

Town of Huntsville Official Plan Review - POLICY BACKGROUND PAPER

Sustainable Natural Environment – Wetlands

BACKGROUND:

- Wetlands are an important natural resource. The ecological, social and economic benefits that can be attributed to wetlands are substantial.
- Wetlands maintain and improve water quality, help control flooding, provide habitat for fish and wildlife; provide conditions for a wide variety of vegetation (including rare and unusual species), and contribute to substantial social and economic benefits such as hunting, fishing, wildlife viewing and appreciation of nature in general.
- The responsibility for confirming significance of wetlands lies with MNRF, this means that if an unevaluated wetland is identified and/or encountered during a planning application, the wetland should be evaluated using the procedures set out in the [Ontario Wetland Evaluation System - Northern Manual](#) to determine its significance and thereby determine which PPS wetland policies apply. MNRF identifies PSWs, however, locally significant wetlands can be identified at a local level.
- The Town of Huntsville is located within Ecoregion 5E. The PPS does not allow for development within Provincially Significant Wetlands.
- Huntsville contains numerous wetlands, with four identified as provincially significant: Axe Lake Wetland, Big East River Delta Wetland, Novar Bog Wetland, and Siding Lake Wetland. Locations of these wetlands are provided in Appendix 1.
- Axe Lake Wetland is considered the second most significant site in Ontario for Atlantic Coastal Plain plants. The area associated with Axe Lake was designated as an Area of Natural and Scientific Interest, which covers about half of the Axe Lake Wetland. A portion of the Axe Lake Wetland (the portion south of the ANSI) was chosen to be a Muskoka Heritage Area in 1994, and is called the Axe Lake Peatland. It represents the best example of swamp and organic deposits within Muskoka. Approximately one-third of the wetland (most of the Crown land portion of the wetland) is included within the Axe Lake Wetland Conservation Reserve, which was formed under the Ontario's Living Legacy initiative to protect natural areas. A portion of the Axe Lake Wetland is north of Huntsville's/Muskoka's boundary, and cross-jurisdiction collaboration is required.

POLICY CONTEXT:

Provincial Policy Statement (2014):

2.1 Natural Heritage

2.1.4 *Development and site alteration shall not be permitted in significant wetlands in Ecoregions 5E; and*

2.1.5 *Development and site alteration shall not be permitted in:*
significant wetlands in the Canadian Shield north of Ecoregions 5E;
significant wildlife habitat;
significant areas of natural and scientific interest; and

coastal wetlands in Ecoregions 5E, that are not subject to policy 2.1.4(b) unless it has been demonstrated that there will be no *negative impacts* on the natural features or their *ecological functions*.

2.1.8 *Development and site alteration* shall not be permitted on *adjacent lands* to the *natural heritage features and areas* identified in policies 2.1.4, 2.1.5, and 2.1.6 unless the *ecological function* of the *adjacent lands* has been evaluated and it has been demonstrated that there will be no *negative impacts* on the natural features or on their *ecological functions*.

4.7 Implementation

Official plans shall identify provincial interests and set out appropriate land use designations and policies. To determine the significance of some natural heritage features and other resources, evaluation may be required.

Muskoka Official Plan & Policy Directions Report:

F.3 Maintain and enhance the quality of Muskoka's natural resources.

F.7 Protect natural areas from development on adjacent lands.

F.9 Encourage the maintenance of ground and vegetative cover and the natural landscape, to preserve the natural appearance and aesthetics and provide a natural buffer particularly in the Waterfront designation; and restore and preserve natural habitat where it has been artificially altered.

F.11 The enhancement and preservation of the natural environment shall be incorporated within any development or redevelopment proposal.

F.65-69 Identify wetlands, limit development, have regard to preservation and protection of wetland areas.

F.97 Some regionally significant wetlands have been identified as Muskoka Heritage Areas, and are protected from incompatible development.

First Draft Muskoka Official Plan:

F1.2 Development and site alteration shall not be permitted in significant wetlands, all other wetlands, or on adjacent lands, unless it can be demonstrated that there would be no negative impacts on the wetland or its ecological function.

F1.3 Wetlands are identified and defined.

Town Strategic Documents:

Strategic Plan

Natural Environment and Sustainability

Goal #1: Demonstrate the Town's commitment to protecting the quality and character of the natural environment.

Goal #2: Integrate sustainability principles into planning and development policies and processes.

Unity Plan

Goal #5 Land Use Planning: Huntsville will become a model of sustainable community development, by incorporating the principles of smart growth, sustainable design and green buildings into all land use planning decisions. This will include a commitment to the protection and maintenance of Huntsville's rural small town character and vibrant downtown, both of which are valued by the community.

Huntsville Official Plan:

Environment:

3.1.1 Conservation of the overall natural landscape.

3.1.2 Sensitive areas shall be protected.

3.1.3 Land management practises that reduce and minimize use of chemicals etc. for treatment of land vegetation will be encouraged.

3.1.7 Not all sensitive features have been identified, site specific evaluations may be required prior to development.

3.1.9 Development may occur on lands adjacent to sensitive areas provided the use doesn't negatively impact the function of the sensitive feature.

3.3 Functions of water resources will be protected and enhanced.

3.4 Wetlands are defined, 4 significant wetlands (SWs) and some locally significant wetlands are also identified.

3.4.5 Development or site alteration within a SW is prohibited.

3.4.6 Adjacent lands to PSWs require an assessment of negative impacts prior to consideration being given.

3.4.7 Provided that there would be no impact on the natural or ecological function of the wetland, some site alteration and uses may occur, such as: open space uses that do not result in landform alteration or substantial vegetation removal; uses to assist in conserving or managing water, wildlife or other natural features; for educational or scientific purposes; or commercial /economic activities based on resource features (wild rice harvesting).

3.4.8 Limited compatible development may be permitted adjacent to wetlands, if it can be demonstrated that the integrity of the wetland would be preserved.

CONSIDERATIONS:

- Many wetlands that are not considered PSWs or Muskoka Heritage Areas have not been evaluated. Although not required by the PPS, as all wetlands play an important role in moderating the impacts of climate change (carbon sink), MNRF encourages their protection from development and site alteration.
- MNRF recommends if unevaluated wetlands are identified and/or encountered, the wetland should be evaluated using the Ontario Wetland Evaluation System Northern Manual to determine its significance and determine which PPS wetland policies apply.
- At present, the Official Plan prohibits development and site alteration within PSWs. However, it does not identify an adjacent lands distance for evaluation of development. While sensitive lands are to be protected, similarly to PSWs, it does not identify an adjacent lands distance.
- MNRF's 2010 *Natural Heritage Reference Manual* recommends that "adjacent" lands generally be considered to be those lands within 120 metres of provincially significant wetlands.
- The PPS represent minimum standards. The Town could choose to go beyond the minimum standards when establishing policies. The ecological, social and economic values of wetlands in general should be considered.

SUMMARY:

A review of best practices from other municipalities across Muskoka has revealed that the following policy approaches may assist in addressing some of the considerations:

- Maintain existing OP policies which recognize the importance of water resources, including wetlands, and supports their protection.
- Given that wetlands are generally not suitable locations for development from a biological and natural hazards perspective, all wetlands should be protected by placing them in a restrictive designation, and depicted in an O.P. Schedule.
- "Adjacent lands" need to be addressed and defined to ensure that development does not negatively impact the features or functions of values to be protected. The wording of this policy should be adjusted to ensure it is consistent with the PPS. The policy should refer to both development and site alteration. It should be clear that development and site alteration will not be permitted on lands adjacent to any wetland unless it has been demonstrated that there will be no negative impacts on the wetland features or its ecological functions.
- Identify a 120m buffer (adjacent lands) on PSW/ANSIs and a 30m buffer for all other unevaluated wetlands.
- Allow flexibility to identify areas adjacent to wetlands not just based on distance but ecological function.

- Remove provision to permit site alteration and development within wetlands.
- To ensure wetland protection MNRF encourages the Town to pass a site alteration by-law prohibiting or regulating the placing or dumping of fill, the removal of topsoil such as peat, and the alteration of the grade of land.

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