

3. The County may waive the requirement for an EIS for development on adjacent lands where it is determined, in consultation with the appropriate agency, that there will be no negative impact on the natural features or ecological functions for which the area has been identified.

### 3) POLICIES FOR NATURAL ENVIRONMENT AREAS<sup>13</sup>

#### PERMITTED USES

1. Permitted uses for Natural Environment Areas that are not Provincially Significant **Wetlands** or Habitat of Endangered and Threatened Species and on those lands adjacent to these Natural Environment Areas, shall be limited to the following:<sup>14</sup>
  - a) established agricultural operations on existing cleared areas;
  - b) forestry and facilities for the production of maple syrup;
  - c) existing residences;
  - d) construction of a dwelling or structure on an existing lot of record subject to the relevant policies contained in this Plan, and an Environmental Impact Study requiring conservation authority approval that ensures the residence is located, designed and constructed so that no negative impacts on the natural features or their ecological functions occur;
  - e) wildlife, wetland or fishery management projects;
  - f) outdoor education or research activities; and
  - g) recreational activities which do not require site alteration such as buildings/structures, landscaping, grading, filling or the removal of natural vegetation so that no negative impacts on the natural features or their ecological functions occur.

The Natural Environment Areas are: provincially significant areas of natural and scientific interest, (both earth and life sciences); environmentally sensitive areas; fish habitat; Carolinian Canada sites; and locally significant and unevaluated **wetlands**. Natural Environment features which have not been identified on the map schedules include significant woodlands; significant valley lands; significant natural corridors and linkages; and significant wildlife habitat.

#### ENVIRONMENTAL IMPACT STUDIES (EIS)

2. There are some Natural Environment Areas where development beyond those uses outlined above may be permitted. Prior to the approval of development in Natural Environment Areas which are not Provincially Significant Wetlands or Habitat of Endangered and Threatened Species, an EIS must be completed to demonstrate that there are no negative impacts on the natural features and their ecological functions.<sup>15</sup> In some cases, Provincial legislation may supersede the County's requirement for an Environmental Impact Study.<sup>16</sup>

#### EIS FOR DEVELOPMENT ON ADJACENT LANDS

3. Prior to approval of development on lands adjacent to a Natural Environment Area, an EIS will be required to demonstrate that there will be no negative impacts on the natural features or their ecological functions. Lands adjacent to

<sup>13</sup> Ministry Modification – June 8, 2009

<sup>14</sup> Ministry Modification – June 8, 2009

<sup>15</sup> Ministry Modification – June 8, 2009

<sup>16</sup> Ministry Modification – June 8, 2009

Natural Environment Areas that are not Provincially Significant Wetlands or Habitat for Endangered and Threatened Species include those within:<sup>17</sup>

- a) 30 metres of fish habitat measured from the high water mark;
- b) 50 metres of a significant valleyland; the edge of a significant woodland or Carolinian Canada site; all provincially significant Areas of Natural and Scientific Interest; significant wildlife habitat; significant natural corridors; and all environmentally sensitive areas as defined by the County Plan;
- c) 120 metres for locally significant and unevaluated wetlands 2.0 hectares in size or greater;
- d) 30 metres for locally significant wetlands and unevaluated wetlands less than 2.0 hectares in size.

The County and conservation authority may require that an EIS be submitted in the form of a site sketch to address environmental impacts by demonstrating certain setbacks will be maintained for development on adjacent lands.<sup>18</sup>

The County may waive the requirement for an EIS for development on adjacent lands where it is determined, in consultation with the appropriate agency, that there will be no negative impact on the natural features or ecological functions for which the area has been identified.

4. Development and site alteration shall not be permitted in fish habitat except in accordance with Provincial and Federal requirements. All fish habitat, including those used seasonally shall be protected. When development is proposed which may affect fish habitat, the applicable conservation authority will review development alternatives to achieve no net loss of productive capacity and seek a net gain whenever possible. The minimum vegetative buffer and setback for development is 15 metres from a warm water stream or **Type 2 and Type 3 fish habitat** and a minimum vegetative buffer and setback for development is 30 metres from a cold water stream or **Type 1 fish habitat**. Additional setbacks may be required as recommended by an EIS. Portions of Mill Creek are the only cold water stream locations identified within Haldimand County.
5. Woodlands are recognized as providing important economic and environmental contributions to the community and as such, shall be protected from incompatible development. This shall include the protection of identified natural linkages which provide a corridor for the movement of forest wildlife species. The County supports good forestry practices and the sustainable harvesting of timber within all woodlands. Further, the County recognizes the environmental importance of retaining woodlands.
6. Prior to the County completing a Natural Environment/Greenlands Study, development proposals within or adjacent to a wooded area,<sup>19</sup> will be reviewed in accordance with the criteria in Schedule "H" to determine significance. Woodlands meeting two or more criteria will be considered significant.

FISH HABITAT

WOODLANDS

<sup>17</sup> Ministry Modification – June 8, 2009

<sup>18</sup> Ministry Modification – June 8, 2009

<sup>19</sup> Ministry Modification – June 8, 2009

Development proposals within significant woodlands shall be subject to an Environmental Impact Study.<sup>20</sup>

#### FOREST CONSERVATION BY-LAW

7. Development within and/or adjacent to woodlands as defined by the Forest Conservation By-law may be reviewed by the County Forester. Prior to removal of trees within woodlands defined in the Forest Conservation By-law, a permit may be required.

#### LINKAGES

8. Linking Natural Environment Areas will be promoted where feasible. Some Natural Environment Areas may be isolated so that they cannot be linked to the Natural Environment system. Corridors and links which would improve or enhance the ecological functions of designated Natural Environment Areas will be identified in consultation with the Ministry of Natural Resources, conservation authorities, non-government organizations and private landowners. Some corridors or links may need to be developed over time through initiatives such as reforestation or regeneration projects.
9. The County encourages the enhancement of a regional natural environment system by connecting it with local public open space through trails and corridors. Landowners will be encouraged to protect the identified corridors and links through private stewardship. A Natural Environment/Greenlands Study will be required to determine linkages. Such linkages will be identified through an amendment to this Plan.

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## B. WATER RESOURCES

### 1) SOURCE WATER PROTECTION

#### SOURCE WATER PROTECTION

1. **Water Resources** are important to this County. These resources include both groundwater and surface water systems, and more specifically; wetlands, ponds, lakes, streams, rivers and underground aquifers. Water is essential to all biological forms, in addition to providing for domestic, industrial, recreational and agricultural needs. The County is committed to ensure a high quality and sufficient supply of water to satisfy those needs.

The protection, conservation and careful management of water resources is necessary in order to meet both present and future needs. As contamination is extremely difficult, costly and sometimes impossible to rectify, prevention of contamination is the best strategy.

The coordination of the various responsibilities of many public agencies is required to ensure protection, conservation and management of the County's water resources. The public agencies include Ministry of Environment, Ministry of Health, the Ministry of Natural Resources, conservation authorities, as well as the County. The cooperation of industries, farmers and individuals is also critical for the concerted effort needed.

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<sup>20</sup> Ministry Modification – June 8, 2009