

SECTION 18A: ZONE 12A - Z.12A

Section 18A: ENVIRONMENTAL PROTECTION ONE (EP1) 12A – 12A

Explanatory Note: Zone 12A – Z.12A applies to lands that are within:

- Environmental Preservation Areas, Provincially Significant Wetland Areas, Natural Heritage buffers established through an Environmental Impact Statement, or Natural Hazards.

The zone limits for the Environmental Protection One (EP1) may be refined, and minor areas added or deleted without amendment to the Township's Zoning By-law. The location of an amended boundary will be determined through an Environmental Impact Statement and/or through consultation with the applicable agency, including the Region of Waterloo and the Grand River Conservation Authority.

18A.1 PERMITTED USES

Within a Zone 12A – Z.12A, no land shall be used and no building or structure shall be erected or used except in accordance with the following uses:

- a farm on existing cleared areas, excluding new farm buildings, structures and accessory dwellings. Notwithstanding this clause, a farm accessory structure may be permitted in the floodplain provided a permit is obtained from the Grand River Conservation Authority under The Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses, Ontario Regulation 150/06 (an any amendments thereto);
- municipal services and public utilities, excluding essential emergency services such as: police, fire and ambulance
- wildlife management area
- forest management area
- buildings or structures intended for erosion control, normally operated and maintained by a public authority

18A.2 EXISTING USES TO CONTINUE

Where a building or structure and/or land use that legally existed at the date of the passing of this By-law, such buildings and lands may continue to be used for the same purposes, but may not be reconstructed, except in circumstances outlined below. Expansions to an existing use as described herein may be permitted subject to the approval of the Township and the Grand River Conservation Authority. Buildings or structures existing on the date of the passage of this By-law within the Environmental Protection One (EP1) 12A- Z. 12A shall be recognized as legal non-conforming.

Where an existing use, building or structure is destroyed by fire, flood, or any act of God, such building or structure may be restored and reconstructed to the same dimensions/footprint and on the same lot provided the yard depths existing at the time prior to the destruction are maintained or are not reduced to a depth less than required by the Township's Zoning By-law, provided that a building permit for such restoration or reconstruction, is issued within one year of the date of destruction, subject to the approval by the Township of North Dumfries and the Grand River Conservation Authority. The Township and the Grand River Conservation Authority may consider an alternate

location for the use, building or structure if the alternate location reduces the impact on the natural heritage features and functions or natural hazard risks.

18A.3 RESTRICTED USES

Without expanding the permitted uses, or limiting the restricted uses, the following uses shall specifically not be permitted:

- no new development or redevelopment is permitted within: the significant portion of the habitat in the Environmental Protection Area, Provincially Significant Wetlands, or areas susceptible to Natural Hazards;
- institutional uses such as hospitals, nursing homes, senior citizens residences, schools, day care centres, residential care facilities;
- any manufacturing use or storage of dangerous, flammable, explosive, toxic, corrosive, or buoyant materials;
- major expansions or increase in habitable units to existing residential uses will be required to meet the Provincial requirements for Safe Access and Egress by emergency vehicles;
- essential services such as police, fire, ambulance, major electrical substations;
- private sewage disposal systems (both primary and alternate systems locations).

GLOSSARY:

Adjacent – those lands contiguous to a specific natural heritage feature or area where it is likely that development or site alteration would have a negative impact on the feature or area.

Buffers – an area adjacent to a natural heritage feature that has been identified through an Environmental Impact Statement as integral to the form and function of the natural heritage feature.

Conservation Area – a place designated by the Ministry of Natural Resources as environmentally sensitive and includes any area owned by a Conservation Authority.

Environmental Impact Statement – a study prepared in accordance with established procedures to refine the boundaries of elements of the Natural Habitat Network, identify the potential impacts of a development application on such elements, and recommend a means of preventing or minimizing these impacts through avoidance or mitigation. As defined in ROPP Glossary.

Environmental Preservation Areas - include those lands which may be identified for protection as the significant portions of habitat of Endangered Species; and/or the significant portions of habitat of Threatened Species. As defined in Regional Official Policies Plan (ROPP) (Section 4.2).

Environmentally Sensitive Policy Area – as identified in the ROPP (Section 4.3) and the Township of North Dumfries Official Plan (Section 6.1.4 and Map No. 6A)

Fish Habitat – the spawning grounds and nursery, rearing, food supply, and migration areas on which fish depend or indirectly in order to carry out their life processes. As identified in the Township of North Dumfries Official Plan (Section 6.1.5)

Forest Management Area – an area subject to the management of trees, woodlots and forests for the sustainable production and harvesting of wood and wood products, excluding the associated structures and new or improved access/egress routes.

Locally Significant Natural Areas - as identified in the Township of North Dumfries Official Plan (Section 6.1.8 and Map No. 6B)

Natural Hazards - lands having physical and environmental constraints such as: steep slopes, flood susceptibility, organic soils, erosion susceptibility, permanent water holding areas, other geophysical limitations, and all of their associated buffers and setbacks, which place limitations on development, as identified in the Township of North Dumfries Official Plan (Section 6.2 and Map No. 6C).

Wildlife Management Area – an area of land in which one or more wildlife species are protected or given sanctuary.