Zoning By-law to implement appropriate recommendations from watershed studies in accordance with Policy 3.1.2 of the Regional Official Policies Plan.
- 13.15.5 The Township will consider applicable recommendations of watershed studies not implemented through amendment to this Plan, during the development approval process.
- 13.15.6 Watershed studies may be used to identify potential impacts of change on water budget; peak run off flows; run off volumes; time distribution of stormwater run off; flood levels and velocities; floodplain storage; existing storm water management facilities; capacities of existing downstream works; floodplain buildings and structures; erosion and sedimentation of stream systems; surface water quality; groundwater quantity and quality; water supply aquifer; infiltration, recharge, discharge; baseflow; wetlands; significant woodlands and other ecosystems significant flora and fauna, including rare, endangered, and threatened species and associated habitat; aquatic habitat and fisheries; agriculture; recreation; consideration and recommendation of rehabilitation measures for a system which is already impacted; and other environmental aspects determined by the watershed study, such as the restoration and enhancement of corridors and linkages, or of other Natural Habitat Network elements. **Modifications No. 105 and 106**
- 13.15.7 Terms of reference for watershed studies will include the delineation of detailed targets and objectives for resource management, environmental protection, stormwater management practices, and monitoring, and identification of significant natural features, including identification of Natural Habitat Network elements, and the determination of areas where no development will be permitted or where more detailed Environmental Impact Statements may be required to assess development proposals.

13.16 ENVIRONMENTAL IMPACT STATEMENTS

- 13.16.1 Environmental Impact Statements will be required and prepared in accordance with the policies of this Plan and the Regional Official Policies Plan, to identify and evaluate the potential effects of proposed development on components of the Natural Habitat Network. An Environmental Impact Statement will identify the nature and extent of potential impacts; recommend methods for preventing, minimizing or mitigating impacts; opportunities for enhancing

components of the Natural Habitat Network; specify required modifications to a proposal; and determine appropriate buffer zones. The need for, scope and adequacy of Environmental Impact Statements will be determined by:

- a) the Grand River Conservation Authority for development potentially affecting Provincially Significant Wetlands or fish habitat;
- b) the Region, for development potentially affecting Environmental Preservation Areas, Environmentally Sensitive Policy Areas, or Regionally Significant Natural Corridors; and **Modification No. 107**
- c) the Township in consultation with the Grand River Conservation Authority and the Region for development potentially affecting Locally Significant Natural Areas including Locally Significant Wetlands, Locally Significant Woodlands and areas of significant wildlife habitat.

13.16.2 The Township may require the submission of a Comprehensive Environmental Impact Statement where:

- a) the proposed development may affect a variety of components of the Natural Habitat Network as described in Section 13.2.2; or
- b) an Implementation Plan is being undertaken. **Modification No. 108**

13.16.3 The submission of an Environmental Impact Statement will not be required by the Township where an Environmental Assessment or alternative environmental review is being undertaken as part of a comprehensive planning process, provided the Environmental Assessment or alternative environmental review fulfils the requirements of an Environmental Impact Statement.

13.16.4 The Township will coordinate the requirements for the preparation and review of Environmental Impact Statements with the Region, Grand River Conservation Authority and the Ministry of Natural Resources, where appropriate.

13.17 ENVIRONMENTAL IMPACT STATEMENTS FOR LOCALLY SIGNIFICANT NATURAL AREAS

13.17.1 Where an Environmental Impact Statement is required for Locally Significant Natural Areas in accordance with Policy 13.9.5; it will be prepared by a qualified professional and submitted with the development application to the Township for review in consultation with the Region and the Grand River Conservation Authority.

13.17.2 Environmental Impact Statements for development affecting Locally Significant Natural Areas will be prepared in accordance with the Regional Implementation Guideline on the preparation of Environmental Impact Statements.

13.17.3 Where the Township, in consultation with Region and the Grand River Conservation Authority, determines that the preparation of an Environmental Impact Statement, for development proposed in or contiguous to a Locally Significant Natural Area, would serve no useful purpose, it may waive the requirement to complete such a

study, or scope the nature of the study, subject to terms and conditions of approval that the Township may deem appropriate to conserve natural features.

13.18 ENVIRONMENTAL IMPACT STATEMENTS FOR FISH HABITAT

- 13.18.1 Any development proposed contiguous to designated fish habitat, identified by the Grand River Conservation Authority, will require the preparation and submission of an Environmental Impact Statement for review by the Grand River Conservation Authority in accordance with Section 13.6 of this Plan.
- 13.18.2 In addition to the submission requirements outlined in Section 13.6 of this Plan, the submission of an Environmental Impact Statement for development or site alteration that will cause harmful disruption or destruction of fish habitat, shall specify compensation for loss of fish habitat through near site replacement of habitat, off-site replacement of habitat or on-site increase in habitat capacity. Such compensation proposals will be reviewed by the Federal Ministry of Fisheries and Oceans or their designate.
- 13.18.3 Any requirements imposed through an Environmental Impact Statement must be implemented by the proponent to the satisfaction of the Grand River Conservation Authority.

13.19 CONTAMINATED SITES

- 13.19.1 Contaminated sites policies apply to sites and facilities within the Township which are or may be contaminated and pose a risk to human and environmental health. The purpose of these policies is to ensure that the site restorations are completed in a manner that meets criteria set by the Province in conjunction with any development approvals by the Township.
- 13.19.2 When development is proposed on or adjacent to a property known to be, suspected to be, or potentially a contaminated site, the owner will be required to conduct an appropriate level of Environmental Site Assessment in accordance with the Province's Guideline for Use at Contaminated Sites in Ontario (June, 1996).
- 13.19.3 Development applications will not receive final approval until the owner demonstrates that the site assessment (and restoration if required) has been completed in accordance with the Province's Guideline for Use at Contaminated Sites in Ontario, June 1996, and the site is suitable for the proposed permitted use(s).
- 13.19.4 In instances where the Township is deeded land for public highways, road widenings, parkland, stormwater management, easements or for any other purpose, the Township may require evidence, as a condition of the transfer, that no environmental contamination has occurred on the subject lands, that the lands have been satisfactorily restored, or that a record of on-site contaminants is provided.

13.19.5 The closure of landfill sites and other facilities identified under the Environmental Protection Act are subject to the closure conditions of a Certificate of Approval.

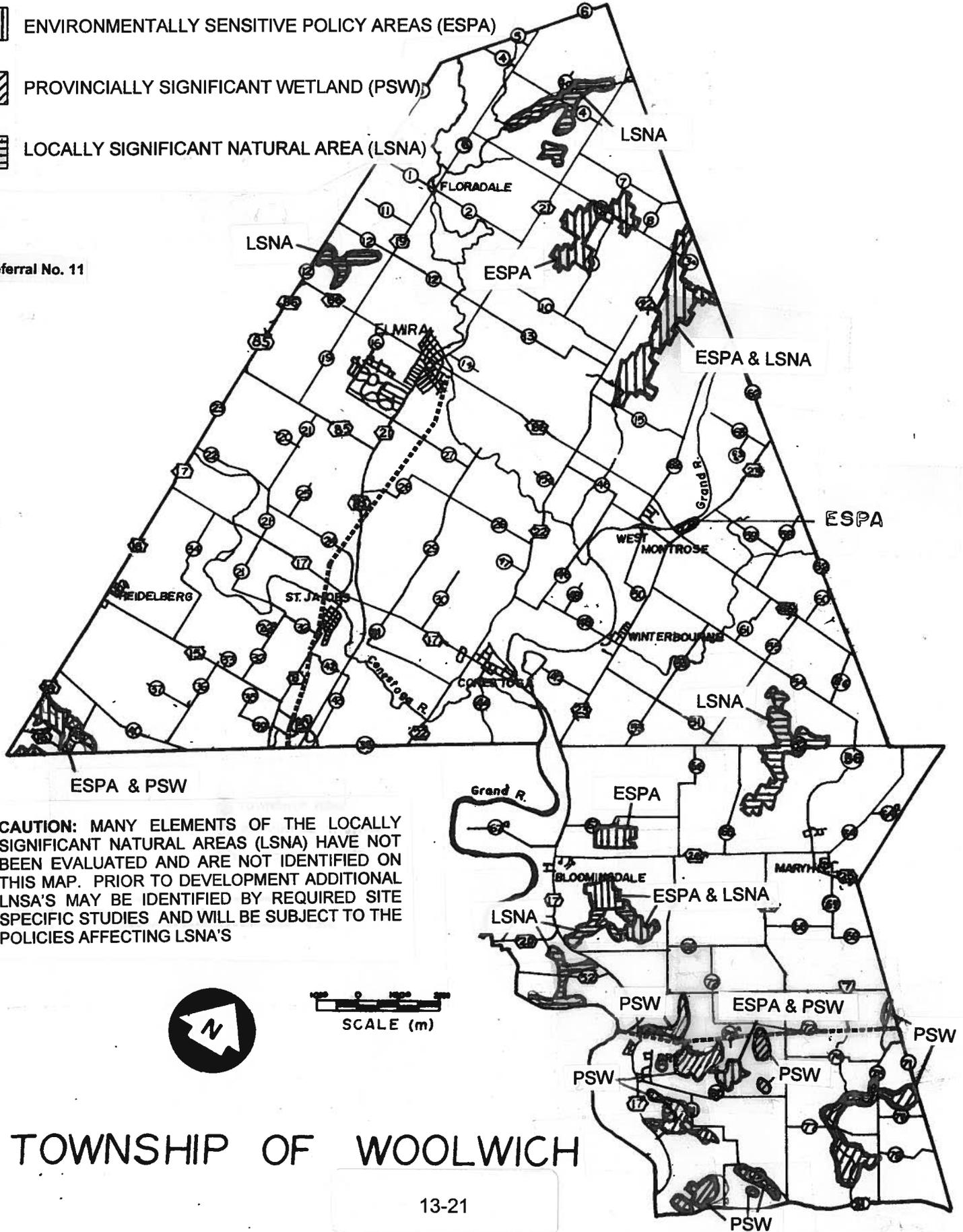
ENVIRONMENTAL AREAS MAP

 ENVIRONMENTALLY SENSITIVE POLICY AREAS (ESPA)

 PROVINCIALY SIGNIFICANT WETLAND (PSW)

 LOCALLY SIGNIFICANT NATURAL AREA (LSNA)

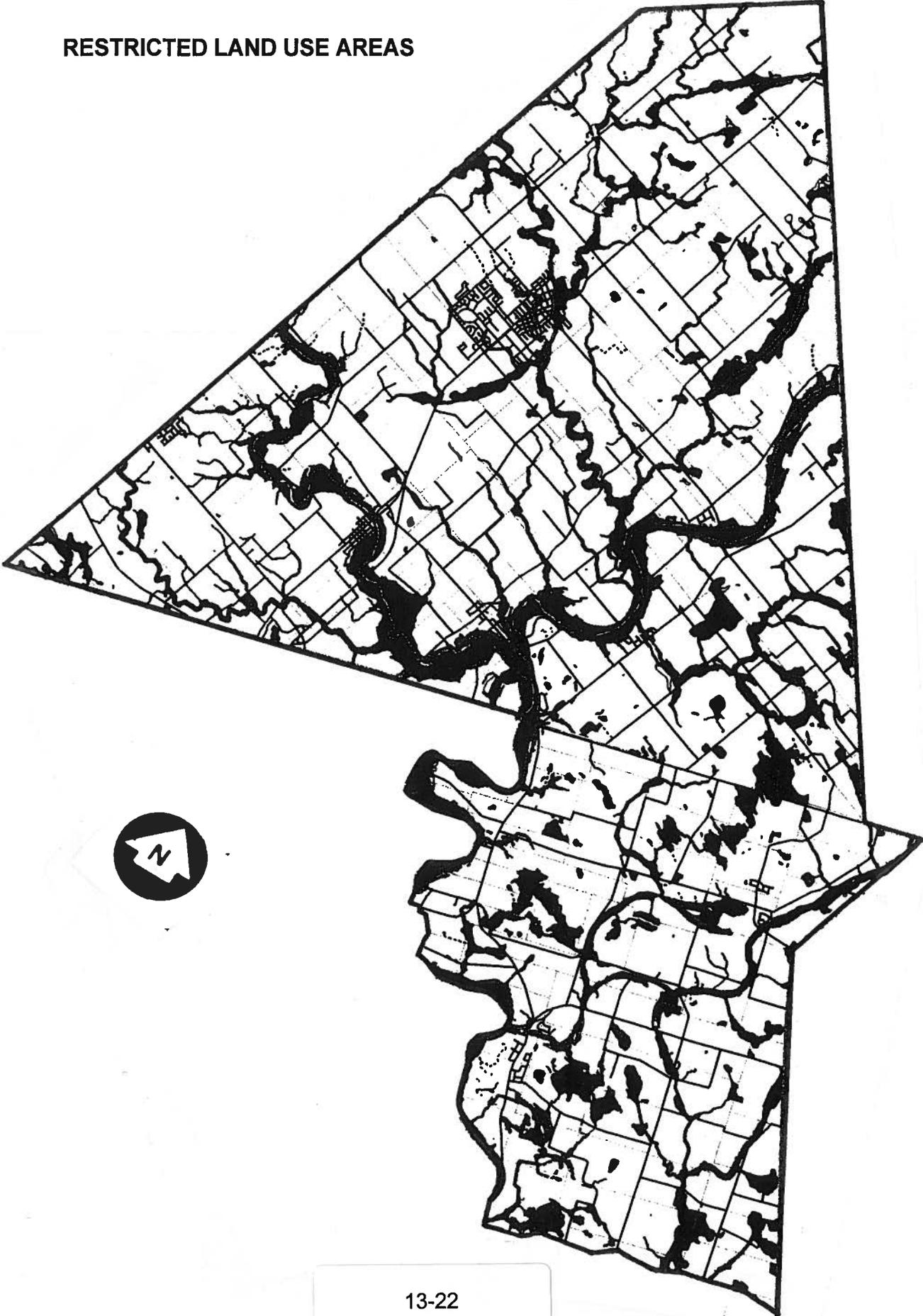
Deferral No. 11



CAUTION: MANY ELEMENTS OF THE LOCALLY SIGNIFICANT NATURAL AREAS (LSNA) HAVE NOT BEEN EVALUATED AND ARE NOT IDENTIFIED ON THIS MAP. PRIOR TO DEVELOPMENT ADDITIONAL LSNA'S MAY BE IDENTIFIED BY REQUIRED SITE SPECIFIC STUDIES AND WILL BE SUBJECT TO THE POLICIES AFFECTING LSNA'S

TOWNSHIP OF WOOLWICH

RESTRICTED LAND USE AREAS



FLOOD PLAIN MAP

FLOOD PLAIN

