

THE CORPORATION OF THE MUNICIPALITY OF HASTINGS HIGHLANDS

BYLAW 2019-024

BEING A BYLAW TO ADOPT A POLICY FOR PROTECTION AND ENHANCEMENT
OF THE TREE CANOPY AND NATURAL VEGETATION

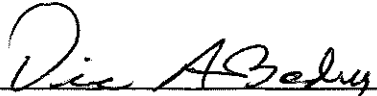
WHEREAS the *Municipal Act, 2001*, S.O. 2001, c.25 provides that every municipality shall establish policies with respect to the manner in which it will protect and enhance the tree canopy and natural vegetation in the municipality;

AND WHEREAS the tree canopy and vegetation in the Municipality of Hastings Highlands are protected by the County's Official Plan;


**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE
MUNICIPALITY OF HASTINGS HIGHLANDS ENACTS AS FOLLOWS;**

1. **THAT** the Council of the Municipality of Hastings Highlands hereby confirm that the policies set out in Sections 4.3, 4.3.5, 5.10, 7.9.5 and 7.10 of the Official Plan, as identified in Schedule 'A' attached hereto, shall constitute the policy as required by Section 270(1)7 of the *Municipal Act, 2001*;
2. **THAT** the Policy attached hereto as Schedule "A" constitutes an integral part thereof;
3. **THAT** the Mayor and Clerk be and are hereby authorized to sign this Bylaw and affix the corporate seal thereto;
4. **THAT** this Bylaw shall come into effect on February 28, 2019.

ENACTED and PASSED in Council this 20th day of February, 2019.



Vic A. Bodnar, Mayor



(Ms.) Pat Pilgrim, CAO/Clerk

SCHEDULE "A" to BYLAW 2019-024

Hastings County Official Plan

4.3 Natural Heritage Features and Areas

4.3.1 Natural Heritage System

4.3.1.1 A natural heritage system is a system made up of natural heritage features, areas, and linkages intended to provide connectivity and support natural processes which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species, and ecosystems.

4.3.1.2 The County's Natural Heritage System is comprised of Areas of Natural and Scientific Interest (ANSIs), Significant Wildlife Habitat, Floodplains, Parks and Conservation Reserves and Areas, Local and Provincially Significant Wetlands, Significant Valleylands, and Significant Woodlands. These features are all shown on Appendix 6 – Natural Heritage System. The linkages shown on Appendix 6 – Natural Heritage System are conceptual; however, the County encourages the maintenance, restoration, or improvements of these linkage areas to promote them as natural connections between the features of the Natural Heritage System.

4.3.1.3 The County's natural heritage resources are valuable and finely balanced. They have a finite capacity to support development and land use change.

4.3.1.4 The importance of and the need for stewardship, restoration and protection of the natural heritage system should be promoted through education and outreach activities in conjunction with Conservation Authorities, Stewardship Councils and other appropriate agencies (i.e. land trusts).

4.3.5 Significant Woodlands and Valleylands

4.3.5.1 Woodlands are treed areas that provide environmental and economic benefits to both private landowners and the general public, such as erosion prevention, hydrological and nutrient cycling, provision of clean air and long term storage of carbon, provision of wildlife habitat, outdoor recreational opportunities, and the sustainable harvest of a wide range of woodland products.

4.3.5.2 Significant woodlands, consisting of approximately 25,835 hectares of land, are located in Ecoregion 6E or the boundary between Ecoregion 6E and 5E and have been mapped on Natural Heritage Features and Areas Schedule OP-B to this Plan having been determined to meet any one or all of the following criteria:

- a) The woodland size is equal to or greater than 50 hectares (123 ac.);

- b) The woodland is adjacent to/or within 30 metres, of a major water body; or,
- c) The woodland is part of, adjacent to/or within 30 metres, of an ANSI (Life Science Area).

4.3.5.5 Development and site alteration shall not be permitted in significant woodlands or significant valleylands identified on Schedule OP-B to this Plan or on adjacent lands within 120 metres of the natural features unless it has been determined in an approved Environmental Impact Statement (EIS) pursuant to Part A – Section 7.8.6 of this Plan that there will be no negative impacts on the natural features or associated ecological functions. The removal of vegetation shall be minimized within significant woodlands and valleylands and adjacent lands. The preparation and implementation of forest management plans is encouraged for significant woodlands and valleylands.

4.3.5.6 The addition or expansion of significant woodlands and valleylands may be undertaken as per Natural Heritage Resource Manual criteria. Where a development is deemed to have the potential to be located within or adjacent to and/or impact upon a significant woodland or valleyland, the owner/proponent may be required to retain a qualified person to undertake a site evaluation report in accordance with Part A - Section 7.8.8 of this Plan. Where potential significant woodland or valleyland is identified or confirmed, a more detailed Environmental Impact Statement (EIS) may be required in accordance with Part A - Section 7.8.6 of this Plan prior to obtaining any necessary planning approvals. The results of the reports or studies shall be implemented as appropriate through such mechanisms as the zoning bylaw, development agreement, site plan agreement and/or conditions of approval.

5.10 Forestry – Bio-Economy

5.10.1 Forestry management uses include the protection, cultivation, management and harvesting of timber on private land and public lands, including but not limited to municipal lands, Conservation Agreement Forests, conservation reserves, conservation areas and Crown Lands.

5.10.2 Forestry management is acknowledged as a renewable, sustainable and priority resource for current and future generations. The forestry industry has played a central role in shaping settlement and is recognized as a major employer in the County, bringing in new money with its exports.

5.10.3 Today, although the extent of mature timber is less than in past generations, some of the largest contiguous stands of hardwood forests in southern Ontario are located in Hastings County. Forested areas provide an environment for the maintaining or improving of air quality, regulating water quality and quantity, soil conservation and erosion control; as well as supporting natural heritage systems such as wildlife habitat.

5.10.4 Forestry, including harvesting, sound forestry management and re-forestation practices, is a permitted activity in all land use designations, subject to the policies herein.

5.10.5 Forestry related industry such as sawmills and fuel wood operations are encouraged to be located in the Rural Designation and zoned appropriately where conflicts with neighbouring uses of land will be avoided as much as possible. Demonstration woodlots are encouraged, particularly where the diversity of the County's natural heritage can be represented.

5.10.6 The establishment and enforcement of a sustainable forestry bylaw pursuant to the *Municipal Act* by the County or any of its Member Municipalities can provide a means to ensure a long-term, sustainable growth and management of the forest industry. Principles and content of a future bylaw(s) could include, but are not necessarily be limited to, the following:

- a) Focusing on the large and contiguously forested areas and the significant commercial harvesting of them;
- b) Establishing generally accepted good forestry practices, or diameter limit cutting;
- c) Requiring compliance to established MNRF guidelines and standards;
- d) Requiring the establishment and implementation of a sustainable harvesting plan, completed by a professional forester, for forested areas greater than 4 hectares in area to be cut over a 365-day period;
- e) The identification and management of species of concern, such as the American Butternut;
- f) The retention of forest cover along stream banks and river valleys in order to establish an approximate width of 30 metres between the development area and the shoreline or stream bank; and,
- g) Prohibition of intensive tree harvesting (high-grading) in areas that are:
 - i) Significant wildlife habitat and natural heritage areas designated Environmental Protection, including Provincially Significant Wetlands, within this Plan;
 - ii) Locations abutting sensitive water bodies, including cold water lakes, particularly along steep slopes; a minimum width of 30 metres between the harvest area and the shoreline or stream banks is to be encouraged;
 - iii) Scenic routes or prominent outdoor recreational areas; and,
 - iv) Woodlots that may be evaluated in the future as being significant.

5.10.7 The forest industry can pursue various economic opportunities within the local, regional and global economies and promote its industry and practices in various manners, including:

- a) Researching, producing and exporting forest biomass products and facilities;
- b) Developing district heating systems obtained from a cogeneration plant burning biomass;
- c) Practicing and educating consumers and woodlot owners regarding sustainable forest practices that are environmentally sensitive and carbon neutral;
- d) Determining the prospects for value-added processing and opportunities to generate more revenue;
- e) Capitalizing on expanding/recovering local and regional markets for traditional primary and secondary forest products; and,
- f) Creating greater awareness of the forestry industry's history and contributions to the County economy via the establishment of a logging museum or tourist information kiosks along recreational trails.

5.10.8 Where appropriate the County should support Land Trusts and Conservation Authorities and explore opportunities for the purchase of significant or large tracts of forested lands so that the associated landscape, natural heritage areas and livelihood of the existing forests can be held in public trust and sustained for future generations.

5.10.9 Member Municipalities should ensure that development on land adjacent to Crown Land is compatible with forestry operations.

7.9.5 Site Alteration and Tree Conservation Bylaw

7.9.5.1 Member Municipalities may pass bylaws to prohibit or regulate the destruction or injuring of trees, require that a permit be obtained to injure or destroy trees, and impose conditions to a permit pursuant to the *Municipal Act* (Section 135).

7.9.5.2 The County may pass a bylaw pursuant to the *Municipal Act* (Section 135) to prohibit or regulate the destruction or injuring of trees in woodlands as defined in the Forestry Act that are one hectare or more in area.

7.10 Climate Change Strategies

7.10.2 The County and its Member Municipalities should review plans of subdivision, plans of condominium and site plan applications and implementing agreements for building and design features that can mitigate and/or adapt to climate change such as the following:

- a) Tree planting, landscaping and innovative green spaces to reduce energy use through shading and sheltering and protect buildings and infrastructure from the effects of excessive wind and sun;

7.10.3 Planning policies and best practices already addressed within this Plan and the Urban Communities Secondary Plan provide a foundation toward addressing climate change and realizing the ecological benefits provided by nature. These policies include, but are not limited to, the following:

- a) Manage forest resources and trees in a manner that enhances their quality, quantity and sustainability over time.