

Section 12: Hazard and Wetland Zones

Within a Hazard (H) Zone, and Wetland (W) Zone, no person shall use any land, or erect, locate or use any building or structure for or except such purposes and according to such provisions as may be set out in the following sub-sections.

All other provisions of this By-law also apply. This Section must be read in conjunction with the additional reference and requirements found in Section 3: Definitions, and Section 5: General Provisions.

12.1 Hazard (H) Zone

12.1.1 H - Permitted Uses

- a) Forestry
- b) Uses connected with the conservation of water, soil, wildlife and other natural resources.
- c) Non-intensive agriculture
- d) Passive recreational uses
- e) Public utilities and essential municipal services
- f) Flood and erosion/sediment control structures
- g) Portable or floating docks and boathouses only where the hazard area is associated with a Cold or Warm Water Lake.
- h) Existing electric power generation facilities and accessory uses, buildings and structures

12.1.2 H – Zone Provisions

- a) Buildings structures within the Hazard zone are prohibited except for flood and erosion/sedimentation control structures
- b) New development or construction requiring access through Hazard lands may require a fill permit from the appropriate Conservation Authority
- c) Written permission may be required from the applicable Conservation Authority pursuant to Ontario Regulation 97/04 – Development, Interference with Wetlands and Alterations to Shorelines and Watercourses where development or site grading is proposed within a Regulated Area as shown on schedules filed with the Conservation Authority, where such mapping exists, or otherwise generally within or near the Hazard Zones.
- d) Prior to the placement of a portable or floating dock or boathouse, approval must be obtained from the appropriate approval authority (i.e. Municipality, County, Conservation Authority, Niagara Escarpment Commission) and Ontario Power Generation (where the dock or boathouse is located on Ontario Power Generation lands).
- e) The Hazard (H) Zone boundaries identified on the Schedules to this By-law are intended to generally identify areas of existing or potential natural hazards. Notwithstanding Section 4.2, the boundaries of the Hazard (H) Zone are subject to minor changes without formal amendment to this By-law or Schedules to this By-law when approved by the appropriate approval authority (i.e. Municipality, County, Conservation Authority, Niagara Escarpment Commission). This may occur where detailed resources mapping and/or site inspection results in a minor re-interpretation of the limits of the Hazard zone boundary.

The word 'minor' in the context of this Section is intended to represent a technical exercise of reviewing a site-specific property in greater detail than was undertaken as part of the preparation of this By-law. A minor adjustment must maintain the intent of the Hazard zone as established in this By-law.

Changes to the Hazard Zone boundary shall be incorporated in subsequent consolidations of this By-law.

12.2 Wetland (W) Zone

12.2.1 W - Permitted Uses

- a) Forestry in the form of reforestation and regeneration, including sustainable forest management practices such as improvement operations, and excluding commercial logging and managed woodlots.
- b) Uses connected with the conservation of water, soil, wildlife and other natural resources.

12.2.2 W – Zone Provisions

- a) Written permission may be required from the applicable Conservation Authority pursuant to Ontario Regulation 97/04 – Development, Interference with Wetlands and Alterations to Shorelines and Watercourses where development or site grading is proposed within a Regulated Area as shown on schedules filed with the Conservation Authority, where such mapping exists, or otherwise generally within or near the Wetland Zones.