

SECTION 13 – NATURAL HERITAGE FEATURES

13.1 **INTERPRETATION**

In addition to the terms defined in this **By-law**, the following terms shall have the corresponding meanings for the purposes of this Section:

- (a) **“Adjacent Land”** means, in the context of the Provincial Policy Statement on Wetlands, those lands within 120 metres of a **Wetland** and those lands within a **Wetland** complex which have not been subject to a “Comprehensive” **Environmental Impact Study**; or the area contiguous to a **Wetland** or a **Wetland** complex as defined by a “Comprehensive” **Environmental Impact Study**;
- (b) **“Development”** means:
- i) the construction or erection or placing of one or more **Buildings** or **Structures** on lands;
 - ii) activities such as site grading, excavation, removal of top soil or peat and the placing or dumping of fill;
 - iii) drainage works, except for the maintenance of existing municipal and agricultural drains; and
 - iv) various forms of intensification.

In spite of the above definition, for Section 12.4 of this **By-law** – Regulations for Lands Within the Special Policy Area (S.P.A.) development means the construction, erection or placing of one or more **Buildings** or **Structures** on lands, or an addition or alteration to a **Building** or **Structure** which adds more than 50% of the existing **Ground Floor Area** to the **Building** or **Structure**;

- (c) **“Environmental Impact Study (EIS)”** means a study conducted prior to **Development** to investigate the potential environmental impact of **Development** and such study determines whether a particular **Development** should proceed, and if so, what actions or measures are required to minimize adverse impact on the environment and:

for the purposes of implementing the **Wetlands** Policy Statement regarding **Provincially Significant Wetlands**, a variety of types of Environmental Studies are outlined in Appendix B of the Implementation Guidelines Manual to the Wetlands Policy Statement (November 1992) and reference to this document shall be made for clarification of what constitutes an **Environmental Impact Study**;

- (d) **“Linkages”** means natural areas that connect Natural Heritage Features. These linkages are important to maintain or establish an interconnected natural heritage system whereby passage of otherwise isolated plants and animals of the same species can occur to maintain genetic viability, health, and diversity;
- (e) **“Natural Corridor”** means a linear biophysical feature including a stream or a ravine which serves as an essential passageway for native plant and animal species and communities including migratory routes, passage between different habitat types for animals requiring a variety of habitat types to survive and pathways for movement and reproductive interchange between different populations of the same plant or animal species. In addition, where these corridors are associated with streams, these natural corridors also serve as essential buffers to protecting the integrity of the stream’s ecosystem;
- (f) **“Redevelopment”** means the removal of a **Building** or **Structure** from land and the construction of a new **Building** or **Structure** on the said land or the rehabilitation and renewal of an existing **Building** or **Structure**.

In spite of the above definition, for Section 12.4 of this **By-law** – Regulations for Lands Within the Special Policy Area (S.P.A.) redevelopment means the removal of a **Building** or **Structure** from any **Place** and the construction or erection of a new **Building** or **Structure** at the said **Place** and includes an addition to an existing **Building** or **Structure** which is larger than 50% of the total **Ground Floor Area** of the existing **Building** or **Structure**;

- (g) **“Wetland”** means lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. For the purposes of this Zoning **By-law**, **Wetlands** also include **Wetland** complexes as defined by the Provincial Policy Statement on **Wetlands**;
 - i) **“Locally Significant Wetland”** means the classification of a particular **Wetland** according to the Evaluation Methodology used by the Ministry of Natural Resources and for the Guelph area, Classes 4 through 7 **Wetlands** are considered Locally Significant; and
 - ii) **“Provincially Significant Wetland”** means the classification of a particular **Wetland** according to the Evaluation Methodology used by the Ministry of Natural Resources and for, the Guelph area, Classes 1,2, and 3 **Wetlands** are considered Provincially

Significant.

13.2 WETLAND (WL) ZONE

13.2.1 Permitted Uses

Wetland

Flood Control Facility

Recreation Trail (approved by the Grand River Conservation Authority)

Wildlife Management Area

13.2.2 Regulations

Within the **Wetland (WL) Zone** all lands have been placed in a non-development designation. No construction of **Buildings** or **Structures**, removal or placement of fill, or any other **Development** or **Redevelopment** shall be permitted.

Despite the above, **Buildings** or **Structures** existing on the date of the passage of this **By-law** within the WL **Zone** shall be recognized as legal non-conforming.

13.3 LANDS ADJACENT TO PROVINCIALY SIGNIFICANT WETLANDS

Lands adjacent to **Provincially Significant Wetlands** have a shading pattern placed on them in the Defined Area Zoning Maps and are subject to the following regulations:

15006 13.3.1 Properties with **Adjacent Lands** shading shall be required to complete an **Environmental Impact Study** when a **Development** or **Redevelopment** proposal, requiring an Official Plan amendment, a Zoning **By-law** amendment, a plan of subdivision (excluding a plan of condominium), or a consent is submitted for the portion of the property with **Adjacent Lands** shading.

15006 13.3.1.1 Plans of condominium will be exempted from having to complete an **Environmental Impact Study** only if the lands to which the plan of condominium applies have had a required **Environmental Impact Study** approved through a plan of subdivision, Official Plan amendment, Zoning **By-law** amendment, or consent.

15006 13.4 **LOCALLY SIGNIFICANT WETLANDS, SIGNIFICANT WOODLOTS, NATURAL CORRIDORS, AND LINKAGES**

Locally Significant Wetlands, significant woodlots, **Natural Corridors** and **Linkages** have a shading pattern placed on them in the Defined Area Maps. Properties with **Locally Significant Wetlands**, significant woodlots, **Natural Corridors** and **Linkages** shall be required to complete an **Environmental Impact Study** when a **Development** or **Redevelopment** proposal, requiring an Official Plan amendment, a Zoning **By-law** amendment, a plan of subdivision (excluding a plan of condominium), or a consent is submitted for lands within the shaded areas of the property.

15006 13.4.1 Plans of condominium will be exempted from having to complete an **Environmental Impact Study** only if the lands to which the plan of condominium applies have had a required **Environmental Impact Study** approved through a plan of subdivision, Official Plan amendment, Zoning **By-law** amendment, or consent.