

Environmental Impact Study

What is the purpose of this?



An *environmental impact study (EIS)* is a study to assess and identify the potential impacts of a specific development proposal on known or potential natural heritage features, functions, and/or systems as per the requirements of the Official Plan and the Provincial Policy Statement (2020). The Study should describe the anticipated adverse impacts of the proposal on the area or feature, determine if such impacts can be supported based on applicable planning policies, and recommend measures for avoidance and/or mitigation, enhancement, and/or compensation where feasible and where policies permit.

Who should prepare this?



An *environmental impact study* is to be prepared by a qualified professional with expertise in species identification, biological, ecological and/or environmental functions and processes. Such individuals should possess relevant educational/professional credentials and, where relevant, be certified by the province in the standards and protocols related to collection of ecological field data.

When is this required?



An *environmental impact study* is required to be conducted when a development is proposed typically within 120 metres of a natural area, system and/or feature, or is reasonably expected to have adverse effects on the area, system, feature or function.

This should occur early in the development process, in order to determine if a development can be implemented in compliance with relevant planning policies, and when there is the greatest opportunity to design in harmony with the natural environment. An EIS should be completed prior to any site alteration that may occur as part of any other studies/site investigations (e.g. any site alteration required for archaeological assessment - typically stages 3 & 4). Prior to commencing work on an EIS, staff strongly recommend sharing a 'draft terms of reference' with the county, municipality, conservation authority, and Niagara Escarpment Commission (where applicable) for review and comment. Failure to circulate a Terms of Reference may result in delays due to requirements for additional technical work being identified during the review process.

The timing for completing an EIS is dictated by natural features and functions (e.g. species breeding seasons, ability to locate flora or fauna, etc.). In many cases an EIS will require on-site field work in at least three seasons: spring, summer, and fall. Additional on-site field work or follow-up work may be necessary depending on the complexity of the proposal and the prevalence of natural features. An EIS may be 'scoped' if the proposed development faces limited policy constraints or, if in the opinion of review agencies, certain assumptions can be made without the need for comprehensive field data collection.

Applications where the County is the approval authority that may require an *environmental impact study* include, but are not limited to:

- Official Plan Amendment
- Plan of Subdivision / Condominium

Other municipal/provincial level applications that may require an *environmental impact study* include:

- Official Plan Amendment (local)
- Zoning By-law Amendment
- Consent
- Minor Variance
- Development Permits (Niagara Escarpment Commission Development Permits are a Provincial requirement. Study requirements must be scoped to adhere to the policies of the Niagara Escarpment Plan (NEP) (2017) and any applicable guideline which may be more restrictive than municipal standards).

Why do we need this?



The *environmental impact study* is required to assist staff in:

- understanding general natural heritage features and functions, and identifying Significant Natural Heritage Features as defined by the Provincial Policy Statement, in areas which may be subject to adverse impacts from development
- outlining potential impacts on natural heritage features, functions and/or systems
- proposing mitigation measures to offset impacts where permissible under applicable policies
- determining compliance with relevant sustainability and land use policies
- their analysis and report preparation

How should this be prepared?



An *environmental impact study* should:

- characterize general natural heritages features and functions of an area which may be subject to adverse impacts from development, using standard provincial criteria, e.g. Ecological Land Classification (reference to Appendix A & B and Schedule C of the County Official Plan is required);
- identify Significant Natural Heritage Features as defined by the Provincial Policy Statement, based on a review of existing/confirmed designations, and by further applying provincial protocols and criteria (e.g. Natural Heritage Reference Manual) for the identification of features which have not been previously designated;
- summarize the development proposal and provide associated metrics, including visual representations of footprint (i.e. permanent and temporary areas of direct disturbance), and measured setbacks from confirmed limits of natural features;
- predict the potential direct, indirect and cumulative effects of development on all applicable features/functions based on objective criteria and standards;
- identify and evaluate options to avoid impacts (preferred approach);
- identify and evaluate options and requirements for mitigation or rehabilitation; including setbacks and minimum vegetation protection zones;
- recommend connectivity or linkage of the natural heritage feature or features being assessed to other natural heritage features or systems;
- recommend restoration or improvements of natural heritage features;
- assess compliance with all applicable planning policies;
- identify policies related to the requirements of a natural heritage evaluation (EIS equivalent) under Part 2.7.6 of the NEP (2017) for development proposals within

the NEP area;

- demonstrate there will be no negative impacts on the natural features or their ecological functions;
- detail an implementation plan for any recommendations or mitigation measures, and;
- potentially include a monitoring program to measure the impacts of development over time.

The list may be modified in pre-consultation with the review agencies. An EIS should not be completed in isolation from other technical development studies/reports. Efforts should be made by the qualified professional(s) to integrate and interpret key findings and mitigation measures from other supporting studies/reports related to the proposed development with the EIS.

What else should we know?



The *environmental impact study* should also meet the applicable requirements and standards identified in the Provincial Policy Statement (section 2.1), County's Forest Management By-law, Niagara Escarpment Plan (2017), Natural Heritage Reference Manual, Significant Wildlife Habitat Guide, provincial and federal assessment protocols and from local conservation authority bodies.

A *scoped environmental impact study* may be used where the proposed development is smaller and/or has lower potential risk to the natural area. There are also times where an *EIS* may not be required. The ability to scope or waive an EIS should be done in concert with the approval authority and the conservation authority.

In many cases the county and member municipalities utilize conservation authority staff to provide natural heritage comments and EIS review services. Other review agencies can also include the Ministry of the Environment, Conservation and Parks, the Ministry of Natural Resources and Forestry, and the Federal Department of Fisheries and Oceans.

Completion of an EIS does not ensure development will be approved, and conversely, identifying natural heritage features does not necessarily result in rejection of the proposal.

The Natural Environment Technical Report (NETR) required under the *Aggregate Resources Act* for pit and quarry applications may also fulfill the needs of an EIS.

If applicable, review and compliance with the [Endangered Species Act, 2007, S.O. 2007, c.6](#) will be required.

For larger development applications, County staff recommend pre-submission consultation with local First Nations and Metis peoples prior to completing an EIS. Traditional knowledge housed with First Nations and Metis elders or staff may inform such studies beyond information that is available at the provincial, county or municipal levels.

What other resources are available?



Fisheries and Oceans Canada - <https://www.dfo-mpo.gc.ca/index-eng.htm>

Grand River Conservation Authority - <https://www.grandriver.ca/en/Planning-Development/Policies-and-guidelines.aspx>

- Grey Sauble Conservation Authority - <http://www.greysauble.on.ca/planning-regulations/planning-regulations-introduction/>
- Grey County Forest Management By-law - <https://www.grey.ca/forests-trails>
- Grey County Planning and Development - <https://www.grey.ca/planning-development>
- Ministry of the Environment, Conservation and Parks - <https://www.ontario.ca/page/ministry-environment-conservation-parks>
- Ministry of Natural Resources and Forestry - <https://www.ontario.ca/page/ministry-natural-resources-and-forestry>
- Natural Heritage Reference Manual - <https://www.ontario.ca/document/natural-heritage-reference-manual>
- Natural Heritage Information Centre - <https://www.ontario.ca/page/natural-heritage-information-centre>
- Niagara Escarpment Plan (2017) - <https://escarpment.org/LandPlanning/NEP>
- Nottawasaga Valley Conservation Authority - <https://www.nvca.on.ca/planning-permits>
- Saugeen Valley Conservation Authority - <https://www.svca.on.ca/page.php?page=envregulations>
- Species at Risk in Ontario - <https://www.ontario.ca/page/species-risk-ontario>
- Significant Wildlife Habitat Guide - <https://www.ontario.ca/document/guide-significant-wildlife-habitat>

*This document is intended to be used for guideline purposes only. It will not be applied as a means of approving or rejecting development proposals, but rather it will be used to provide technical direction throughout the planning and development process.