

Official Plan



*Prepared by Haldimand
County Planning & Economic
Development Department*

**THE HALDIMAND COUNTY OFFICIAL PLAN - OFFICIAL
PLAN AMENDMENTS**

**Council Adopted – June 26, 2006
Ministry Approved – June 8, 2009**

As amended by the following amendments:

AMENDMENT No.	DESCRIPTION	COUNTY ADOPTION	MINISTRY ADOPTION
HCOP-1	Day care operation <i>(Map [Sch.A2] & Text [9D])</i> DONATO	August 28, 2006 (329- HC-06)	June 8, 2009
HCOP-2	Department store and ancillary commercial uses <i>(Map [Sch.B3] & Text [9D])</i> DUNNVILLE SHOPPING CENTRES (SMART CENTRES – WAL-MART)	September 18, 2006 – Amended by Ontario Municipal Board Decision Order 2197 (443-HC-06)	June 8, 2009
HCOP-3	Expansion of an existing automobile sales and service establishment <i>(Map [Sch.B2] & Text [9D])</i> HML HOLDINGS LTD (GRAND ERIE HOME HARDWARE)	October 17, 2006 (338-HC-06)	June 8, 2009
HCOP 4	To implement a reduced setback from the King’s Highway No. 6 right- of-way for the development of mini- warehouse storage use. <i>(Map [Sch.A2, B4] & Text [9D])</i> 2108847 ONTARIO INC.	November 2, 2009 (661-HC-09)	
HCOP-5	9 Hole Golf Course <i>(Map [Sch.A1] & Text [9D])</i> FRANK	May 10, 2007 (467-HC-07) <u>REPEALED</u> <u>JULY 25, 2019</u> <u>(1007-HC-17)</u>	June 8, 2009
HCOP-6	Site specifically permit reconstruction and renovations of two existing seasonal dwellings on a single lot <i>(Map [Sch.A3, D11] & Text [9D])</i> KIET AND TRAN	May 31, 2010 (688-HC-10)	
HCOP-7	Retain “Hamlet” designation <i>(Map [Sch.C25])</i> GRAND YORK PROPERTIES INC.	July 24, 2007 (503-HC-07)	June 8, 2009
HCOP-8	Provisions relating to “Home Based Businesses <i>(Text [5J1 b) f) h])</i> HALDIMAND COUNTY	June 21, 2010 (694-HC-10)	

AMENDMENT No.	DESCRIPTION	COUNTY ADOPTION	MINISTRY ADOPTION
HCOP-8A	To amend designation of certain lands from 'Agriculture' to 'Resort Residential' (Map [Sch.A3, D14] & Text [9D]) BULK	August 9, 2010 (704-HC-10)	
HCOP-9	REPEALED BY BY-LAW 555-HC-08	December 13, 2007	June 8, 2009
HCOP-10	Place of Worship together with accessory uses (Map [Sch.A3, B3] & Text [9D]) DUNNVILLE-WAINFLEET CANADIAN REFORMED CHURCH	June 23, 2008 (563-HC-08)	June 8, 2009
HCOP-11	To add a new policy section relating to 'Filming in Haldimand County' and the land use permissions and location criteria for such (Text [5Q]) HALDIMAND COUNTY	May 16, 2011 (741-HC-11)	
HCOP-12	Allow deviation from the Lakeshore Hazard Lands policies (Map [Sch.A3] & Text [9D]) CULP	January 21, 2008 (535-HC-08)	June 8, 2009
HCOP-13	Nanticoke Energy Centre (Map [Sch.A2] & Text [9D]) CPV NANTICOKE ENERGY	December 22, 2009 (605-HC-08)	June 8, 2009
HCOP-14	Development of 28 group townhouse units (Map [Sch.B6]) RIVERWOOD GOLF & COUNTRY	November 10, 2008 (597-HC-08)	November 10, 2008
HCOP-15	28 Single detached and 12 semi-detached dwelling sub-division, plus separate 800 square metre commercial component with a 24 unit, 4 storey residential apartment building (Map [Sch.B5]) 663947 ONTARIO INC.	January 26, 2009 (616-HC-09)	June 8, 2009
HCOP-16	Home Based Business (Map [Sch.B2] & Text [9D]) LILLIMAN & MEGNA	December 22, 2008 (610-HC-08)	June 8, 2009
HCOP-17	Expansion of a business for commercial and retail use (Map [Scheck] & Text [9D]) O'SHANNAHAN-HYLAND	April 20, 2009 (626-HC-09)	June 8, 2009
HCOP-18	Remove special policy provision Hal. 24 from the subject lands (Map [Sch.A1, B4]) BRYMONT TRADING COMPANY LIMITED	August 12, 2009 (653-HC-09)	
HCOP-19	Seasonal Farmers Market (Map [Sch.B1] & Text [9D]) AGRICULTURAL SOCIETY	August 12, 2009 (654-HC-09)	

AMENDMENT No.	DESCRIPTION	COUNTY ADOPTION	MINISTRY ADOPTION
HCOP-20	Add site-specific policies to certain lands to permit a variety of retail commercial uses on the subject lands <i>(Map [Sch.B1])</i> GATEWAY CALEDONIA BUSINESS PARK JOINT VENTURE	September 4, 2012 (791-HC-12)	
HCOP-21	Bring Official Plan into conformity with the policies of the Growth Plan for the Greater Golden Horseshoe <i>(Map [Sch.A2, B1-6, I1-5] & Text [4A-C, 5G, H, I, O, 7B, 11])</i> HALDIMAND COUNTY	December 14, 2009 (667-HC-09)	
HCOP-22	Create a special policy area to permit residential development on private services <i>(Map [Sch.B2] & Text [9D])</i> HALDIMAND COUNTY	September 13, 2010 (698-HC-10)	
HCOP-23	Add a new policy section relating to 'Public Emergency Service Facilities' and the land use permissions and location criteria for such <i>(Text [5P])</i> HALDIMAND COUNTY	June 27, 2011 (750-HC-11)	
HCOP-24	Amend the designation of certain lands from 'Agriculture' to 'Resort Residential' to facilitate a subsequent consent application (boundary adjustment) <i>(Map [Sch.A3, D13])</i> GUNTER & NANCY WELLER	October 17, 2011 (767-HC-11)	
HCOP-25	Add site-specific policies to certain lands to prohibit specific commercial uses and permit a variety of other retail commercial uses on the subject lands <i>(Text [9D], Map [Sch. B3])</i> JALMAR MANAGEMENT INC.	February 11, 2011 (809-HC-13)	
HCOP-26	Add a new section to the Official Plan relating to the Dunnville Secondary Plan and Special Flood Plain Policy Update <i>(Map [Sch.B3, J1])</i> HALDIMAND COUNTY	November 26, 2012 (798-HC-12)	

AMENDMENT No.	DESCRIPTION	COUNTY ADOPTION	MINISTRY ADOPTION
HCOP-27	Replace the existing policy containing the 'date of construction' severance criterion for surplus farm dwellings with a sliding scale severance criterion prescribing a minimum dwelling age for a surplus farm dwelling of ten years. HALDIMAND COUNTY	December 17, 2012 (803-HC-12)	
HCOP-28	Amend the designation of certain lands from 'Agriculture' to 'Resort Residential' to facilitate a new lot creation (Map [Sch.A3]) LENHARD SKREITULIS	May 21, 2013 (823-HC-13)	
HCOP-29	Add additional text relating to for designating Community Improvement Project areas (CIPAs) and provide further guidance for the designation of CIPAs in Haldimand County (Text [8]) HALDIMAND COUNTY	September 3, 2013 (837-HC-13)	
HCOP-29B	Amend the designation of certain lands to a site-specific 'Agriculture' designation to facilitate business expansion development. <i>Map [Sch. A]</i> VANREENEN STABLES INC.	April 28, 2014 Declared May 21, 2014 (855-HC/14)	
HCOP-31	Provide a policy basis for Trails and Active Transportation within Haldimand County (Text [5.A.1, 5.A.2, 6.A.1, 6.A.2, 6.B.1 & 6E] & Map [Sch.B1, B2, B3, B4, B5, B6, F1, F2 & F3]) HALDIMAND COUNTY	November 4, 2013 (843-HC-13)	

AMENDMENT No.	DESCRIPTION	COUNTY ADOPTION	MINISTRY ADOPTION
HCOP-32	Amend land use designations and add site-specific policies to certain lands to facilitate development of a master planned community consisting of residential, neighbourhood commercial, institutional, recreation/open space and natural/protected areas (Text [9.B & 9.D] & Map [Sch. B1]) MCCLUNG PROPERTIES LIMITED (EMPIRE)	September 30, 2014 Declared September 9, 2014 (877-HC-14)	
HCOP-33	Facilitate the red-line revision to Phase 2 of Empire Country Estates (Text [9.B] & Map [C.8]) PATRICIA MOORE	August 12, 2014 Declared September 11, 2014 (871-HC-14)	
HCOP-34	Facilitate the horizontal expansion of the Brooks Road landfill site on the subject lands. (Text [9.D] & Map [A.1]) 2270386 ONTARIO LIMITED	June 23, 2014 Declared July 17, 2014 (864-HC-14)	
HCOP-35	Facilitate the establishment of an emergency tactical driver training facility on the subject lands for the purpose of training of law enforcement officers and soldiers in tactical driving in emergency situations. (Text [9.D] & Map [A.3]) 1736032 Ontario Inc.	March 7, 2016 Declared March 31, 2016 (950-HC-16)	
HCOP-36	Amend the designation of certain lands to include a site-specific policy within the 'Urban Business Park' designation to facilitate the establishment of a super market. (Text [9.C] & Map [A.1]) 1921672 Ontario Inc. (Goldmanco Inc.)	May 24, 2016 Declared (958-HC-16)	
HCOP-37	Amend the designation of certain lands to include a site-specific 'Agriculture' designation to facilitate the establishment of a contractor's shop to be used for a plumbing, heating and electrical sales and service establishment; and, to repeal the existing site specific policy (NANT.12) and carry the existing approvals forward to the subject site specific 'Agriculture' designation created herein. (Text [9.C] & Map [A.2]) 1738826 Ontario Ltd.	March 7, 2016 Declared March 31, 2016 (952-HC-16)	

AMENDMENT No.	DESCRIPTION	COUNTY ADOPTION	MINISTRY ADOPTION
HCOP-38	Amend the designation of certain lands to include a site-specific 'Agriculture' designation to facilitate the establishment of a landscaping business and associated contractor's shop. (Text [9.C] & Map [A.1]) JEFF'S LAWN CARE	September 19, 2016 Declared October 21, 2016 (972-HC-16)	
HCOP-41	Amend the designation of certain lands to re-designate and add a site-specific policy to subject lands to facilitate the construction of a three storey mixed use building composed of commercial units, including one restaurant, office units and fifty-two (52) dwelling units. (Text [9.C] & Map [B.1]) 1098814 Ontario Inc. (Charan Virk)	March 6, 2017 Declared March 29, 2017 (988-HC-16)	
HCOP-42	Amend the deisignation of certain lands to include a site-specific 'Agriculture' designation to facilitate the establishment of a landscaping business and associated contractor's shop. (Text [9.C] & Map [A.1]) ZEN CONSTRUCTION	April 3, 2018 Declared May 30, 2018 (1065-HC-18)	
HCOP-43	Amend the designation of certain lands to include a site-specific 'Community Commercial' designation to facilitate new residential infill development. (Text [9.C] & Map [B.3]) ANDREA MOODIE	February 12, 2018 Declared March 20, 2018 (1048-HC-18)	
HCOP-44	Amend the designation of the subject lands and add a site specific policy to subject lands to facilitate the development of a light, industrial urban business park, and to repeal HCOP-3 (Text [9.D] & Map [B.2]) HML Holdings Ltd., 2299909 Ontario Inc. and 2299912 Ontario Inc.	March 5, 2018 Declared April 9, 2019 (1061-HC-18)	
HCOP-46	Amend the permitted uses for the subject lands such that mini storage and climate controlled warehouse are permitted for the site. (Text [9.D] & Map [A.2 & B.5]) 2593251 Ontario Inc. (WJ Moving & Storage)	December 17, 2018 Declared January 9, 2019 (1105-HC-18)	

AMENDMENT No.	DESCRIPTION	COUNTY ADOPTION	MINISTRY ADOPTION
HCOP-47	Amend the designation of certain lands from 'Agriculture' to 'Resort Residential' to facilitate the creation of a new lot. (Text [9.D] & Map [A.3 & D.14]) OTTO AND CORNELIA BULK	February 11, 2019 Declared March 7, 2019 (1115-HC-19)	
HCOP-48	Amend the designation of certain lands to include a site-specific 'Agriculture' designation to facilitate the establishment of a millwork business with management office. (Text [9.C] & Map [A.2]) STEEL CITY MILLWORK	June 24, 2019 Declared July 26, 2019 (1139-HC-19)	

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INTRODUCTION

Vision Statement

Haldimand County is a caring, friendly community that is recognized as an exceptional place in which to live, work, play and nurture future generations. Haldimand County values our diversity and unique mix of urban and rural interests and is committed to preserving our rich natural environment and small town character through responsible growth management. Building on Haldimand County's history and heritage, our vision includes a strong and diverse economy that takes advantage of our strategic location and resources. We envision all elements of the community working cooperatively to maintain and build a high quality of life for all of our current and future residents.



1. INTRODUCTION

A. PURPOSE, BASIS AND CONTEXT OF THE PLAN

1) PURPOSE

The Haldimand County Official Plan creates the framework for guiding land use changes in the County over the next 20 years to 2026 by protecting and managing the natural environment, directing and influencing growth patterns and facilitating the vision of the County as expressed through its residents. This Plan also provides the avenue through which Provincial Policy is implemented into the local context.

The Haldimand County Official Plan consolidates and replaces the Official Plans for the former Region of Haldimand-Norfolk, the former Towns of Dunnville and Haldimand and the former City of Nanticoke while providing a new direction for managing land use changes within the new single-tier County government structure.

2) BASIS

The Official Plan for Haldimand County has its basis in the **Planning Act**, the Provincial Policy Statement 2005; the Growth Plan for the Greater Golden Horseshoe; and, the previous Official Plans of the former municipalities which now form part of Haldimand County.¹

The policies of the Growth Plan for the Greater Golden Horseshoe (the “Growth Plan”) will be fully implemented in accordance with the requirements of the Growth Plan through studies and corresponding amendment(s) to the Official Plan initiated by Haldimand County which will address issues such as, but not limited to, an intensification strategy; Greenfield density targets; the protection of employment lands; and, the provision of affordable housing.²

3) CONTEXT OF THE PLAN

The Province of Ontario created Haldimand County on January 1, 2001 through the amalgamation of the former Towns of Dunnville and Haldimand and the eastern portion of the former City of Nanticoke. This new single-tier governance structure replaced the administration of the former Towns and City as well as half of the former Region of Haldimand-Norfolk. Haldimand County is bordered by Niagara Region to

LOCATION AND
DESCRIPTION
OF HALDIMAND
COUNTY

¹ Ministry Modifications – June 8, 2009

² Ministry Modifications – June 8, 2009

the east, the City of Hamilton to the north, Brant County to the northwest, Norfolk County to the west and Lake Erie to the south and the First Nation communities of the Six Nations of the Grand River and the Mississaugas of the New Credit to the west.

Haldimand County has an area of 1252.37 square kilometres or 125,237 hectares. The majority of this area is agricultural. There are six fully serviced urban areas in the County along with 25 hamlets. In addition to the urban areas and hamlets designated industrial area on the north shore of Lake Erie is home to a steel mill, a hydro generating station and oil refinery as well as industries located in the Lake Erie Industrial Park (LEIP).

Significant natural features include the Grand River and Lake Erie. The Grand River is a Canadian Heritage River, entering the County in the north central portion and extending to Lake Erie in the eastern portion of the County. The Lake Erie shoreline is 87 kilometres or 54 miles in length and forms the southern landward boundary of Haldimand County. Both the Grand River and Lake Erie shorelines have some significant environmental attributes as well as contain areas of significant development.

GROWTH
FORECAST

In 2001, Haldimand County had a population of approximately 43,700 persons, an existing employment base of 16,400 jobs and approximately 17,500 private dwellings of which approximately 1,900 dwellings could be considered seasonal dwellings. Based on the High Growth forecasts to 2026 prepared by Hemson Consulting Limited in 2004, the County could experience a population growth of approximately 10,700 persons, require 6,210 more dwelling units to house this total population and 3,600 more jobs are expected to be created. The 2004 Hemson Forecast was used as one of the tools to determine the policy direction for the County.

B. HALDIMAND STRATEGIC DIRECTIONS

VISION FOR
HALDIMAND
COUNTY

As part of the process for preparing a new Official Plan for Haldimand County, a community visioning exercise was undertaken. This visioning exercise consisted of a community survey and focus groups involving all sectors of the community. This consultative phase provided the background information to create a "community driven" Vision Statement for Haldimand County. The following Vision Statement was developed from this community involvement.

Haldimand County is a caring, friendly community that is recognized as an exceptional place in which to live, work, play and nurture future generations. Haldimand County values our diversity and unique mix of urban and rural interests and is committed to preserving our rich natural environment and small town character through responsible growth management. Building on Haldimand

County's history and heritage, our vision includes a strong and diverse economy that takes advantage of our strategic location and resources. We envision all elements of the community working cooperatively to maintain and build a high quality of life for all of our current and future residents.

The Vision Statement will be achieved, in part, through Official Plan policy development based on the following core themes:

Environment
Economy
Growth Management

Community Building
Leisure, Culture and Heritage
Health and Social Services

These themes evolved based on public discussion and input through the focus groups and were further refined through public meetings and open houses held as part of the Official Plan process. The core themes are used to outline the main components of this Official Plan to provide the policy direction for achieving various components of the Vision Statement. The strategic direction under each theme is described in the individual sections of the Plan.

1) STRUCTURE OF THE PLAN

The structure of the Official Plan is based on the six core themes stemming from the Visioning exercise. Each theme is developed to function as part of one of three building blocks that encourage a sustainable balance between the *Environment*, *Economy* and *Community*.

The *Environment* theme identifies significant natural areas that need to be protected and managed to form a basis for future land use decisions. A level of protection for the environment is required under Provincial policy to ensure development is sustainable to ensure a healthy and high quality of life for existing and future residents of the County.

The *Economy* and *Growth Management* themes highlight the natural resources of the County and best management practices for developing and managing those resources for future use. The themes also highlight the built economy or how economic practices consisting of residential, commercial and industrial development are conducted in the County. Developing a strong and diverse economy in Haldimand County is a prime component of the building blocks.

The *Community Building*, *Leisure, Culture and Heritage* and *Health and Social Services* themes encourage the development of our communities through interaction and cohesiveness, to improve the welfare of all members of the community. Providing opportunities for social development and community building through land use policy is also an important building block in the development of our social fabric.

Appropriate policies for each building block are included in the Plan to ensure all aspects necessary for a healthy community are protected, managed and made available to existing and future residents.

In addition to the six themes that form the bulk of the policies in the Official Plan, there are other sections which follow the themed policies to complete the Plan. These include:

- a) The Implementation and Interpretation section which describes interpretation and implementation tools available to the County through the *Planning Act*;
- b) The Site Specific Policies section which indicates policies for specific parcels of land which received approval through previous Official Plan Amendments, are carried over from the Official Plans from the former municipalities which make up Haldimand County or areas identified through the Official Plan process as requiring specific direction;
- c) The Mapping section which shows the actual location of the Official Plan designations for all of Haldimand County; and
- d) The Appendix section which includes a glossary defining specific terms used in the Official Plan. These defined terms are identified in bold lettering throughout the Plan.

2) GUIDING PRINCIPLES

The Strategic Direction for each Theme is highlighted below and incorporated on the title page of each section. The order of the themes does not indicate order of importance. These Strategic Directions are the Guiding Principles which provide direction to the development of policy for each Theme. The Guiding Principles for each Theme outlined as the Strategic Direction are as follows:

1. Theme: Environment

Strategic Direction:

Environmental considerations require strategic input in terms of land use, management and protection. Significant natural environmental areas form part of three watersheds, namely Niagara Peninsula, Grand River and Long Point, all of which are significantly tied to the health of Lake Ontario and Lake Erie, the receiving water bodies. The vitality of these and other ecosystems promotes health and enjoyment opportunities for current and future residents and visitors. Forging strategic partnerships with government agencies (such as conservation authorities), wildlife conservation groups, land trusts and property owners aid in the future management, preservation and enhancement of the County's natural landscape and beauty.

2. Theme: Economy

Strategic Direction:

Maintaining, stimulating and expanding appropriate sectors of the County's economy are of primary importance to ensure a strong corporate community. Agriculture has played a key role in the development of Haldimand County and continues in its role as a sector of primary importance. Stimulation of other commercial and industrial interests (by nurturing existing businesses and attracting new ones) and areas for growth (such as tourism), through appropriate allocation of resources will allow Haldimand County to use its strategic location and many resources to attain its vision of having a strong and diverse economy for its residents and corporate citizens.

3. Theme: Growth Management

Strategic Direction:

Enhancing growth opportunities while maintaining and enhancing appropriate levels of service in both physical infrastructure and social services creates growth management challenges to ensure the Vision Statement is realized. Necessary infrastructure reviews will indicate when, how and where growth will be accommodated within Haldimand County in a cost effective and environmentally appropriate manner.

4. Theme: Community Building

Strategic Direction:

Community building starts with individual residents and corporate citizens working cooperatively to create an enjoyable and safe place to live, work and play. Community groups and organizations partnering under the umbrella of municipal governance can ensure all aspects of community life are developed. Key players in the building process are health care and education professionals, police, fire and emergency services, municipal staff and Council, as they provide the base framework on which the citizens can participate to forge a caring, friendly community.

5. Theme: Leisure, Culture and Heritage

Strategic Direction:

Establishing Haldimand County as a great place to play and nurture future generations includes establishing opportunities for leisure and exploring the County's heritage and history. These activities involve not only the residents of the County but also those who come to visit and share in our history and heritage. The opportunities for strategically maximizing our built and natural leisure resources need to be explored. Continuing partnership opportunities with the County's many

recreational, leisure, cultural and heritage community groups allows for building a high quality of life for current and future residents and creating awareness of our strengths as a preferred destination for tourists.

6. Theme: Health and Social Services

Strategic Direction:

The inter-relationship of health and social service agencies within and external to the County administration are important links to be developed for the health and welfare of the citizens of Haldimand County. Initiatives by boards and agencies such as Local Health Integration Networks and the Community Alliance to Promote Homeness address a number of needs of Haldimand citizens. Programs and services provided by the Health and Social Services Department such as Ontario Works, addictions counseling, support for new parents, injury prevention programs, the State of the Environment Reports and many others ensure important issues are being considered to build a high quality of life for all residents.



ENVIRONMENT

Strategic Direction

Environmental considerations require strategic input in terms of land use, management and protection. Significant natural environment areas form part of three watersheds, namely Niagara Peninsula, Grand River and Long Point, all of which are significantly tied to the health of Lake Ontario and Lake Erie, the receiving water bodies. The vitality of these and other ecosystems promotes health and enjoyment opportunities for current and future residents and visitors. Forging strategic partnerships with government agencies (such as conservation authorities), wildlife conservation groups, land trusts and property owners aid in the future management, preservation and enhancement of the County's natural landscape and beauty.



2. ENVIRONMENT

The Environment Section is divided into three subsections consisting of:

- a) Natural Environment Policies;
- b) Water Resources Policies; and
- c) Hazard Land Policies.

Natural Environment policies outline specific policies for Provincially Significant **Wetlands** and Habitat of Endangered and Threatened Species and general policies for the other significant natural environmental features.

The Water Resources section outlines policies related to Source Water Protection and Watershed Planning.

The last section relates to Hazard Land policies. The Hazard Land policies are subdivided into:

- a) Riverine Hazard Lands containing policies related to the watershed of the Grand River and other major drainage basins;
- b) Lakeshore Hazard Lands containing policies related to Lake Erie; and
- c) Other Hazard Lands containing policies related to steep slopes, unstable soils and undermined areas.

Environmental policies relating to solid waste management and air quality are located in Section 5 - Community Building of this Plan.

A. NATURAL ENVIRONMENT POLICIES

1. Natural Environment Areas are generally identified as those areas and features that provide important ecological, or biological and/or hydrological functions, contribute to human health, exhibit varied topography, contribute to water resources, contain threatened or endangered plant or animal species or provide habitat for threatened and endangered species.³ The County is committed to preserving significant Natural Environment Areas to sustain essential **ecological functions** and protect natural biological diversity. The designation of lands as a Natural Environment Area does not necessarily imply that the lands will be purchased by a public agency or that the lands are available for public use.
2. Specifically, Natural Environment Areas include: Provincially Significant **Wetlands**; coastal **wetlands**, provincially significant areas of natural and scientific interest (both earth and life sciences); environmentally sensitive areas; Habitat of Endangered and Threatened Species; fish habitat; Carolinian Canada sites; and locally significant and unevaluated **wetlands**. With the exception of Habitat of Endangered and Threatened Species, these Natural Environment Areas are generally identified on Schedule "E". Other Natural Environment features which have not been identified include significant woodlands, significant

INTRODUCTION

NATURAL
ENVIRONMENT
AREAS

³ Ministry Modifications – June 8, 2009

valley lands, significant natural corridors and linkages and significant wildlife habitat. These will be identified as part of a Natural Environment Study/Greenlands Study proposed to be completed by the County.

3. Natural Environment Areas are divided into two categories – Core Natural Environment Areas (Core NEAs) and Natural Environment Areas (NEAs).

Core NEAs are identified on Schedules “A”, “B”, “C” and “D” as Provincially Significant Wetlands and Hazard Lands. Habit of Endangered and Threatened Species is also considered as a Core NEA but is not identified on the map schedules. Policies for Core NEAs are outlined in the following sections but, in general, development and site alteration shall not be permitted in these areas.

Natural Environment Areas (NEAs) consist of provincially significant areas of natural and scientific interest (both earth and life science), environmentally sensitive areas, fish habitat, Carolinian Canada sites and locally significant and unevaluated wetlands are identified on Schedule “E” as an overlay over the existing land use designations. When other environmental features such as significant woodlands, significant valley lands, significant natural corridors and linkages and significant wildlife habitat are identified, they will be mapped as an overlay on Schedule “E” and subject to the NEA policies. Policies for NEAs are outlined below, but in general, development and site alteration may be considered in these areas only where it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions. Schedule “E” also identifies by number the natural feature type, which can be determined by a corresponding chart located in the Appendix.⁴

4. The County is committed to identifying and protecting a connected system of Natural Environment Areas also known as a Greenlands system. A high quality environment will be achieved and retained as human health is linked to environmental health. The County will strive to preserve essential **ecological functions** and protect natural biological diversity and **ecological integrity**.

JURISDICTION

5. As jurisdiction over environmental matters is divided among different levels of government, collaboration among a number of agencies such as the Federal and Provincial governments, conservation authorities, the County, non-profit agencies and the public is required. Some Natural Environment Areas and connecting links are publicly owned as various conservation authority lands, County forests, provincial parks and national wildlife areas. Natural Environment Areas remain under the control of non-government agencies and land trusts or are privately owned. Stewardship partnerships between the organizations are beneficial and will be encouraged to achieve a high level of protection of Natural Environment Areas.⁵

NATURAL
ENVIRONMENT
STUDY

6. The Natural Environment Areas as identified in policy 2.A.2 above that have not been specifically identified within the Plan will be identified through a Natural Environment Study otherwise known as a Greenlands Study. This Study will be undertaken in consultation with the Province, conservation authorities, other

⁴ Ministry Modification – June 8, 2009

⁵ Ministry Modification – June 8, 2009

government agencies, land owners, the public and non-government organizations to identify, evaluate and provide policy to protect the additional Natural Environment Areas.

7. It is intended that this Plan will be updated by amendment as necessary when the Natural Environment Study has been completed.
8. The Ministry of Natural Resources or their designate shall be consulted to obtain more detailed and updated information regarding the natural environment classifications, such as wetlands and areas of natural and scientific interest, which the Ministry has identified on lands within the County. AGENCY CONSULTATION
9. The purpose of an Environmental Impact Study (EIS) is to identify and evaluate the potential impacts of proposed development and site alteration on a Natural Environment Area, its adjacent lands, and system to recommend means of preventing, minimizing or mitigating its potential impacts. The proponent of a proposed development and/or site alteration in land use within or adjacent to a Natural Environment Area shall be required to submit an EIS to the satisfaction of the County. The County, in consultation with the appropriate conservation authority and/or appropriate agencies may scope the requirements of the EIS while ensuring no negative impact to natural features or their ecological functions will occur. Development will only be approved where an EIS has demonstrated that there will be no negative impacts on the natural features of their ecological functions.⁶ ENVIRONMENTAL IMPACT STUDY (EIS)
10. Where an EIS is required by the County, such a study will be prepared at the proponent's expense and, will be prepared by a qualified professional. The scope and content of an EIS will be determined by the County in consultation with the appropriate conservation authority and/or appropriate agencies through the review and approval of a Terms of Reference based on the guidelines for completing an EIS. The completion of an EIS does not guarantee that an application to amend the Official Plan or Zoning By-law will be approved.⁷ NATURAL AREAS IN ADJACENT MUNICIPALITIES
11. When development is proposed on lands in the County adjacent to a significant natural area in an adjacent municipality, an EIS may be required in consultation with the adjacent municipality and/or applicable agency. The significant natural area must be designated in the Official Plan of the municipality and/or identified as significant by the Ministry of Natural Resources. Development adjacent to Haldimand County's watercourses should only be permitted if it will not have significant impact on the watershed, including cross-jurisdictional and cross-watershed impacts. DYNAMIC NATURE OF ENVIRONMENTAL FEATURES
12. It is recognized that Natural Environmental Areas and systems are dynamic features which may change spatially over time. The County will work closely with the Ministry of Natural Resources and the conservation authorities to provide appropriate recognition and consideration of the dynamic nature of existing features and newly identified features, by incorporating them into the Official Plan

⁶ Ministry Modification – June 8, 2009

⁷ Ministry Modification – June 8, 2009

when reasonably practical, but at minimum during the five year review of the Plan. To address Natural Environment Area boundary changes, the Interpretation policies of Section 8.B will be used.

13. Nothing in this Plan is intended to limit the ability of existing agricultural uses to continue.⁸

1) PROVINCIALY SIGNIFICANT WETLANDS

- INTRODUCTION
1. **Provincially Significant Wetland** boundaries are established by the Ministry of Natural Resources. Known Provincially Significant Wetlands are delineated on the land use schedules of this Plan. Lands adjacent to a Provincially Significant Wetland include those lands within 120 metres of an individual wetland area or individual wetland areas within a wetland complex. **Adjacent lands** are not identified on the land use schedules.
- RESTRICTIONS TO USES
2. No new development or **site alteration** shall be permitted within a Provincially Significant Wetland except those uses which are sustainable, compatible and complimentary to the wetland and its functions and existing agricultural uses. Other appropriate and compatible educational and interpretive uses may also be permitted provided that no structural development or landform modification is required. Consultation with the appropriate conservation authority or other appropriate agency is required to ensure that no negative impact on the wetland will occur. Certain compatible uses maybe permitted if it can be demonstrated through an appropriately scoped Environmental Impact Study that there will be no negative impact on the natural features or ecological functions of the **wetland or wetland complex**.
- EIS FOR DEVELOPMENT ON ADJACENT LANDS
3. Established agricultural activities shall be permitted to continue on lands adjacent to Provincially Significant Wetlands. Prior to development on adjacent lands it must be demonstrated through an EIS which has been prepared by a qualified professional at the proponent's expense in accordance with the guideline for completing an EIS that development will not result in any of the following:
- a) Loss of wetland functions;
 - b) Subsequent demand for future development which will adversely affect existing wetland functions;
 - c) Conflict with existing site-specific wetland management practices; and
 - d) Loss of contiguous wetland area.
- The County and conservation authority may require that an EIS be submitted in the form of a site sketch to address environmental impacts by demonstrating certain setbacks will be maintained for development consisting of minor additions and alterations on adjacent lands.⁹

⁸ Ministry Modification – June 8, 2009

⁹ Ministry Modification – June 8, 2009

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|---|------------------------------------|
| <p>4. Public works, transportation and servicing facilities and other public utilities shall be located outside Provincially Significant Wetlands, wherever feasible. Where new facilities are required to be located within a Provincially Significant Wetland, an Environmental Assessment process is required and shall consider options to minimize negative impacts on the wetland.</p> | <p>PUBLIC FACILITIES PERMITTED</p> |
| <p>5. It is recognized that portions of the Old Welland Feeder Canal system in the former Town of Dunnville on Schedule "A.3" are designated Provincially Significant Wetlands. The Canal system also plays a role in the County's drainage system and historically has been used for agricultural purposes (i.e. irrigation). Notwithstanding the policies of this Section, the function of the Old Welland Feeder Canal may be permitted to continue for drainage and agricultural purposes. The management and use of the system will be monitored by the County in conjunction with the appropriate agencies.¹⁰</p> | <p>OLD WELLAND FEEDER CANAL</p> |

2) HABITAT OF ENDANGERED AND THREATENED SPECIES

- | | |
|--|---|
| <p>1. Development and site alteration will not be permitted in significant Habitat of Endangered and Threatened Species. Existing agricultural operations are permitted. Certain compatible recreational and educational activities may be permitted if it can be demonstrated through an appropriately scoped Environmental Impact Study that there will be no negative impact on the natural features or ecological functions for which the area has been identified.¹¹</p> | <p>HABITAT OF ENDANGERED AND THREATENED SPECIES</p> |
| <p>2. Development applications will be screened to determine if records for endangered or threatened species exist on or in the vicinity of the subject property. Screen will include a review of the Natural Heritage Information Centre databases and any other mapping or information that may be available. Where records are identified the Ministry of Natural Resources will be consulted to confirm the records and determine the specific information requirements that may be necessary to evaluate the application.</p> | <p>EIS FOR DEVELOPMENT ON ADJACENT LANDS</p> |

An EIS will be required where development is proposed on lands adjacent to the significant Habitat of Endangered and Threatened Species. Adjacent lands include those within:

- a) 50 metres from a mapped or defined habitat area for Endangered and Threatened Species; and,
- b) 100 metres of the location of Endangered and Threatened Species, where the extent of the significant habitat is not mapped or management guidelines are unavailable.

The Ministry of Natural Resources approved the delineation of significant habitat of endangered and threatened species.¹²

¹⁰ Ministry Modification – June 8, 2009

¹¹ Ministry Modification – June 8, 2009

¹² Ministry Modification – June 8, 2009

3. The County may waive the requirement for an EIS for development on adjacent lands where it is determined, in consultation with the appropriate agency, that there will be no negative impact on the natural features or ecological functions for which the area has been identified.

3) POLICIES FOR NATURAL ENVIRONMENT AREAS¹³

PERMITTED
USES

1. Permitted uses for Natural Environment Areas that are not Provincially Significant **Wetlands** or Habitat of Endangered and Threatened Species and on those lands adjacent to these Natural Environment Areas, shall be limited to the following:¹⁴
 - a) established agricultural operations on existing cleared areas;
 - b) forestry and facilities for the production of maple syrup;
 - c) existing residences;
 - d) construction of a dwelling or structure on an existing lot of record subject to the relevant policies contained in this Plan, and an Environmental Impact Study requiring conservation authority approval that ensures the residence is located, designed and constructed so that no negative impacts on the natural features or their ecological functions occur;
 - e) wildlife, wetland or fishery management projects;
 - f) outdoor education or research activities; and
 - g) recreational activities which do not require site alteration such as buildings/structures, landscaping, grading, filling or the removal of natural vegetation so that no negative impacts on the natural features or their ecological functions occur.

The Natural Environment Areas are: provincially significant areas of natural and scientific interest, (both earth and life sciences); environmentally sensitive areas; fish habitat; Carolinian Canada sites; and locally significant and unevaluated **wetlands**. Natural Environment features which have not been identified on the map schedules include significant woodlands; significant valley lands; significant natural corridors and linkages; and significant wildlife habitat.

ENVIRONMENTAL
IMPACT STUDIES
(EIS)

2. There are some Natural Environment Areas where development beyond those uses outlined above may be permitted. Prior to the approval of development in Natural Environment Areas which are not Provincially Significant Wetlands or Habitat of Endangered and Threatened Species, an EIS must be completed to demonstrate that there are no negative impacts on the natural features and their ecological functions.¹⁵ In some cases, Provincial legislation may supersede the County's requirement for an Environmental Impact Study.¹⁶

EIS FOR
DEVELOPMENT ON
ADJACENT LANDS

3. Prior to approval of development on lands adjacent to a Natural Environment Area, an EIS will be required to demonstrate that there will be no negative impacts on the natural features or their ecological functions. Lands adjacent to

¹³ Ministry Modification – June 8, 2009

¹⁴ Ministry Modification – June 8, 2009

¹⁵ Ministry Modification – June 8, 2009

¹⁶ Ministry Modification – June 8, 2009

Natural Environment Areas that are not Provincially Significant Wetlands or Habitat for Endangered and Threatened Species include those within:¹⁷

- a) 30 metres of fish habitat measured from the high water mark;
- b) 50 metres of a significant valleyland; the edge of a significant woodland or Carolinian Canada site; all provincially significant Areas of Natural and Scientific Interest; significant wildlife habitat; significant natural corridors; and all environmentally sensitive areas as defined by the County Plan;
- c) 120 metres for locally significant and unevaluated wetlands 2.0 hectares in size or greater;
- d) 30 metres for locally significant wetlands and unevaluated wetlands less than 2.0 hectares in size.

The County and conservation authority may require that an EIS be submitted in the form of a site sketch to address environmental impacts by demonstrating certain setbacks will be maintained for development on adjacent lands.¹⁸

The County may waive the requirement for an EIS for development on adjacent lands where it is determined, in consultation with the appropriate agency, that there will be no negative impact on the natural features or ecological functions for which the area has been identified.

- 4. Development and site alteration shall not be permitted in fish habitat except in accordance with Provincial and Federal requirements. All fish habitat, including those used seasonally shall be protected. When development is proposed which may affect fish habitat, the applicable conservation authority will review development alternatives to achieve no net loss of productive capacity and seek a net gain whenever possible. The minimum vegetative buffer and setback for development is 15 metres from a warm water stream or **Type 2** and **Type 3 fish habitat** and a minimum vegetative buffer and setback for development is 30 metres from a cold water stream or **Type 1 fish habitat**. Additional setbacks may be required as recommended by an EIS. Portions of Mill Creek are the only cold water stream locations identified within Haldimand County. FISH HABITAT

- 5. Woodlands are recognized as providing important economic and environmental contributions to the community and as such, shall be protected from incompatible development. This shall include the protection of identified natural linkages which provide a corridor for the movement of forest wildlife species. The County supports good forestry practices and the sustainable harvesting of timber within all woodlands. Further, the County recognizes the environmental importance of retaining woodlands. WOODLANDS

- 6. Prior to the County completing a Natural Environment/Greenlands Study, development proposals within or adjacent to a wooded area,¹⁹ will be reviewed in accordance with the criteria in Schedule "H" to determine significance. Woodlands meeting two or more criteria will be considered significant.

¹⁷ Ministry Modification – June 8, 2009

¹⁸ Ministry Modification – June 8, 2009

¹⁹ Ministry Modification – June 8, 2009

Development proposals within significant woodlands shall be subject to an Environmental Impact Study.²⁰

FOREST
CONSERVATION
BY-LAW

7. Development within and/or adjacent to woodlands as defined by the Forest Conservation By-law may be reviewed by the County Forester. Prior to removal of trees within woodlands defined in the Forest Conservation By-law, a permit may be required.

LINKAGES

8. Linking Natural Environment Areas will be promoted where feasible. Some Natural Environment Areas may be isolated so that they cannot be linked to the Natural Environment system. Corridors and links which would improve or enhance the ecological functions of designated Natural Environment Areas will be identified in consultation with the Ministry of Natural Resources, conservation authorities, non-government organizations and private landowners. Some corridors or links may need to be developed over time through initiatives such as reforestation or regeneration projects.
9. The County encourages the enhancement of a regional natural environment system by connecting it with local public open space through trails and corridors. Landowners will be encouraged to protect the identified corridors and links through private stewardship. A Natural Environment/Greenlands Study will be required to determine linkages. Such linkages will be identified through an amendment to this Plan.

B. WATER RESOURCES

1) SOURCE WATER PROTECTION

SOURCE WATER
PROTECTION

1. **Water Resources** are important to this County. These resources include both groundwater and surface water systems, and more specifically; wetlands, ponds, lakes, streams, rivers and underground aquifers. Water is essential to all biological forms, in addition to providing for domestic, industrial, recreational and agricultural needs. The County is committed to ensure a high quality and sufficient supply of water to satisfy those needs.

The protection, conservation and careful management of water resources is necessary in order to meet both present and future needs. As contamination is extremely difficult, costly and sometimes impossible to rectify, prevention of contamination is the best strategy.

The coordination of the various responsibilities of many public agencies is required to ensure protection, conservation and management of the County's water resources. The public agencies include Ministry of Environment, Ministry of Health, the Ministry of Natural Resources, conservation authorities, as well as the County. The cooperation of industries, farmers and individuals is also critical for the concerted effort needed.

²⁰ Ministry Modification – June 8, 2009

2. While it should be noted most of the County's drinking water is supplied through lake-based water systems and the use of cisterns, the County, in cooperation with Provincial agencies, conservation authorities and the public, will assist in identifying water management issues related to land use planning to develop an appropriate County-wide strategy for source water protection. Where appropriate, the results of the Source Water Protection Strategy will be incorporated in the Official Plan through an amendment.

SOURCE WATER
PROTECTION
STRATEGY

3. The following objectives and policies are directed to the protection of water quality and quantity:

WATER QUALITY/
QUANTITY
PROTECTION

- a) The County shall monitor all active municipal solid waste disposal sites in compliance with the conditions of the Provisional Certificates of Approval as issued by the Ministry of Environment in accordance with Policy 5.C;
- b) The County will map all identified abandoned solid waste sites and require an evaluation of proposed land uses within 500 metres of such sites in accordance with Policies 5.C.3, 5.C.4 and 5.C.5;
- c) Removal of possible sources of contamination such as unused fuel tanks, will be promoted through the Fuel Safety Branch of the Ministry of Consumer and Commercial Relations and in keeping with Ministry guidelines;
- d) The County will promote the monitoring of water quality and water quantity in all water wells in the County. Inspection procedures may be established in order to ensure appropriate maintenance. Proper maintenance of wells will be encouraged through public education;
- e) Where there is a public health concern, the County shall seek appropriate abatement procedures for faulty individual sewage disposal systems or improperly located or maintained wells;
- f) The County will require the use of individual sewage disposal systems that reduce nitrates in the effluent in accordance with the Ontario Building Code;
- g) The County will require hydrogeological studies to ensure that ground and surface water quality and quantity will not be negatively impacted prior to approval of development proposals;²¹
- h) The County encourages best management practices for agriculture which promote proper use, application and where possible, reduced use of fertilizers, herbicides and pesticides;
- i) Reductions in municipal water consumption levels will be encouraged. The County will promote the efficient use of water in cooperation with the private sector and the community, through appropriate water conservation measures within existing and new development; and
- j) Where appropriate the County, in consultation with agencies with a role in water resource protection, will protect both groundwater and surface water systems including wetlands, ponds, lakes, streams, rivers and underground aquifers from development that could adversely affect ground and surface water resources.

2) WATERSHED PLANNING

1. The County may participate in international, national, provincial, and local initiatives aimed at protecting the source, supply and improving the overall quality

²¹ Ministry Modification – June 8, 2009

of the waters of the Great Lakes, particularly Lakes Erie and Ontario as well as the County's watercourses and their associated **headwaters** and **recharge areas**. The County's watersheds should continue to make a significant contribution to the health of the Lake Erie, Lake Ontario and Niagara River ecosystems.

2. Watersheds are the most effective units for **ecosystem planning** and management of water resources. The County recognizes that there may be a need to undertake **sub-watershed** planning in areas of urban development pressure and in areas where significant environmental concerns are identified. **Sub-watershed** plans are effective in:

- a) Recognizing the environmental impact of cumulative development and consequently avoiding expensive corrective measures;
- b) Providing development guidelines to prevent negative impact on water, biotic and other important resources;
- c) Streamlining the development approval process; and
- d) Identifying strategic investment approaches for watershed improvements and protection.

The County expects conservation authorities to take a role in watershed planning. However, the scope of any needed watershed or sub-watershed planning project will be defined in consultation with conservation authorities, provincial ministries, neighbouring municipalities where applicable, and the County.

3. The County will cooperate with the conservation authorities and other agencies to establish and achieve water quality and quantity objectives for watersheds.

C. HAZARD LAND POLICIES

- 1. Haldimand County is committed to the protection of life and property by respecting natural and man-made hazards. As such, development shall generally be directed away from hazard lands. However it is recognized that there are certain areas of the County where extensive development has taken place within Hazard Lands.
- 2. Haldimand County shall be under no obligation to redesignate or purchase any areas that are designated "Hazard Lands".

1) RIVERINE HAZARD LANDS

- 1. For Riverine Hazard lands, the County will generally utilize a **one-zone concept**. A **two-zone (floodway/flood fringe)** concept may be utilized in specific portions of the various affected urban areas or hamlets in consultation with the Province and appropriate conservation authority. . In unique cases, Special Policy Areas may be developed in consultation with the Province and appropriate conservation authority.

The County supports appropriate flood control management programs of the conservation authorities.

2. The County uses the following flood standards for development as the level of the **Regulatory Flood**:
 - a) The 1 in 100 year flood for all riverine flood plains, except for the Grand River watershed; and
 - b) The **Regional Storm**, which is based on Hurricane Hazel, for the Grand River watershed.
3. In a **one-zone concept**, new development or site alteration in the defined flood plain will be prohibited or restricted. Where a **one-zone concept** is applied, the entire flood plain defines the floodway.
4. In consultation with the Province and appropriate conservation authority, the County, may opt to apply a **two-zone concept** (floodway/flood-fringe) for selected portions of the flood plain, including but not limited to, portions of the urban areas of Townsend, Jarvis, Caledonia, Cayuga and Dunnville through an official plan amendment. The conservation authority will need to review the technical justification and determine flood proofing measures that should be required. New development will not be permitted in the floodway. Development that may be permitted in the flood fringe area will need to be protected to the level of the **Regulatory Flood**.
5. Where strict adherence to the **one-zone** or **two-zone** concept would affect the economic and social viability for areas of existing development within a community, a special policy area may be considered and implemented through an Official Plan Amendment following consultation with the Province and the appropriate conservation authority. The County must apply for special policy area status in accordance with established procedures. Once such status is obtained, controlled development may be permitted subject to the special policies. The County will define special policy areas in the Official Plan in consultation with the conservation authority and the Province and set out policies for appropriate development. The minimum acceptable level of flood protection for all development will be identified.
6. In both the one-zone and two-zone concepts, the following uses may be permitted in the Floodway provided the hazard will not be aggravated and the requirements of the conservation authority or other approval agencies are met:
 - a) established agriculture and related uses, excluding new buildings and structures;
 - b) outdoor recreation, parks and open space;
 - c) forestry;
 - d) uses which assist in conserving or managing water supplies, wildlife, fisheries or other natural features;
 - e) limited marine commercial and marine industrial uses, including buildings and structures normally associated therewith along river edges and shorelines;

- f) wastewater treatment facilities and expansions thereto, subject to applicable provincial legislation; water facilities and outstations; and, utilities with adequate flood-proofing measures;²²
- g) flood and erosion control structures; and
- h) continued maintenance of existing buildings and structures and replacement of existing buildings and structures lost to fire or other natural disasters provided that they can be protected by flood proofing measures.

PERMITTED USES IN
FLOOD FRINGE

7. In the two zone concept, and where a hazard land designation overlays another land use designation (excluding agriculture), the appropriate conservation authority shall be consulted and consideration given to the following factors before development is allowed in the Flood Fringe:
- a) the nature and scale of the development proposed;
 - b) the flooding effect of the proposal on upstream and downstream areas;
 - c) the feasibility of employing flood damage reduction measures or flood proofing (feasibility of placing fill to attain desired lot elevation, feasibility of construction on organic soils, increased structural requirements, sump pumps, one way valves, availability of suitable outlets for storm sewers, weeping tile, drains, etc.); and
 - d) uses permitted in the underlying designations.

PROHIBITED USES

8. The following uses are prohibited in Riverine Hazard Lands:
- a) institutional uses including hospitals, nursing homes, pre-school, school nurseries, day care and schools, where there is a threat to the safe evacuation of the sick, the elderly, persons with disabilities or the young during an emergency as a result of flooding, failure of floodproofing measures or protection works, or erosion;
 - b) an essential emergency service such as that provided by fire, police and ambulance stations and electrical substations, which would be impaired during an emergency as a result of flooding, the failure of floodproofing measures protection works, or erosion; and
 - c) uses associated with the disposal, manufacture, treatment or storage of **hazardous substances**.

DEVELOPMENT
STANDARDS
CRITERIA

9. Replacement and minor expansion may be permitted in some areas of existing development which lie in Riverine Hazard Lands. To assess such development proposals within Riverine Hazard Lands, a study is required to demonstrate how all the following can be achieved:
- a) Flooding and erosion hazards can be safely addressed;
 - b) Existing physical hazards are not aggravated or new hazard areas created;
 - c) No negative impact on identified Natural Environment features will result;
 - d) Vehicles and pedestrians have safe access and exit during times of flooding an erosion emergencies; and
 - e) Development and maintenance can be carried out in accordance with established standards and procedures.

²² Ministry Modification – June 8, 2009

The study should be prepared by a qualified professional at the proponent's expense to address the above noted items. Approval should be provided by the applicable conservation authorities and/or other appropriate agencies in consultation with the County. The proponent may be required to enter into a site plan approval process with the County regarding the undertaking of the measures outlined in the study and subsequent approval process.

10. Conservation authorities have the jurisdiction in prohibiting the placement or removal of fill of any kind, whether originating on the site or elsewhere, in a regulated Riverine Hazard.

11. A Special Policy Area was approved by the Province in conjunction with the former Town of Dunnville and former Region of Haldimand-Norfolk and Grand River Conservation Authority for the Dunnville urban area. This Plan delineates those lands included" as a Special Flood Plain Policy Area on Schedule "B.3". The Special Policy Area consists of Areas 1, 2 and 3. Any development or redevelopment in these areas shall be in accordance with the following policies:

SPECIAL POLICY
AREA - DUNNVILLE

- a) All new buildings, structures and major additions (i.e. more than 50% of existing floor area of existing buildings or structures), shall be protected:
 - i) To the level of the **Regulatory Flood** in Area 1 which for the purpose of this Special Policy Area shall be an elevation of 179.0 m. (587.3 ft) Canadian Geodetic Datum (C.G.D.) and describes the flood level in a storm where flood waters would flow at a rate of 2,690 m³/s (95,000 ft³/s);
 - ii) To the level of the **Regulatory Flood** in Area 2 which for the purpose of this Special Policy Area shall be an elevation of 176.5 m (579.1 ft) C.G.D. and describes the flood level in a storm where flood waters would flow at a rate of 2,690 m³/s (95,000 ft³/s); and
 - iii) To the level of the 100 Year Flood in Area 3 which for the purpose of this Special Policy Area shall be an elevation 178.7 m (586.3 ft) C.G.D. and describes the flood level in a storm where flood waters would flow at a rate of 1,996 m³ (70,000 ft³/s). In some portions of Area 3, the level of protection may be less than the stated elevation herein because of the graduated elevations of the applicable 1 in 100 year storm flood levels as specified by the Grand River Conservation Authority;
- b) Minor additions or alterations less than 50% of the floor area of existing buildings and structures may be permitted below the elevations identified above but not lower than existing elevations, where the economic, social and environmental cost is proven to be too great;
- c) Where practical, new services shall be located higher than the level of Regulatory Flood Line in Areas 1 and 2 and the level of the 1 in 100 Year Flood in Area 3 but where this is not feasible, such services shall be flood proofed using measures satisfactory to the County and the Grand River Conservation Authority;

- d) Bulk storage facilities for dangerous, flammable, explosive, toxic or corrosive materials below the elevations identified in policy 2.C.1).13 a) shall not be permitted;
- e) New nursing homes, homes for the aged or **assisted living group homes** and **correctional group homes** shall only be permitted to locate in the Special Policy Area where the building is flood proofed to the elevations as set out above and dry land access to the building (i.e. less than 0.3 m of flood waters during a regulatory flood event, or within Area 3, a 1:100 year flood event) can be provided;
- f) The County shall review development proposals in consultation with the Grand River Conservation Authority and, where appropriate, require floodproofing techniques which reduce the risk of flooding. The following matters will be taken into consideration in the review of such proposals:
 - Flood depths and velocities;
 - Adverse hydraulic effects;
 - Adjacent land uses and properties; and
 - The economic, social and environmental costs required to overcome the flood hazard.
- g) The County, in conjunction with the Grand River Conservation Authority, will explore the feasibility of structural flood damage reduction measures in accordance with the 1978 Phillips Planning and Engineering Consultants Ltd. "Report on Flood Line Mapping from Lake Erie to Brantford and Floodplain Studies in Dunnville", to reduce the risk of flooding; and
- h) In recognition of the ongoing modelling of the Grand River and the establishment of new and more detailed hydrologic information for the area, the Special Policy Area policies and boundaries may need to be updated by amendment to this Plan to reflect this information. The County intends to proceed with a review of the Special Policy Area in conjunction with the appropriate conservation authority and Province.

2) LAKESHORE HAZARD LANDS

INTRODUCTION

1. The Lake Erie shore is subject to fluctuating water levels, **seiche episodes**, wave action and storms. Consequently, development along the shore is subject to significant damage potential. The **Regulatory Shoreline Area** comprises three hazards: the **Dynamic Beach Hazard**, the **Flood Hazard** and the **Erosion Hazard**. The Regulatory Shoreline is the farthest landward line of the three.

This Plan recognizes the detailed shoreline management plans prepared by the conservation authorities for their respective jurisdictions within the County. In consideration of development proposals along the lakeshore, the information and concepts of such shoreline management plans will be considered.

Lakeshore Hazard Land is mapped on the Official Plan schedules and reflects the Regulatory Shoreline Area as established by the respective conservation authority. Development will generally be directed outside the Regulatory Shoreline Area.

2. The following uses may be permitted within Lakeshore Hazard Lands provided other policy requirements of this Plan and the requirements of the conservation authority or other approval agency are met: PERMITTED USES
- a) established agriculture and related uses, excluding new buildings and structures;
 - b) outdoor recreation, boardwalks, trails and parks;
 - c) forestry;
 - d) uses which assist in conserving or managing water supplies, wildlife, fisheries or other natural features;
 - e) limited marine commercial and marine industrial uses along shorelines including buildings and structures normally associated therewith;
 - f) wastewater treatment facilities and expansions thereof, subject to applicable provincial legislation; water facilities and outstations; and, utilities with adequate flood-proofing measures;
 - g) flood or erosion control structures;
 - h) buildings accessory to the permitted uses, such as restrooms, concession booths or sheds; and
 - i) limited amounts of infilling may be permissible in designated resort residential nodes in Lakeshore Hazard Lands areas. Such infilling would be limited to residential uses, and all lots must be of sufficient size for an individual sewage disposal system.

It should be noted, that the requirements of the Ministry of Natural Resources may also have to be met regarding the construction of structures that require permissions under the *Lakes and Rivers Improvement Act*. For the construction of marinas, other agency permission may be required.

3. Development and site alteration shall not be permitted within the Dynamic Beach Hazard and the following uses shall be prohibited in the Lakeshore Hazard Lands: PROHIBITED USES
- a) institutional uses including hospitals, nursing homes, pre-school, school nurseries, day care and schools, where there is a threat to the safe evacuation of the sick, the elderly, persons with disabilities or the young during an emergency as a result of flooding, failure of floodproofing measures or protection works, or erosion;
 - b) an essential emergency service such as that provided by fire, police and ambulance stations and electrical substations, which would be impaired during an emergency as a result of flooding, the failure of floodproofing measures, protection works, or erosion; and
 - c) uses associated with the disposal, manufacture, treatment or storage of **hazardous substances**.

DEVELOPMENT
CRITERIA

4. Except as prohibited in the above policy 2.C.2.3 – Prohibited Uses, development and **site alteration** may be permitted in Lakeshore Hazard Lands after the preparation of a study that demonstrates how all of the following can be achieved:
 - a) Flooding and erosion hazards can be safely addressed;
 - b) Existing hazards are not aggravated or new hazard areas created;
 - c) No negative impact on identified Natural Environment features will result;
 - d) Vehicles and pedestrians have **safe access** and exit during times of flooding and erosion emergencies; and
 - e) Development is carried out in accordance with established standards and procedures and the policies of the underlying resort residential or hamlet designation.

The study shall be prepared by a qualified professional at the proponent's expense to address the above noted items. Approval should be provided by the applicable conservation authority and/or other appropriate agencies in consultation with the County. The proponent may be required to enter into a site plan approval process with the County regarding the undertaking of the measures outlined in the study and subsequent approval process.

5. Conservation authorities have the jurisdiction in prohibiting the placing or removal of fill of any kind, whether originating in the site or elsewhere, in a regulated Lakeshore Hazard.
6. Nothing in the above policies shall be interpreted to prohibit the relocation of an existing building or structure presently located within the Lakeshore Hazard Lands designation to a location farther away from the edge of the **bluff** on the same lot or to another lot farther away from the edge of the bluff, even if it is still within the Lakeshore Hazard Lands subject to meeting the provisions of the applicable Zoning By-law. If a structure is relocated to another lot, no replacement structure may be constructed on the lot from which the original structure was moved. The Zoning By-law may contain minimum building setbacks from the top of the bluff. Such setbacks will be established in consultation with the appropriate conservation authority.

INFILLING

7. Limited amounts of infilling may be permissible in designated **resort residential nodes** in Lakeshore Hazard Lands areas. Such infilling would be limited to residential uses, and all lots must be of sufficient size for an individual sewage disposal system.

SHORELINE
PROPERTY
ASSISTANCE ACT

8. In the administration of grants under the *Shoreline Property Assistance Act*, the County may require detailed studies of the impact of proposed private erosion control structures on the adjacent shoreline. All property owners within 152 metres of the proposed shoreline modification shall be notified. Steps shall be taken to determine whether the proposed scheme could damage adjacent properties. Joint schemes between adjoining property owners will be encouraged. The County will direct shoreline owners to agencies which are able to propose the best solution for controlling erosion or flooding. However, no direct involvement or responsibility is assumed to apply toward the County.

3) OTHER HAZARD LANDS

- | | |
|--|----------------------|
| 1. Other Hazard Lands are lands that are subject to hazards due to steep slopes, unstable soils, undermined areas, or other naturally occurring hazards in locations other than Riverine Hazard Lands or Lakeshore Hazard Lands. | INTRODUCTION |
| 2. Permitted uses within the Other Hazard Lands designation shall include: <ul style="list-style-type: none">a) Established agriculture and related uses excluding new buildings and structures;b) Outdoor recreation not requiring buildings or structures;c) Open Space;d) Parks;e) Golf courses excluding buildings;f) Forestry;g) Uses which assist in conserving or managing water supply, wildlife, fisheries, or other natural features;h) Resource extraction excluding administrative, maintenance, and storage buildings;i) Uses pertaining to public utilities such as transmission lines and pipe lines, if adequately engineered;j) Buildings and structures necessary for flood and/or erosion control;k) Limited marine uses along the shoreline including buildings and structures normally associated therewith; andl) Minor expansions and accessory buildings or structures and replacement of existing buildings and structures lost to fire or other natural disasters provided that they can be protected by flood proofing measures may be permitted subject to consultation with the appropriate authority. | PERMITTED USES |
| 3. To review development proposals within Other Hazard Lands, a study is required to demonstrate how all the following can be achieved: <ul style="list-style-type: none">a) The existing physical hazards can be safely addressed;b) Existing physical hazards are not aggravated or new hazard areas created;c) The proposed methods by which these impacts may be overcome in a manner consistent with accepted engineering techniques and resource management practices and techniques;d) No negative impact on identified Natural Environment features will result;e) Vehicles and pedestrians have safe access and exit during times of flooding and erosion emergencies; andf) Development and maintenance can be carried out in accordance with established standards and procedures. | DEVELOPMENT CRITERIA |

The study should be prepared by a qualified professional at the proponent's expense to address the above noted items. Approval should be provided by the applicable conservation authorities and/or other appropriate agencies in consultation with the County. The proponent may be required to enter into a

site plan approval process with the County regarding the undertaking of the measures outlined in the study and subsequent approval process.

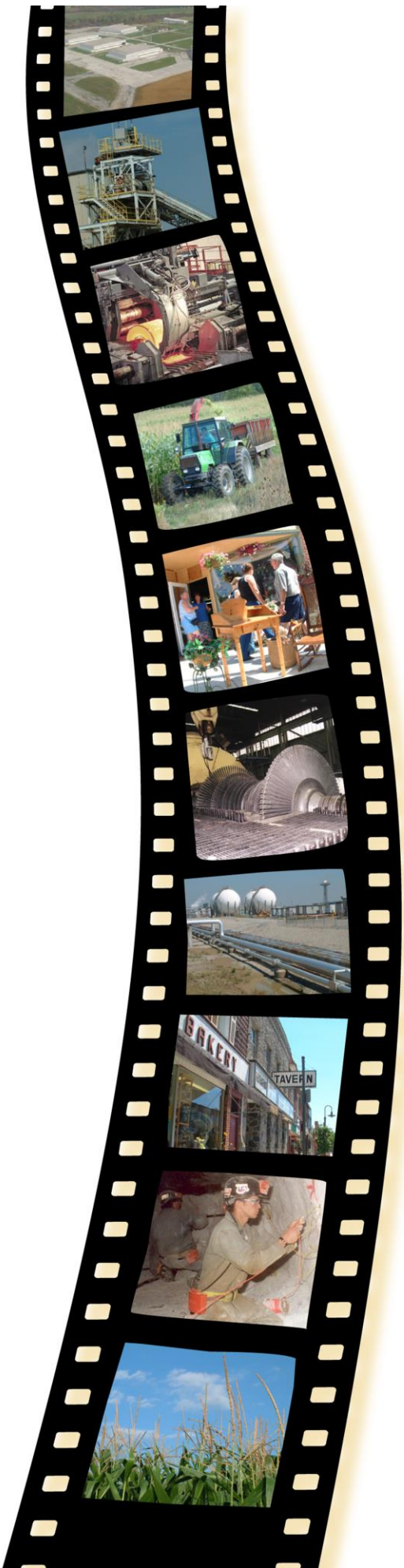
4. Continual maintenance and replacement of existing buildings may be permitted provided that such replacement does not result in major increase in the original usable ground area of the building or structure, subject to the approval of the conservation authority and/or applicable agencies.
5. Other than as specified in policy 2.C.3.2 of this Section, no buildings or structures are permitted in Other Hazard Lands.
6. There are areas in Haldimand County, predominately near the urban area of Jarvis, where naturally occurring methane gas migration is found. Methane gas is generally produced from natural gas deposits. Natural gas resources in Haldimand County are identified on Schedule "G".

METHANE
GAS

Methane gas located in the Jarvis area appears to be vented to the surface through water and gas wells. Properly plugging, capping or sealing abandoned water and gas wells can reduce the risk associated with methane gas venting to the surface. As part of a development application process, if the County becomes aware of an abandoned gas or water well, the County will advise the Ministry of Natural Resources and/or Ministry of the Environment for follow up.

When considering development proposals, the County will encourage all known abandoned water and gas wells within the resource areas identified on Schedule "G" to be capped appropriately to reduce the risk of methane gas from venting into structures. Further studies are required to determine the long-term solutions to the methane gas migration problem in the Jarvis area of Haldimand County.

In the interim, within natural gas resource areas in the Jarvis area identified on Schedule "G", the County will require, at a minimum, that any new building or structure requiring a building permit be specifically reviewed by a qualified engineer for the possibility of methane gas infiltration in the building or structure and where there is a danger of methane gas infiltration, that a detection and ventilation system be designed by an engineer and installed. The County will further require review and design through subdivision and site plan agreements. The County encourages methane gas detection devices be installed in all existing homes and in all existing public, institutional, recreational and commercial buildings within the natural gas resource area in Jarvis.



ECONOMY

Strategic Direction

Maintaining, stimulating and expanding appropriate sectors of the County's economy are of primary importance to ensure a strong corporate community. Agriculture has played a key role in developing Haldimand County and continues in its role as a sector of primary importance. Stimulation of other commercial and industrial interests (by nurturing existing businesses and attracting new ones) and areas for growth (such as tourism), through appropriate allocation of resources will allow Haldimand County to use its strategic location and many resources to attain its vision of having a strong and diverse economy for its residents and corporate citizens.



OFFICIAL PLAN

3. ECONOMY

SCOPE OF THE POLICIES

The Economy section is divided into two subsections. The first subsection identifies policies relating to the portion of the economy tied to the natural resources of the County. The significant natural resources include agriculture, mineral aggregates, gypsum mining, petroleum resources, and wind resources.

The second subsection highlights policy directions relating to those economic activities stemming from the natural and built environment such as commercial, industrial and tourist development. Both subsections highlight the importance of these sectors to the economic health of Haldimand County.

A. NATURAL RESOURCES

1) AGRICULTURE

INTRODUCTION

1. A prime component of the County’s economy is the extensive area of highly productive agricultural lands. This asset is fundamental to the economic base and rural lifestyle of the County. It is in the County’s interest to preserve that lifestyle and to foster the agricultural industry. The land base must be protected and the use of the lands must be predominantly agriculturally oriented to achieve these objectives. The agricultural industry forms the prime economic basis for the rural community and, to the benefit of the County, the range of agricultural activities are quite broad. Generally, new non-agricultural uses shall be located in urban areas, hamlets, industrially designated areas and resort residential nodes.

2. The agricultural industry should be fostered and protected to ensure its viability for the economic and social benefit of the County. In order to accomplish this the County will:
a) protect the **prime agricultural land** for agricultural purposes; and
b) encourage the development of agricultural support services within urban areas and designated hamlets.

3. Haldimand County is predominantly agricultural and rural in character and consequently, it is a primary goal of this Plan to retain this economic resource. The policies of the Agricultural designation are intended to preserve and protect the agricultural land base for agricultural purposes and to maintain an environment conducive to such purposes.

4. This Plan recognizes the use of the Canada Land Inventory (CLI) of Soil Capability for Agriculture as the principle method of establishing soil productivity classes within the County. However, the County may, over time, employ alternative land evaluation methods. The alternative methods will be undertaken in consultation with

METHODS OF AGRICULTURAL LAND EVALUATION

the Ministry of Agriculture, Food and Rural Affairs. According to the CLI for Agriculture, Haldimand County consists primarily of Class 1 to 3 soils, which are considered to be **prime agricultural lands**. The Agricultural designation is comprised of areas where Class 1 to 3 soils predominate. Class 4 to 7 soils may also be integral to the agricultural land.

Haldimand County is committed to the protection of **prime agricultural lands**. However, in light of the predominance of Class 1 to 3 agricultural soils within the municipality, it is also recognized that wherever development occurs within the County, lands with significant capability for agriculture may be utilized.

PERMITTED
USES

5. The predominant use of lands within areas designated Agricultural shall be agriculture. Agriculture is defined as all forms of farming, including the growing of crops, market and nursery gardening, woodlot management, the raising of livestock and the raising of poultry, fish and other animals for food, fur or fibre, aquaculture, apiaries, aviaries and maple syrup production.

Land uses compatible with agriculture may also be permitted including animal kennels, forestry uses, activities connected with the conservation of soil or wildlife and resource-oriented lands uses, including ventilation and escape shafts that are part of an underground mining operation.

VALUE ADDED
USES

6. While it is the preference that they be located in industrial areas or urban business parks, land uses that add value to farm products may also be permitted on farms provided they are located in the farm building complex and primarily serve the surrounding rural and agriculture community. These uses may include processing, preserving, storing and packaging of farm products and outlets for the retail sale of agricultural products from the farm operation on the property.²³ Facilities that add value to farm products may be used co-operatively; however, the scale of operations may not exceed the needs of the surrounding agricultural community. The size of the building or facility for these uses will be limited in the implementing zoning by-law.

SECONDARY
USES

7. Small-scale carpentry, electrical, welding, machine and small engine repair shops or similar uses operated by the farmer may be permitted as secondary uses on farms provided that the uses are located within the farm building complex, primarily serve the surrounding rural and agricultural community and are compatible with and do not hinder surrounding farm operations.²⁴ The size of the secondary use will be limited in the implementing zoning by-law. In addition, home based businesses may be permitted in accordance with Section 5.J.

AGRICULTURALLY
RELATED USES

8. Small-scale agriculturally related commercial and industrial uses may be permitted, subject to a zoning amendment, in accordance with the following criteria:
 - a) the use is directly related to a farm operation and the use is required in close proximity to the farm operation;²⁵
 - b) the use is proposed in an area of poorer quality soils;

²³ Ministry Modification – June 8, 2009

²⁴ Ministry Modification – June 8, 2009

²⁵ Ministry Modification – June 8, 2009

- c) the use is proposed in an area where the fragmentation of lands is evident or the topography of the lands is such that the site is less suitable for agriculture;
 - d) the use is compatible with surrounding agricultural and sensitive uses; and
 - e) minimize land taken out of agricultural production.
9. Lands containing legally existing highway commercial uses as of the adoption of this Plan, such as service stations, restaurants and motels that primarily serve the traveling public are recognized as being permitted in the Agricultural designation on the subject lands.²⁶ EXISTING HIGHWAY COMMERCIAL USES
10. Lands containing legally existing non-agriculturally related industrial uses as of the date of adoption of this Plan are recognized as being permitted in the Agricultural designation on the subject lands. EXISTING INDUSTRIAL USES
11. Lands containing legally existing institutional uses as of the date of adoption of this Plan, such as places of worship and schools are recognized as being permitted in the Agricultural designation on the subject lands. EXISTING INSTITUTIONAL USES
12. A single detached dwelling may be permitted on an existing lot of record or on a lot created by consent in accordance with the policies of the Plan. Accommodations for farm vacations and **bed and breakfast establishments** may also be permitted in the dwelling in accordance with other policies of this Plan.
13. One additional dwelling may be permitted on any farm holding for the following: ADDITIONAL DWELLINGS
- a) a temporary or year round dwelling unit for full-time farm help where the farm holding is of a type and scale that warrants such full-time help close by;
 - b) a **mobile home unit** for the housing of seasonal workers actively involved in the operation of the farm holding; or
 - c) a garden suite in accordance with Section 5.M.
- Approvals for an additional dwelling in accordance with this policy may require an agreement with the County outlining the process for the eventual removal of the unit when no longer required.
- A severance for a dwelling unit established under this subsection shall not be permitted.
14. The standard for separating residential uses from existing, new or expanding livestock facilities shall be the Minimum Distance Separation (MDS) formulae, as revised from time to time. The MDS formulae shall also be used when considering the creation of new lots and new development in proximity to livestock facilities. The MDS formulae will be incorporated into the County's Zoning By-law. Notwithstanding policies relating to new developments on existing lots of record, where there is a vacant lot of record that is impacted by MDS, a dwelling may be permitted provided the dwelling is located on the lot at the furthest distance possible from the impacted livestock facilities. MINIMUM DISTANCE SEPARATION
15. Separation distances may also be set out in the Zoning By-law for animal kennels, mushroom farms and other uses which are a potential nuisance with respect the creation of noise, odour and/or dust.

²⁶ Ministry Modification – June 8, 2009

16. Any development which does not meet the Minimum Distance Separation formulae, or other separation distances established by the County, shall not be permitted.

SPECIALTY CROP
AREAS

17. Prior to the identification of specialty crop areas within the County, applications for settlement boundary expansions or non-residential uses in the agricultural area will be required to demonstrate by the way of a study that the subject lands do not compromise a specialty crop area. The study will be completed in accordance with provincial evaluation procedures.²⁷

2) MINERAL AGGREGATE RESOURCES

INTRODUCTION

1. Haldimand County has mineral aggregate deposits in the form of stone, gravel and sand as identified by the Ministry of Northern Development and Mines.²⁸ The County recognizes that these non-renewable resources are an important component of the economy of the County which must be protected for future use. It is also recognized that the extraction of the aggregates must be undertaken in an environmentally sound manner that adequately protects significant natural environment features and minimizes social disruption.

RESOURCE
BOUNDARIES

2. Mineral aggregate resources are designation²⁹ on the map schedules. These resources are protected for future use and extraction can occur without amendment to this Plan after zoning by-law amendment has been approved and a license has been obtained under the *Aggregate Resources Act*. The boundaries of Mineral Aggregate Resource areas are not considered absolute. Where an interpretation is required, more precise boundaries will be established through consultation with the Ministry of Natural Resources. The boundaries may be refined without amendment to this plan provided the boundary is contiguous with the existing resource boundary. Where new resource areas are identified, they will be required to be incorporated in this Official Plan through amendment.

DEVELOPMENT
CONSIDERATIONS

3. Development and changes in land use which hinder or prevent future access, use, or extraction of mineral aggregate resources will only be permitted where it can be shown that:

- a) extraction would not be feasible;
- b) the proposed land use or development serves a greater long term interest of the general public than does extraction; and
- c) issues of public health, public safety and environmental impact are addressed.

The County encourages the extraction of mineral aggregate resources prior to and during the development of land, if such development can be designed to maximize removal of the resource as part of the construction process.

PERMITTED
USES

4. The County recognizes all existing licensed pits and quarries and new licensed pits and quarries as legal uses and will endeavour through the policies of this plan to ensure their

²⁷ Ministry Modification – June 8, 2009

²⁸ Ministry Modification – June 8, 2009

²⁹ Ministry Modification – June 8, 2009

continued viability and use for extractive purposes in accordance with licence requirements established under the *Aggregate Resources Act*.

Accessory uses located on the licensed property associated with aggregate extraction operations and processing activities may be permitted providing such accessory uses are compatible with the surrounding area such as:

- a) crushing;
 - b) screening;
 - c) washing;
 - d) stockpiling;
 - e) blending with recycled asphalt or concrete materials;
 - f) concrete and asphalt mixing plants;
 - g) storage;
 - h) weigh scales;
 - i) parking; and
 - j) office facilities.
5. The County recognizes the potential for incompatibility of certain types of development within or near mineral aggregate resource areas. Appropriate land use separations should be applied to new sensitive land uses proximate to an existing aggregate extraction operation or identified resource area. New residential and institutional development within 500 metres of existing operations or resource areas shall be assessed on a case by case basis and appropriate development setbacks shall be established in consultation with the appropriate agencies based on studies carried out in support of the application for land use approvals.

Establishment of a new pit or quarry near existing development shall also be subject to appropriate mitigation measures and separation distances where sensitive land uses exist. Mitigation measures are determined on a case by case basis through the mineral aggregate licensing process under the *Aggregate Resources Act*. All new mineral aggregate operations within 500 metres of an urban area boundary shall be assessed and appropriate separation distances should be established in consultation with appropriate agencies and based on supporting studies which may include impact assessments of noise, vibration, air quality and other impact analyses as identified.³⁰

6. Applications for new pits and quarries and expansions will be assessed through a Zoning Amendment application based on the following:
- a) The feasibility of proposed aggregate extraction;
 - b) Compatibility with surrounding land uses;
 - c) Impact of the proposed haulage routes;
 - d) Potential impact on groundwater quality and quantity, drainage, natural environment areas, the natural environment, and significant cultural heritage resources;
 - e) Consideration of alternative locations on lower quality agricultural soils;
 - f) Rehabilitation plans; and
 - g) Conditions identified by provincial ministries or conservation authorities

APPLICATIONS
FOR NEW PITS
AND QUARRIES

³⁰ Ministry Modification – June 8, 2009

PERMITTED
INTERIM USES

7. Land uses which are permitted in the Mineral Aggregate Resources designation include:
- a) agricultural;
 - b) forestry and conservation uses;
 - c) public utilities; and
 - d) recreational facilities, provided they do not affect potential aggregate extraction.

All other uses and lot creation are generally discouraged until such time as the resource is substantially depleted in accordance with the licence. Should uses be proposed other than identified above, they will be justified in accordance with policy 3.A.2)3. above.

EXTRACTION
BELOW
WATER TABLE

8. Where extraction is proposed below the water table in prime agricultural areas, the following matters must be demonstrated:

- a) A substantial quantity of mineral aggregate is located below the water table warranting extraction below the water table or the depth of planned extraction in a quarry makes restoration of pre-extraction agricultural capability unfeasible.³¹ Dewatering that exceeds 50,000 litres per day will also require a permit to take water from the Ministry of the Environment;³²
- b) Other alternatives have been considered by the applicant and found unsuitable. This shall include aggregate resources on lower quality agricultural lands, resources on lands identified as designated growth areas and³³ or resources on **prime agricultural lands** where rehabilitation to agriculture is possible;
- c) In those areas remaining above the water table following extraction, agricultural rehabilitation will be maximized; and
- d) A hydrogeological study is submitted, to ensure no negative impact on surrounding lands.

WAYSIDE PITS AND
QUARRIES AND
PORTABLE ASPHALT
& CONCRETE
PLANTS

9. Temporary **wayside pits and quarries**, portable asphalt plants and portable concrete plants used on public authority contracts shall be permitted, without the need for an official plan amendment, rezoning, or development permit under the *Planning Act* in all areas, except those areas of existing development or particular environmental sensitivity which have been determined to be incompatible with extraction and associated activities. Utilization of inactive pits and quarries for wayside pits and quarries will be encouraged.

REHABILITATION

10. The progressive rehabilitation of pits and quarries will be required so that only a minimum amount of land area is used for extraction at one time. **Prime agricultural lands** are to be rehabilitated to ensure that substantially the same hectareage and average soil capability for agriculture are restored. Where extraction is permitted below the water table, complete agricultural rehabilitation may not be required. Other appropriate post extraction uses such as recreational, natural environment area development, and where applicable, other economic related uses may also be developed subject to municipal and Provincial approval.

Once the resource has been extracted and the lands rehabilitated, the County may, through the comprehensive 5 year Official Plan review process, redesignate the lands from the Mineral Aggregate Resource designation in accordance with the policies of this

³¹ Ministry Modification – June 8, 2009

³² Ministry Modification – June 8, 2009

³³ Ministry Modification – June 8, 2009

Plan and the Provincial Policy Statement to an appropriate designation.³⁴ Lands within a prime agricultural area will be re-designated 'Agriculture'. The designation of lands as 'Mineral Aggregate Resource' does provide the basis on which to permit non-agricultural uses in prime agricultural areas without addressing the other requirements of this Plan and the Provincial Policy Statement.³⁵

11. The County recognizes that there are other areas where extraction of aggregate resources may be feasible and economical. With the exception of wayside pits and quarries, an amendment to this Plan and the Zoning By-law will be required to allow new pits or quarries in areas not designation or interpreted as Mineral Resource Areas. Applications for such amendments will be reviewed on the basis of the following:
 - a) The feasibility of proposed aggregate extraction;
 - b) Compatibility with the surrounding land uses;
 - c) Impact of the proposed haulage routes;
 - d) Potential impact on groundwater quality and quantity, natural environment areas, and significant cultural heritage resources;
 - e) Rehabilitation plans; and
 - f) Conditions identified by Provincial ministries or conservation authorities.

12. Where new pits and quarries are proposed in or adjacent to Natural Environment Areas, the policies in the Environment Section shall apply.³⁶ As such, it must be demonstrated through an Environment Impact Statement that the impact on the Natural Environment feature(s) must be mitigated. New pits and quarries or the expansion of a legally existing pit or quarry shall not be permitted in Provincially Significant Wetlands and Significant Habitat of Threatened and Endangered Species.³⁷

NON-DESIGNATED
AGGREGATE
RESOURCES

3) MINING - GYPSUM

1. Significant gypsum resources exist within Haldimand County. Gypsum mining is an important economic component of the natural resource extraction potential in the County. Valuable deposits of this non-renewable resource located in the County should be protected from incompatible development for future local and provincial needs. The County may also have other non-aggregate mineral resources.

2. Areas of known gypsum deposits and/or areas that have been affected by underground mining activity related to gypsum extraction are shown as Gypsum Deposits on Schedule "A". The Gypsum Deposits are identified as an overlay designation intended to ensure that new development within this area is protected from potential ground subsidence. The location and extent of gypsum deposits and underground mine areas have been identified using mapping provided by producers of gypsum and gypsum products that operate within the County and the Ministry of Northern Development and Mines. An Official Plan Amendment will be required to identify new gypsum resources not identified on the map schedules.

INTRODUCTION

RESOURCE
IDENTIFICATION

³⁴ Ministry Modification – June 8, 2009

³⁵ Ministry Modification – June 8, 2009

³⁶ Ministry Modification – June 8, 2009

³⁷ Ministry Modification – June 8, 2009

3. Those areas where known deposits of gypsum exist and areas that have been mined are not separately distinguished on Schedule "A". However, information regarding the extent of underground mining within the municipality is maintained by the County and updated from time to time in co-operation and consultation with the Ministry of Northern Development and Mines. Therefore, where new non-extractive development is proposed within an area identified as being affected by gypsum deposits, consultation with the County and the Ministry of Northern Development and Mines shall be undertaken to determine whether the lands are undermined.

PERMITTED
USES

4. In areas identified as being affected by gypsum deposits on the map schedules, surface uses shall include:
 - a) all uses permitted in the underlying designation provided that all buildings and structures are sited or engineered in locations which are protected from potential ground subsidence; and
 - b) ventilation shafts, tunnel entrances, change rooms, field offices and other accessory surface uses associated with an underground mining operation.

UNDERMINED
AREAS

5. Those surface areas that are now or have been subject to undermining will be recognized in the Zoning By-law. Development of new gypsum mining areas already designated will require an amendment to the By-law. Prior to the consideration of such an amendment, the County will consult with the Ministry of Northern Development and Mines, the gypsum mining company responsible for the undermining and/or other agencies that are deemed appropriate.

SURFACE USE OF
UNDERMINED
LANDS

6. There are lands within and near the urban area of Caledonia where gypsum has been extracted and due to the extraction, the surface lands may be deemed incapable of supporting a wide range of buildings and structures. These lands may be appropriately zoned in the Zoning By-law. Prior to any development being proposed, clearance from the Ministry of Northern Development and Mines is required indicating that the size, scale and location of all building or structures proposed can be accommodated on these lands. The County in consultation with the Ministry of Northern Development and Mines may establish specific design standards for development within these mined out areas.

DEVELOPMENT IN
VICINITY OF
HISTORICAL
EXTRACTIVE
ACTIVITY

7. There are locations in the County where previous historical extractive activity has taken place. The location of the areas or individual mine shafts are identified on the map schedules. Development on, abutting or adjacent to lands affected by this previous mining activity may be permitted only if rehabilitation measures to address and mitigate known or suspected hazards are underway or have been completed in consultation with the Ministry of Northern Development and Mines.

4) PETROLEUM RESOURCES

INTRODUCTION

1. Haldimand County contains significant petroleum resources, including natural gas, that have been extracted or are in the process of being extracted. The remaining resource areas are identified on Schedule 'G'. As a result of the resource extraction, there are many natural gas wells that exist within the County. County priorities include the protection of the resource from incompatible development for long term use and efforts to ensure that abandoned wells are properly remediated and capped to reduce potential contamination of the ground water table.

- | | |
|---|---------------------------------|
| <p>2. Activities involved in the exploration of petroleum resources shall be permitted within the County except for Urban Areas, Hamlets, Resort Residential Nodes, Provincially Significant Wetlands and Habitat of Endangered and Threatened Species provided that the activities are carried out in accordance with current Federal, Provincial and County policies, guidelines and legislation.</p> | <p>EXPLORATION</p> |
| <p>3. Activities, buildings and structures required for the extraction of petroleum resources shall be permitted within the County, except within Urban Areas, Hamlets, Resort Residential Nodes, Provincially Significant Wetlands and Habitat of Endangered and Threatened Species. Buildings and structures for storage, refining, plant or office facilities relating to petroleum resources will only be permitted in specific areas designated for such uses.</p> | <p>DEVELOPMENT
CRITERIA</p> |
| <p>4. Where an expansion to an Urban Area, Hamlet or Resort Residential Node is proposed in a resource area identified on Schedule 'G', an assessment will be undertaken to review whether the expansion would preclude or hinder the establishment of new operations or access to the resource. An expansion to an Urban Area, Hamlet or Resort Residential Node will only be permitted, if it can be demonstrated that:</p> <p>a) the resource use would not be feasible; or</p> <p>b) the proposed land uses or development serves a greater long term public interest; and</p> <p>c) issues of public health, public safety and environmental impact are addressed.</p> | |
| <p>5. Within all land use designations, new building construction generally will not be permitted within 75 metres of existing petroleum resource operations. Reduced setbacks for new building construction may be permitted in consultation with the appropriate authority. The setback requirement does not apply to petroleum operations decommissioned according to Provincial abandonment and rehabilitation requirements.</p> | |
| <p>6. As part of the development approval process, the County will request that all abandoned gas wells that are known or discovered on the lands be identified. If abandoned gas wells are identified, the County will then advise the Ministry of Natural Resources for follow up. The intent of the follow up is to ensure that all abandoned gas wells are properly plugged, capped or otherwise made safe in accordance with Provincial requirements. Areas where abandoned wells are located should be avoided when siting buildings, unless it can be demonstrated that development can safely occur.</p> | <p>ABANDONED
WELLS</p> |

5) WIND ENERGY RESOURCES

- | | |
|---|---------------------|
| <p>1. Haldimand County supports the development of wind energy systems for electricity production as a source of renewable energy for the economic benefit of the County and the Province.</p> | <p>INTRODUCTION</p> |
| <p>2. In all designations of the Official Plan, except for the Urban Areas, Hamlets, Resort Residential Nodes, Hazard Lands, Provincially Significant Wetlands, and Other Natural Environment Area designations, and the Habitat of Endangered or Threatened Species, one small-scale individual wind turbine may be permitted without the need for a Zoning By-law amendment. Prior to the erection of a small-scale individual wind turbine,</p> | |

consultation with the Building and By-law Enforcement Division is necessary to determine compliance with the Ontario Building Code. The Zoning By-law may include minimum lot size requirements for regulating a small-scale individual wind turbine.

3. Any wind turbine proposed within a Ministry of Transportation Permit Control Area, would require Ministry of Transportation approval prior to any construction taking place on the site. The turbines must be set back from the right-of-way a minimum distance of the height of the turbine plus the length of the blade. Outside the Ministry of Transportation's Permit Control Area, setbacks for turbines will be determined in the zoning by-law.
4. Wind farms, comprising two or more wind turbines, or wind turbines producing 500 kW or more of electrical wind energy from one parcel of land may be permitted through a Zoning By-law amendment in the Agriculture, Major Industrial, Industrial and Rural Industrial designations.
5. Wind farms shall be designed, built, operated and maintained by person(s) or firms qualified to undertake the work.
6. Where required, the conditions of the Federal and Provincial governments as well as the local hydro company and any other appropriate agencies shall be met prior to connection to the electric grid.
7. The Zoning By-law amendment will ensure off-site impacts such as safety, noise and visual impacts will be minimized and contained on the site of the wind farm.
8. Wind farms will be permitted on large parcels of land (5 hectares or greater) designated Agricultural, Major Industrial, Industrial, or Rural Industrial that are separated appropriately from residential development. The sites will be separated appropriately from Urban Areas, Hamlets and **Resort Residential nodes** in the Lakeshore area in order to reduce the potential impact of safety issues (such as falling ice), noise and visual intrusion in these identified areas. The Zoning By-law will provide specific setback standards in order to ensure an appropriate setback is maintained from residential and other potentially incompatible uses. An Environmental Assessment will be required to address environmental and other related concerns for wind energy projects generating 2 MW or more of electricity.
9. The sites of a proposed wind farm must have access onto an improved public road with the design capacity and structure to accommodate construction and maintenance vehicles needed for the wind farm. Where there is no improved public road, developers of wind farm facilities may be required to upgrade an existing road or construct an improved public road designed and built to accommodate construction and maintenance vehicles needed for the wind farm development
10. Where possible, new wind farms will be encouraged to be located on lower quality agricultural lands, designed to limit the footprint on the land and minimize disruption to normal farm practices. Where proposed on agricultural land, wind farms are generally required to be secondary to a farming use.

PERMITTED
LOCATIONS

APPLICATION
REQUIREMENTS

11. Applications for a Zoning By-law amendment to permit wind farms will require studies prepared by qualified professionals to be submitted in conjunction with the application.

The studies are required to demonstrate to the County that issues related to the development of the wind farm are appropriately addressed. The required studies include:

- a) A noise impact study to determine the appropriate setback of the proposed wind farm from sensitive land uses in accordance with Ministry of Environment noise guidelines;
- b) A visual impact study to determine impacts of shadow or reflection of light coming from any part of the wind turbine on the surrounding sensitive land uses. The visual impact study should also review the impact of wind turbines on landscape as viewed from Lake Erie, municipal roads or other public access lands to recommend appropriate separation distances between wind turbines;
- c) Where a wind farm is proposed adjacent to identified Hazard Lands and/or Natural Environment Areas, an environmental impact study shall be prepared to determine the wind farm's impact on the Hazard Lands or Natural Environment Area and identify measures to mitigate the impact in accordance with Provincial and County policy;
- d) Where airports or telecommunication systems exist in proximity to the proposed wind farm, a study is required to ensure the siting and operation of the turbines will not impact on the operation or safety of these land uses;
- e) A grid analysis will be required to the satisfaction of Haldimand County Hydro and/or Hydro One indicating that the electrical power generated by the wind farm can be accommodated in the power distribution grid;
- f) A transportation study may be required to indicate the road network is capable of accommodating the construction and service vehicles required to erect and maintain the wind farm; and
- g) Where wind energy systems are proposed on or close to a previously mined area, a geotechnical study may be required in consultation with the Ministry of Northern Development and Mines to indicate that construction activities and vibration due to the rotation of the blades, will not result in ground subsidence over time.

Prior to initiating a Zoning By-law amendment, pre-consultation with the County is required to determine the studies required and the scope and nature of the issues that need to be addressed in the studies.

12. Wind farms may be subject to site plan control. A site plan and agreement may outline such aspects as: service road location and access; parking facilities; accessory buildings; vegetative buffers; location of external works and facilities; storm water management and any mitigation measures identified in the documentation supporting the Zoning By-law amendment application will be required. Site rehabilitation to accommodate subsequent land uses after the wind project and other related activities have ceased shall be considered as part of the site plan agreement.

SITE PLAN
CONTROL

B. BUILT ECONOMIC RESOURCES

Built economic resources in the County largely consist of commercial, industrial and tourism/leisure opportunities. Each of those economic sectors provides employment opportunities for residents of Haldimand County and beyond. Expansion of these sectors will provide job opportunities for County residents of working age and help to make

Haldimand County a self-sustaining economic unit. Specific policies relating to the built economic resources are highlighted in the Growth Management section of the Plan.

1) COMMERCIAL

Commercial development in Haldimand County is identified under four general policy areas. Each type of commercial use is important for ensuring that a wide range of commercial opportunities exist for County residents, seasonal and year round alike, as well as tourists staying in or traveling through Haldimand County. The four general types of commercial development are:

- a) Community Commercial which consists of the business district and historic crossroad or core of each urban area;
- b) Neighbourhood Commercial uses which are small-scale and form an integral part of residential neighbourhoods;
- c) Large Format Retail uses which are space extensive commercial developments; and
- d) Resort Commercial uses which provide for commercial facilities and services for tourists and seasonal residents.

Detailed policies relating to commercial development are found in the Growth Management Section of this Plan.

2) INDUSTRIAL/URBAN BUSINESS PARKS

Haldimand County currently has a diversified industrial base. The industries range from small pockets of existing industrial uses in the agricultural and hamlet areas, to medium scale industries located in planned industrial parks adjacent to the urban areas, to the Lake Erie Industrial Park and the heavy industrial area associated with the County's three major industries consisting of a steel mill, a hydro generating station and an oil refinery. This Plan recognizes the importance of maintaining and enhancing a strong and viable industrial area in a planned form within the County. The general types of planned industrial areas within the County are:

- a) "Major Industrial" consisting of a steel mill, hydro generating station and an oil refinery;
- b) "Industrial" consisting of the Lake Erie Industrial Park;
- c) "Urban Business Parks" included as part of urban areas; and
- d) "Rural Industrial".

Detailed policies are found in the Growth Management section of this Plan.

3) TOURISM

Tourism, **cultural tourism** and leisure opportunities are important aspects to Haldimand County's economy. This sector includes, but is not limited to golf courses, campgrounds, trailer parks, marinas, tourist accommodation facilities, museums, historical and scenic tours and heritage sites. Riverfront and Lakefront areas play a significant role in providing opportunities for tourism and leisure activities.

Policies relating to tourism, cultural tourism and leisure activities are found in the Growth Management and Leisure Sections of the Plan.

4) STRATEGY DEVELOPMENT

To allow for future growth opportunities and prepare for changes in the economic market place, the County has embarked on preparing strategies and marketing studies to provide strategic direction for the areas of economic development, tourism, culture and heritage and leisure. These Strategic Direction documents will help the County plan for growth in each of these sectors, strategically guide county resources such as hard capital, and soft capital (staff and community effort) and provide for coordination mechanisms that link the strategies to avoid duplication of efforts. The Strategic Direction documents will also encourage community involvement in implementation and priority setting.

The information gathered through the Strategies will provide policy direction that will be incorporated into this Official Plan through amendments.



GROWTH MANAGEMENT

Strategic Direction

Enhancing growth opportunities while maintaining and enhancing appropriate levels of service in both physical infrastructure and social services creates growth management challenges to ensure the Vision Statement is realized. Necessary infrastructure reviews will indicate when, how and where growth will be accommodated within Haldimand County in a cost effective and environmentally appropriate manner.



OFFICIAL PLAN

4. GROWTH MANAGEMENT

A. GROWTH FORECAST FOR HALDIMAND COUNTY

1. Updated population and employment forecasts to the year 2031 were prepared by Hemson Consulting based on Schedule 3 of the Growth Plan for the Greater Golden Horseshoe. The forecasts identify a population of 56,000 by 2031 which equates to an increase of approximately 4,680 dwellings. The forecasts also identify an employment level of 20,000 jobs by 2031 which equates to an employment increase of approximately 4,200 jobs.
2. The population and household growth is distributed to the six urban areas of the County which are Caledonia, Cayuga, Dunnville, Hagersville, Jarvis and Townsend. The Jarvis and Townsend growth share is combined, due to their proximity.³⁸ A share of the growth is also attributed to the rural area. The future shares of household growth are allocated based upon a number of factors being:
 - a) Haldimand County's proximity to Hamilton and the south-western portion of the Greater Toronto Area which will allow parts of the County most notably Caledonia, to attract new growth;
 - b) The availability of water and wastewater servicing; and
 - c) The focus for residential development on full municipal services will decrease the amount of new development in the rural area.

INTRODUCTION

GROWTH
SHARE
ALLOCATION

The share of growth forecasted by Hemson Consulting Ltd. for each urban area and the rural area to the year 2031 is as follows:

³⁸ Ministry Modification – June 8, 2009

HIGH SCENARIO

AREA	SHARE	HOUSEHOLD GROWTH UNITS	POPULATION (2026)
Caledonia	40%	1,890	15,460
Cayuga	6%	290	2,440
Dunnville	11%	521	6,900
Hagersville	14%	650	4,230
Jarvis/Townsend	5%	231	3,000
Rural	24%	1,100	23,970
TOTAL	100%	4,682	56,000

Source: Hemson Consulting, May 2009

The County recognizes that industrial, commercial and residential growth in all of the urban areas may be affected by the continued development of the John C. Munro International Airport in Hamilton and the construction of the new Highway No. 6 extension from Highway No. 403, as well as impacts resulting from the County's proximity to the City of Hamilton. In light of the foregoing, it is likely that designating additional urban lands may be required over the time period of this Plan.

FORECAST
REVIEW

- The population, households and employment will be monitored yearly. Adjustments to the forecasted growth will be made during the five year reviews of the Official Plan in conformity with the forecasts contained in Schedule 3 of the Growth Plan for the Greater Golden Horseshoe. Consideration of adjustments to the urban boundaries to accommodate growth, based on these forecasts, will be made during the five year reviews."

RESIDENTIAL
SUPPLY

- The County will accommodate residential growth for a minimum of 10 years through **residential intensification** and redevelopment and, lands which are designated and available for residential development. The County will maintain at least a 3 year supply of residential units available through lands with servicing capacity suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans.
- Development shall be directed to the urban areas and Hamlets, except where necessary for development related to the management or use of resources, resource-based recreational activities, and rural land uses that cannot be located in urban areas and Hamlets. Limited development within the existing resort residential nodes and the rural industrial areas (Port Maitland) will continue to be permitted in accordance with the policies relevant to those areas within the Official Plan.

B. URBAN AREAS

INTRODUCTION

- The policies in this part of the Plan apply to the following six **urban areas** in the County consisting of Caledonia, Cayuga, Dunnville, Hagersville, Jarvis and Townsend, which are shown on Schedule "A" and specifically identified on Schedules "B.1" through "B.6". The urban areas are generally communities where municipal water and sewage services exist. The majority of residential and commercial growth of the County will occur in these communities. No new urban areas shall be permitted.

Provision is made for a mix of residential, commercial, industrial and other land uses within most urban areas. Such land uses shall be built in a compact form which is appropriate for pedestrians, promotes walking and cycling and where feasible reduces the dependence on the automobile. Based upon servicing limitations, serviced industrial lands may not be provided within each urban area. Boundaries of each urban area and their general land uses shall be set out in separate land use schedules.

URBAN
BOUNDARY
EXPANSION

2. The County may consider the expansion of an urban area boundary only during a comprehensive review/municipal comprehensive review³⁹ of its Official Plan where it has been demonstrated that:

- a) sufficient opportunities for growth are not available through **intensification**, and in **designated greenfield areas** to accommodate the projected needs over the time frame of this Plan subject to the **intensification** targets and **designated greenfield area** density targets set out in this Plan;
- b) the infrastructure and public service facilities which are planned or available are suitable for the development over the long term, protect public health and safety and can be provided in a financially and environmentally sustainable manner;
- c) The timing of the expansion and the phasing of development within the **designated greenfield areas** contained within the new urban area boundary will not adversely affect the achievement of the **intensification** target or the **designated greenfield area** density target;
- d) the lands do not comprise specialty crop areas;
- e) there are no reasonable alternatives which avoid prime agricultural areas;
- f) there are not reasonable alternatives on lower priority agricultural lands in prime agricultural areas; and
- g) impacts from expanding urban areas on agricultural operations which are adjacent or close to the urban areas are mitigated to the extent feasible.

3. The comprehensive review/municipal comprehensive review⁴⁰ will address the following:

- a) The amount of land included with the expansion area is justified based on the population and employment forecasts for the municipality and considering the population required within the **built-up** area to meet the **intensification** target set out in 4.B.5 and the population and employment potential available within the **designated greenfield area** at the target density set out in Section 4.B.6;
- b) The proposed expansion is a practical and logical extension of the urban area and can be serviced by full municipal sewage and water services;
- c) The land is physically suitable for development;
- d) The proposed expansion will have a compact form, a mix of land uses and densities that efficiently use land, infrastructure and public facilities while providing for adequate amenity areas and parks;
- e) A suitable strategy for the staging, financing and construction of the infrastructure for the expansion area is developed;
- f) Prime agricultural areas are only included within the expansion if there is no reasonable alternative or lower priority agricultural lands;

³⁹ Ministry Modification – June 8, 2009

⁴⁰ Ministry Modification – June 8, 2009

- g) Opportunities for the use of **intensification** and redevelopment within the existing urban boundary, as an alternative to an urban boundary expansion, is not a reasonable option; and the ability to achieve the **intensification target** set out in Section 4.B.5 is not affected; and
 - h) The proposed expansion's impact on cultural heritage resources and Natural Environment Areas.
4. As part of a comprehensive review/municipal comprehensive review undertaken by the municipality, consideration may be given to re-allocating existing designated greenfield area from one existing urban area to another existing urban area as long as the current supply of designated greenfield area across the County does not increase. Where existing designated greenfield area is re-allocated, the lands removed from the designated greenfield area will be redesignated to agricultural and rural designations that do not permit the further development of these lands for urban uses.
 5. The County shall target for approximately 32 per cent of new dwelling units to annually be provided through intensification after 2015.
 6. The County shall target for an average density of 29 persons and jobs per hectare within the **designated greenfield area**. This assumes a minimum density of 46 persons and jobs per hectare for new residential applications within the **designated greenfield area** and a minimum density of 15 jobs per hectare on the Employment Area component of the **designated greenfield area**.

This density target will be measured over the entire designated greenfield area of the County, excluding the following features where the features are both identified in this Official Plan or any applicable provincial plan, and where the applicable provincial plan or policy statement prohibits development in the features: wetlands, coastal wetlands, woodlands, valley lands, areas of natural and scientific interest, habitat of endangered species and threatened species, wildlife habitat and fish habitat. The area of the features will be defined in accordance with the applicable provincial plan or policy statements that prohibit development in the features.

7. The Province and its agencies are encouraged to re-evaluate and revise the plans of subdivision within the designated greenfield area of Townsend with the objective of increasing the residential density.
 8. To achieve the target set out in Section 4.B.5, the County shall implement the following Intensification Strategy:
 - a) Encourage and facilitate **intensification** throughout the **built-up area** of the urban areas subject to the other policies of the **intensification** strategy and this Plan;
 - b) Delineate the downtowns of six urban areas, Caledonia, Cayuga, Dunnville, Hagersville, Jarvis and Townsend as mixed use **intensification** areas and direct and encourage **intensification** in these areas;
 - c) Delineate two **intensification** corridors, Argyle Street in Caledonia and Main Street in Dunnville and direct and encourage higher density **intensification** to these areas;

- d) Permit **intensification** within the **stable residential neighbourhood** component of the urban areas provided such **intensification** respects and reinforces the stability of the residential neighbourhoods, is not out of keeping with the physical character of those neighbourhoods, and is of a scale and built form that reflects the surrounding neighbourhood. The tests of appropriate **intensification** shall be determined through the compatibility criteria set out in Section 4.B.2) 11;
- e) Permit and encourage the creation of secondary suites within the built up areas of the urban areas subject to determination by Council and the policies of Section 5.O;
- f) Notwithstanding Section 8.H.1) b, all **intensification** and infill development within the **built-up area** may be subject to site plan control to ensure that the built form and physical look of the built form is compatible with the neighbourhood and include provisions for landscaping and screening if required;
- g) To facilitate **intensification**, the County may offer development incentives such as:
 - i) Reduced parkland dedication requirements;
 - ii) Reduced parking standards;
 - iii) Reduced Development Charges; and
 - iv) As-of-right zoning; and
- h) Plan for and encourage a range and mix of housing in the built up areas with higher density housing and employment directed to the intensification areas and corridors.

1) URBAN AREA ROLES

Special roles for each urban area are set out in this section to reflect the unique characteristics of each urban area.

1. Caledonia is the largest and fastest growing urban community in the County. Caledonia is bisected north and south by the Grand River. North Caledonia contains many of the community's heritage buildings and is home to Caledonia's industrial areas adjacent to Highway No. 6. South Caledonia has been the focus of most of the commercial and residential growth in the community. Caledonia's location near the City of Hamilton, the John C. Munro International Airport and Highway 6 provides a locational advantage for further residential, commercial and industrial growth. CALEDONIA
2. Cayuga is geographically central in Haldimand County and contains the municipal administration centre, County Courthouse, the County Land Registry Office and the Haldimand County Museum and Archives. Cayuga is located on the Grand River, south of the Ruthven National Historic Park site and home to a large pre-owned vehicle sales and repair centre that serves a market well beyond the County's borders. CAYUGA

DUNNVILLE

3. Dunnville, located on the Grand River near Lake Erie, plays a role as a service centre for the surrounding agricultural community and lakeshore area. Dunnville's commercial core is well established to fulfill a role of service centre and tourist destination for visitors to the County. Dunnville provides a significant health care service to the eastern end of the County as it is home to Haldimand War Memorial Hospital and Grandview Lodge, a large facility for long term care. The industrial area known as Frank A. Marshall Business Park provides an employment base for the surrounding area. Dunnville is located near the only private airport in the County.

HAGERSVILLE

4. Hagersville is located along Highway 6 at the western end of the County near Six Nations of the Grand River and Mississaugas of the New Credit First Nation Reserves. Hagersville serves as a service centre for the rural area as is evident from its weekday farmers market. West Haldimand General Hospital which provides health care services to the western half of the County, is located in Hagersville.

5. Jarvis is located at the intersection of Highways 6 and 3 and serves as a service centre for the rural area and Lake Erie Industrial Park. Jarvis is predominantly residential. Future long term growth in Jarvis is to be oriented towards the urban area of Townsend.

TOWNSEND

6. Townsend, the smallest urban community in Haldimand County, is a planned community with a predominantly residential focus. Townsend is well served by a large retirement and long term care facility. Recreational connectivity is encouraged throughout Townsend by way of trails and linked storm water management facilities.

2) RESIDENTIAL

INTRODUCTION

1. The residentially designated areas within each of Haldimand County's urban communities are expected to continue to accommodate attractive and functional neighbourhoods that provide a variety of housing forms and community facilities supportive of a residential environment. The following are general policies for each urban area.

PERMITTED USES
- RESIDENTIAL

2. The predominant use of lands within the Residential designation shall be for residential purposes, including all forms of residential development in accordance with the policies of this Plan. Development shall proceed in an orderly, phased manner contiguous to existing development and take into consideration, the availability of services.

INSTITUTIONAL

3. Community-oriented, institutional uses such as places of worship, cemeteries, schools, long term care facilities, community centres, libraries, cultural centres such as art galleries and museums, day care facilities, **special needs housing** in accordance with Section 7.C., **group homes** in accordance with Section 7.D., centres for the care, boarding and/or teaching of children and other similar uses are permitted in areas designated residential in accordance with the following criteria:

- a) the use should generally be located in proximity to an arterial or collector road;
- b) adequate on-site parking must be provided, including provision for drop-off and pick-up facilities, where required;
- c) screening and buffering shall be implemented in accordance with subsection 5.F.1)1. of this Plan, as appropriate; and

- d) buildings are designed in a manner that reflects the character of the neighbourhood in which it is proposed, including consideration of the nature, scale and density of existing development in the vicinity.

If a site specific Zoning By-law amendment is required, the suitability of the amendment will be addressed through application of the above criteria. In addition, the Zoning By-law may set out various development standards such as minimum lot area, minimum set backs, dwelling type, minimum usable floor area or any other standard that is considered to be appropriate.

- 4. Neighbourhood scale commercial uses shall be permitted to locate within the Residential designation subject to the following criteria;

NEIGHBOURHOOD
COMMERCIAL

- a) Neighbourhood scale commercial uses shall be generally interpreted as local convenience stores, personal, and professional service uses serving the shopping and personal needs of the immediate residential area;
- b) Buildings and signs for neighbourhood commercial uses should be designed and sited, so as to blend in with the character and minimize their effect on adjacent residential areas;
- c) Commercial development should be buffered, where possible, from adjacent residential uses by planted, landscaped areas;
- d) Sites should be limited in area and not intended for significant growth;
- e) Site should be located in proximity to an arterial or collector road at the entrance to a residential neighbourhood; and
- f) Adequate parking shall be provided.

- 5. The basic unit for determining residential density in urban areas shall be the **gross residential hectare**. A gross residential hectare shall be calculated on a neighbourhood basis including the area of land to be developed for residential use, roads and parkland, and storm water management facilities. Residential density shall be calculated independently for each urban area within Haldimand County. The following chart identifies the densities for each type of development.

RESIDENTIAL
DENSITIES

Low Density (single and semi-detached housing)	Generally not to exceed 20 units per gross residential hectare
Medium Density (townhouses and low-rise apartments)	Generally not exceed 40 units per gross residential hectare
High Density (apartment buildings)	Generally not to exceed 75 units per gross residential hectare

- 6. The following matters are to be addressed when considering medium and/or high density residential development:

DEVELOPMENT
CRITERIA FOR
MEDIUM AND
HIGH DENSITY
DEVELOPMENT

- a) the effect of the development on the overall housing needs of the community;
- b) the effect of the use on neighbouring residential development with respect to the density, form, height and arrangement of buildings and structure;
- c) the ability of the site to provide adequate parking facilities for the use in a manner that does not compromise the provision of other amenities and facilities such as outdoor

common areas, landscaped buffers, garbage storage enclosures and emergency vehicle access;

- d) the proximity of the use to arterial or collector roads in order to reduce the need to direct additional traffic to local streets within stable, low density residential areas;
- e) the proximity of the use to public parks and other open space amenities and pedestrian access to these amenities; and
- f) the adequacy of community services and facilities, including special needs facilities, to accommodate the needs of the residents of the use.

DEVELOPMENT IN
PROXIMITY TO
EXISTING LAND USES

- 7. Consideration of new residential development in proximity to existing commercial uses, industrial uses or other uses shall be in accordance with the policies of Section 5.F.

DEVELOPMENT
ADJACENT TO
ARTERIAL ROADS

- 8. Where new residential uses abut arterial roads, the design of the street and lot pattern shall allow, where feasible, for vegetative screening or other site design features such as limited access so as to minimize the effects of traffic noise and ensure the function of the arterial road is not unduly compromised.

CONVERSION OF
NON RESIDENTIAL
BUILDINGS

- 9. The conversion of non-residential buildings and structures for residential use within areas designated Residential is encouraged. Proposed conversions shall be considered in accordance with the following:

- a) the availability of municipal services to accommodate the proposed use;
- b) the availability of the site to provide adequate parking, vehicular access (including emergency access), fire protection, amenity area, landscaped buffers, privacy screening, garbage storage and other appropriate facilities and amenities;
- c) the impact of the conversion on the surrounding residential neighbourhood;
- d) remediation of the site as required;
- e) meeting the density requirements of the Plan; and
- f) a record of site condition where necessary.

- 10. Notwithstanding Section 5 above, within **designated greenfield areas**, the minimum density for low density housing shall be 15 units per gross residential hectare and the minimum density for medium density housing shall be 35 units per gross residential hectare.

- 11. New dwellings within stable residential neighbourhoods shall provide a consistent relationship with existing adjacent housing forms and the arrangement of these existing houses on their lot.

- a) As such, new dwellings on lots within **stable residential neighbourhoods** shall:
 - i) Limit building heights to reflect the heights of adjacent housing;
 - ii) Provide for a similar lot coverage to adjacent housing to ensure that the massing or volume of the new dwelling reflects the scale and appearance of **adjacent housing**;
 - iii) Maintain the predominant or average front yard setback for adjacent housing to preserve the streetscape edge and character;
 - iv) Provide for similar side yard setbacks to preserve the spaciousness on the street;

- v) Provide a built form that reflects the variety of façade details and materials of **adjacent housing**, such as porches, windows, cornices and other details;
 - vi) Include provisions for landscaping and screening if required;
 - vii) Provide a limitation on the width of a garage so that the dwelling reflects the façade character of **adjacent housing**;
 - viii) Provide for a consistent arrangement of parking in terms of amount, size and location of parking areas; and
 - ix) Ensure that any increased traffic movements and activity are appropriate for the area.
- b) New lot creation within **stable residential neighbourhoods** shall also provide a consistent relationship with existing **adjacent housing** lots. As such, applications for consents and plans of subdivision shall:
- i) Provide limitations on lot frontages to ensure that the established rhythm of lot frontages on **adjacent housing** lots is maintained;
 - ii) On smaller infill properties, provide minimum lot sizes that are in character with **adjacent housing** lots;
 - iii) On larger infill properties, incorporate a transition area on larger sites so that lots of similar size and character are located adjacent to existing lots; and
 - iv) Create a street and block pattern, which serves as a seamless extension of the surrounding neighbourhoods by providing an interconnected block structure and the extension of the existing local road network.
- c) Site specific zoning provisions may be required for new dwellings to ensure that the criteria set out in subsections a) and b) above are met.
- d) Notwithstanding subsections a) and b), on larger infill properties where new streets and blocks are created, greater variation from the existing conditions may be considered, provided a transition is created between existing **adjacent housing** and the new dwellings wherein the dwellings meet the requirements of subsections a) and b).

12. New residential neighbourhoods shall be designed with a road pattern, streetscape, built form and mix of uses which supports and promotes walking and cycling.

3) COMMERCIAL

1. Within each urban community of the County there is a central business area which provides the largest and most diverse concentration of commercial functions in the County, as well as a variety of institutional, residential and community activities. It is the intent of the County to maintain a central business area in each urban community within the County. This central business area will be identified by a Community Commercial designation. Within each Community Commercial area, there is a historical commercial crossroads or core from which the Community Commercial area has extended. While the planned function of the Community Commercial area will generally incorporate retail

INTRODUCTION

shopping functions, offices, professional and personal services, entertainment and other commercial activities, in some urban areas, the Community Commercial area will be a focus for institutional and community facilities as well. Open space linkages, heritage resources and pedestrian activity while important to the overall character of each Community Commercial area, are principally focused in the planned function of the historical crossroads or cores. Those Community Commercial Areas identified as Intensification Areas and Intensification Corridors on Schedules B.1 to B.6 shall also function as primary intensification areas and shall accommodate a mix of residential and commercial uses primarily in the form of apartments, stacked townhouses and mixed use buildings.

2. While the County is committed to the promotion and development of the existing Community Commercial areas of each of the urban communities, it is also recognized that their physical spatial characteristics may be such that not all new commercial development may be accommodated within these areas. Issues with respect to the amount of available land in the Community Commercial area, current customer needs, changing shopping patterns, the suitability of existing structures for commercial use and parking requirements will continue to be at the forefront for commercial development in the County's urban areas.
3. Uses that can be categorized as destination-oriented or space extensive uses are identified as Large Format Retail commercial facilities and may be directed to the peripheral locations of the urban communities along provincial highways or arterial roads. Careful consideration will be given to identify lands for this purpose to ensure that the viability and planned function of the established Community Commercial areas of the urban areas are protected.
4. A full range of commercial activity shall be permitted in the Community Commercial designation, including: retail and service commercial facilities; business; personal and professional offices; recreation and entertainment facilities; communication and transportation services; hotels; restaurants; private clubs, government offices, community and cultural facilities and public and private institutions. Adult entertainment facilities are not permitted.
5. Residential uses, primarily in the form of apartments, shall be permitted in the Community Commercial designation. Residential uses generally will not be permitted in the street level storefront portion of a building to a maximum height of 4 stories and may be permitted to a maximum height of 6 storeys where considered appropriate. The minimum density for residential and mixed use buildings shall be 40 units per gross residential hectare
6. Each urban community has a historical commercial crossroads or core⁴¹ that played a significant role in the development of the community. This historical crossroads or core is recognized in each community as a pedestrian-oriented location consisting of historic buildings, accommodating both typical and unique businesses. These unique attributes of each historical commercial crossroads or core⁴² should be protected and their nature enhanced so the crossroads or cores remain a viable and vibrant part of the urban fabric of Haldimand County. The County will undertake studies relating to protecting the

COMMUNITY
COMMERCIAL
PERMITTED USES

HISTORICAL
CROSSROADS OR
CORES

⁴¹ Ministry Modification – June 8, 2009

⁴² Ministry Modification – June 8, 2009

crossroad's or core's viability and vitality. Specifically, the County will undertake the preparation of Community Improvement Plans for the historical ⁴³crossroads or cores, which may provide financial incentives for improvements. The Community Improvement Plan will describe the incentive programs considered.

7. The historical commercial core of Dunnville is part of⁴⁴ the largest fully functioning downtown core in the County and the viability of its retail functions, importance to Dunnville's economic vitality, walkability and historic character should be preserved. The planned function of Dunnville's downtown core comprises various retail, office, entertainment, institutional, service and residential components. Maintaining the viability and vitality of each component of the downtown core is vital to maintaining the viability and vitality of the entire downtown core. Proposals for commercial development outside this downtown core shall be carefully reviewed to ensure the viability and vitality of the downtown⁴⁵ core is not significantly affected. Opportunities for expanding the economic base of the historic commercial core⁴⁶ by harnessing the tourism market will be encouraged.
8. The County will support the viability and vitality of the Community Commercial designation in each urban area by:
 - a) encouraging development and redevelopment;
 - b) encouraging the local business community to continue improving the physical appearance of the commercial areas;
 - c) encouraging the establishment and maintenance of Business Improvement Areas;
 - d) requiring buildings to be located close to the streetline;
 - e) directing off-street parking to the rear of buildings or screened from the street by low walls, fences or landscaping;
 - f) providing for and encouraging where feasible wide sidewalks, street furniture, outdoor cafes and attractive storefronts;
 - g) creating small village squares;
 - h) for those urban areas with riverfronts, linking the downtowns to the riverfronts through trails, parks and open space; and
 - i) establishing urban design guidelines.
9. The Large Format Retail designation identifies lands for those uses that can be categorized as destination-oriented or space extensive and as such, are generally directed to peripheral locations in the urban communities. Generally, those uses categorized as destination-oriented or space-extensive shall be located along provincial highways or arterial roads and have a minimum of 465 square metres of gross leasable floor area. The intent of a minimum floor area is to recognize the function of Large Format Retail areas to provide services and retail formats not available in the Community Commercial designation. A market impact analysis will be required to address the effect of any new Large Format Retail uses on the viability and vitality of the planned function of the Community Commercial designation. Where a new large format retail development would have a significant negative impact on the viability and vitality

DUNNVILLE
HISTORICAL CORE

LARGE FORMAT
RETAIL PERMITTED
USES

⁴³ Ministry Modification – June 8, 2009

⁴⁴ Ministry Modification – June 8, 2009

⁴⁵ Ministry Modification – June 8, 2009

⁴⁶ Ministry Modification – June 8, 2009

of the planned function of the Community Commercial designation, the development will not be permitted.

EXPANSION OF
COMMERCIAL AREAS

10. The creation of a new, or the expansion of, Large Format Retail commercial facilities in the Large Format Retail designation⁴⁷ shall be considered only on the basis of detailed land use planning, transportation, servicing studies. A market analysis will also be required to the satisfaction of the County to address the effect of the new or expanded Large Format Retail commercial facilities on the viability and the vitality of the planned function of the Community Commercial designation.⁴⁸ Such commercial facilities must be located within designated urban area boundaries.
11. The areas designated commercial as set out in the urban area land use schedules of this Plan are generally considered to be sufficient to accommodate the needs of the County over the time frame of this Plan. However, this Plan also recognizes that additional commercial lands may be required as the population of the County increases and the need arises to address new retailing formats. In the case of Dunnville, its relative isolation to other larger urban centres increases the potential for additional commercial lands. Commercial area expansions within any urban community should be a logical extension of an existing commercial area and must be justified on the basis of the proposed location, as well as the amount of suitably commercially designated lands and commercial floor space within the urban community. A market impact analysis may be required, to the satisfaction of the County, to address the expansion's impact on the viability and vitality of the Community Commercial designation's planned function.

DEVELOPMENT
CRITERIA

12. Any new development or redevelopment proposal within an established commercial area shall be considered in accordance with the relevant policies of this Plan. In addition, the following matters shall be addressed:
 - a) the maintenance of the established building line and character with the existing street façade, where appropriate;
 - b) the provision of benches, planters and other street furniture, where appropriate; and
 - c) provision of safe and convenient pedestrian access that avoid areas of vehicular movement, where feasible.⁴⁹

OFF-STREET
PARKING

13. Adequate off-street parking shall generally be provided for all new development within the commercial designation. However, the County recognizes that it may not always be possible to provide adequate off-street parking for a particular use on a specific site, particularly within those commercial areas that are largely developed. Therefore, the County may consider alternative measures regarding the provision of parking, such as locating required parking on a nearby site, shared parking arrangements or accepting cash-in-lieu of parking.
14. The County supports a co-ordinated approach to the provision of off-street parking and will be undertaking a parking study to develop an overall commercial area parking strategy for each of the urban communities.

⁴⁷ Ministry Modification – June 8, 2009

⁴⁸ Ministry Modification – June 8, 2009

⁴⁹ Ministry Modification – June 8, 2009

15. Where feasible, the County will encourage the integration of individual parking facilities to restrict turning movements onto adjacent streets and provide for the efficient off-street movement of vehicles. The location of off-street parking will generally be encouraged to locate at the rear of new and/or existing development within established commercial areas.
16. Prior to permitting intensification and/or new commercial developments, Council shall consider the protection and integration of cultural heritage buildings and structures as per Section 6.F.

C. INDUSTRIAL/URBAN BUSINESS PARKS

1) COUNTY-WIDE POLICIES

1. Industrial development is recognized as an important means of providing employment opportunities and diversifying the assessment base within the County. The County intends to provide an adequate amount of industrial land, at appropriate locations, to meet the projected needs of the municipality over the time frame of this Plan. An Economic Development Strategic Plan will provide additional direction for the development of industrial lands. Further, the County recognizes the need to maintain flexibility in the provision of lands in various urban areas for industrial development. To this end, the County will review this Plan periodically to ensure that the need for industrial lands is being appropriately met. INTRODUCTION
2. The County has established four separate classifications for the development of industrial employment areas. The four types of industrial employment lands contemplated within the County are: CLASSIFICATION FOR INDUSTRIAL LAND
 - a) Major Industrial;
 - b) Industrial;
 - c) Urban Business Parks; and
 - d) Rural Industrial.

The first two designations are contained within a Strategic Employment Area. The third is contained within the urban areas and the fourth recognizes existing industries in the rural area.

There are also individual sites within the Urban Areas that are not contained within an Urban Business Park that are used for industrial purposes. The zoning by-law will define the uses permitted on these sites.

3. The Strategic Employment Area, consisting of the Nanticoke Industrial Area and the associated Industrial Influence Area, is an area in south Haldimand abutting Lake Erie. This area is intended to accommodate land extensive and intensive uses including industrial, warehousing and logistic operations which predominantly require large land holdings, access to Lake Erie, or are of a nature that are not appropriate for small urban areas such as those found within Haldimand County. The Strategic Employment Area contains three existing large heavy industrial operations as well as other industrial uses and uses compatible with major industrial operations.”

“The Strategic Employment Area has regional and provincial significance as a result of the following:

- a) large amount of contiguous land appropriately designated for employment uses including large land extensive uses;
- b) unique planning framework that minimizes potential land uses conflicts with sensitive land uses via the Industrial Influence Area policies of this Plan;
- c) proximity to large regional labour force and significant growth areas;
- d) land is accessible by Provincial Highway system, rail and water;
- e) land is directly linked to John C. Munroe International airport via Highway 6;
- f) land has significant electrical distribution network infrastructure;
- g) Haldimand County has developed a servicing strategy and a capital budget that will in part facilitate development of the lands by putting in place critical sewer, water and other services. Furthermore, the lands include approved water intake capacity forming part of the ‘Grand Valley Water scheme’.

MAJOR
INDUSTRIAL
LANDS

4. The Major Industrial lands in the Strategic Employment Area identify the location of three major industrial activities in one designated area. The three major industries include a steel mill, a hydro generating station and an oil refinery. The uniqueness of the Major Industrial lands can be attributed to the presence of a 3 kilometre (1.9 mile) Industrial Influence Area delineated around the exterior of the three large industries to restrict new land uses which may not be compatible with these heavy industrial operations. Permitted uses within the Major Industrial designation are as follows:

- a) steel, metal production and ancillary facilities;
- b) petrochemical processing and ancillary facilities;
- c) electrical power generation and ancillary facilities; and
- d) port and dock facilities.

Residential units established for the housing of caretakers or security personnel may be permitted on the same site as the industrial use.

INDUSTRIAL
LANDS

5. Industrial Lands in the Strategic Employment Area consist of all industries located in the Lake Erie Industrial Park. The Lake Erie Industrial Park is a unique long-term asset for locating industries or businesses which are compatible with the traditional or heavier types of manufacturing. An existing additional 2.1 kilometre (1.3 mile) extension to the Industrial Influence Area is included around the exterior of the Lake Erie Industrial Park.

Permitted uses in the Industrial designation are as follows:

- a) industrial and manufacturing processes with proper environmental control to manage toxic or obnoxious emissions, including solid and liquid wastes, noise, light, dust and vibration to Ministry of the Environment standards;
- b) limited commercial, recreational, and institutional uses primarily serving employees in the area;
- c) warehousing and storage;
- d) wind power generation; and
- e) existing agricultural uses and expansions thereto.

Residential units established for the housing of caretakers or security personnel may be permitted on the same site as the commercial or industrial use.

6. Development applications for new Major Industrial and Industrial uses in the Strategic Employment Area shall consider, but not be limited to, the following matters:

DEVELOPMENT
CRITERIA

- a) development shall take into consideration the availability of services;
- b) industrial uses considered to be air or noise polluters which would result in the need to expand the Industrial Influence Area boundaries shall be prohibited;
- c) no industrial uses shall be permitted to locate on lands in the vicinity of the Hamlet of Nanticoke, unless proper design and operation procedures can be implemented to eliminate potential adverse effects on the Hamlet;
- d) Regional Roads 55, 70, 18, and 3 shall be used as the major routes for employee/shipping traffic; and
- e) proper site planning and design will consider parking, loading, lighting, topography, storm drainage, natural features, landscaping, buffering and adjacent land uses.

7. Urban Business Parks are clusters of industries and businesses located within urban areas. The role of Urban Business Parks includes light industrial activities and some commercial uses which provide services to the industrial area or which increase the attractiveness of the industrial uses such as offices and retail outlets requiring significant outdoor storage. Permitted uses within the lands designated Urban Business Parks include light industrial activities such as:

URBAN
BUSINESS
PARKS

- a) manufacturing;
- b) fabrication;
- c) assembly and processing of partially processed material, goods and products;
- d) warehousing;
- e) bulk storage tanks;
- f) service and maintenance operations;
- g) public utilities;
- h) transportation facilities;
- i) trade schools;
- j) research and development laboratories and facilities and similar uses;
- k) commercial uses which provide services for the industrial area and which increase the attractiveness for the industry such as offices and retail outlets requiring substantial outside storage; and
- l) additional industrial-related commercial uses such as:
 - i) automobile sales, rental and service establishments;
 - ii) restaurants;
 - iii) service stations;
 - iv) recreational facilities; and
 - v) adult entertainment facilities.

Residential units established for the housing of caretakers or security personnel may be permitted on the same site as the commercial or industrial use.

8. The County may identify, by amendment to this Plan, certain existing Urban Business Parks which are suitable for a wider range of development than is generally permitted within the designation. The study and identification of such areas shall be undertaken in consultation with affected landowners and shall consider matters including, but not limited to, the following:

NEW USES IN
URBAN BUSINESS
PARKS

- a) existing access to the lands and potential alternatives;
- b) the proximity of residential and/or other sensitive land uses;
- c) adequacy of servicing; and
- d) adequacy of road system to provide access.

The range of uses permitted within Urban Business Parks shall be implemented through the County's Zoning By-law. In order to maintain flexibility to accommodate changing industrial and employment trends, the Zoning By-law may use **exclusionary zoning** where uses that are considered unsuitable or inappropriate for a particular industrial area are precluded and all other uses are permitted.

NEW URBAN
BUSINESS PARKS

9. In approving the location of new Urban Business Parks, regard shall be given for the following matters:
 - a) availability of the municipal water and sewer system to meet existing and future industrial and domestic demands;
 - b) potential impact of industry on surrounding areas;
 - c) proper design and operation of industry; and
 - d) adequacy of road system to provide access for industry.

Where new Urban Business Parks require an urban boundary expansion, the criteria established in Policies 4.B.2 and 4.B.3 relating to urban boundary expansions will need to be addressed.

SERVICING
POLICIES

10. It is the County's preference that all urban industrial development proceed on the basis of full municipal water and sanitary sewer services. However, it is also recognized that these services may not be available in all industrial and business park areas. A Master Servicing Study is anticipated to be undertaken for each urban area which will determine the ability to address servicing issues in these areas. If full services in existing Industrial and Urban Business Park lands are determined by the Master Servicing Study to be unfeasible, development may proceed on partial servicing or private servicing as a **dry industry** or business only.
11. Where the Master Servicing Study determines full servicing of urban business parks or industrial areas is feasible, existing development will be required to pay and connect to these services when they are made available at a cost determined by the County.
12. Industrial uses that require high volumes of water and/or produce high volumes of sanitary or industrial sewage waste shall only be permitted to develop on full municipal water and sanitary sewer services. Where possible the closed loop systems and the promotion of water conservation for high volumes of water/wastewater industrial uses will be encouraged
13. Where full municipal water and sewer services and capacity are available, development within designated urban business parks in an urban area shall be connected to these services.

NEW URBAN
BUSINESS PARK
USES

14. All proposals for new Urban Business Park uses shall be considered in accordance with the appropriate guidelines, Provincial or otherwise, regarding:

- a) separation distances between industrial and sensitive land uses in accordance with the general landscaping and buffering requirements of this Plan;
 - b) the amount of process water required; and
 - c) the type and amount of effluent produced by the proposed use to determine the appropriateness of the proposed use.
15. Adequate off-street parking facilities, sufficient to accommodate employees and visitors, and off-street loading facilities shall be provided for all industrial development. PARKING AND LOADING FACILITIES
16. Industrial uses that are considered to be unduly **obnoxious** with respect to the nature of operations or the materials used therein, will only be permitted in the Major Industrial or Industrial designation provided the Industrial Influence Area does not need to be expanded. OBNOXIOUS USES
17. Industrial uses that generate high volumes of vehicular traffic, such as truck depots and freight transfer stations, shall generally be located in proximity to arterial roads. HIGH TRAFFIC GENERATORS
18. Industrial development situated in proximity to Provincial highways or arterial roads shall generally be required to provide a higher standard of amenity related to landscaping, buffering and the provision of outdoor storage than those industries situated on internal service roads. LANDSCAPING REQUIREMENTS
19. Due to the continued development of the John C. Munro International Airport in Hamilton and the proposed improvements to the Provincial road network (both New Highway 6 and the Niagara-GTA Transportation Corridor), the County has identified that lands north of Greens Road will be developed for employment purposes in the longer term. Depending on the expansion requirements of the airport and associated servicing infrastructure and the timing of the improvements to the Provincial road network, additional lands may be required to accommodate the development opportunities within the timeframe of this Plan. CALEDONIA BUSINESS PARK
- In the interim, the noted lands will remain predominantly in the Agricultural designation. Existing non-industrial land uses may be zoned to reflect the existing use; however new development proposed in this area will be considered on the basis of its compatibility with industrial development, in addition to any other relevant policies contained in this Plan.
20. There are two areas in the rural portion of the County which have historically been designated for industrial uses. These two areas are: RURAL INDUSTRIAL PARKS
- a) A 200 hectare parcel located west of Jarvis and south of Townsend adjacent to the County's western boundary with Norfolk County; and
 - b) A 365 hectare area located north of Port Maitland, east of the Grand River.
21. The parcels designated Rural Industrial do not have access to municipal sewage services and therefore, the uses will be limited to **dry industrial** uses. The zoning by-law will specifically define the dry industrial uses that will be permitted. PERMITTED USES
22. A watermain from Dunnville services existing industrial development in the Rural Industrial area located near Port Maitland. Where appropriate, additional industrial SERVICING POLICIES

development may proceed on partial services provided the water is used for fire protection purposes only and the use is a dry industry, now and in the future.

23. Employment Areas are identified on Schedules I.1, I.2, I.3, I.4 and I.5 and a Strategic Employment Area is identified on Schedule A.2. Conversions of lands within the Employment Areas and Strategic Employment Area to non-employment area designations are not required at this time.

Conversions of lands within an Employment Area or Strategic Employment Area to a non-employment area designation shall only be considered by the County through a municipal comprehensive review where it has been demonstrated that:

- a) The land is not required for employment purposes over the long term;
- b) There is a greater need for the conversion to the non-employment use;
- c) The County will meet its employment forecasts including the activity rate target established in the Official Plan;
- d) The conversion will not adversely affect the overall viability of the remaining Major Industrial, Industrial, Urban Industrial, Urban Business Park, Business Park or Business Park / Commercial designation;
- e) The conversion will not adversely affect the achievement of other policies of this Plan including the minimum density in **designated greenfield areas** and the **intensification** targets of this plan;
- f) The conversions will not adversely affect conformity with the Master Servicing Plan(s) prepared by the County;
- g) No land use conflicts are created and provincial guidelines with respect to noise and air quality can be met; and
- h) There is existing or planned infrastructure to accommodate the proposed use.

2) FRANK A. MARSHALL BUSINESS PARK

GENERAL

1. The development of the Frank A. Marshall Business Park will provide an opportunity to further the contribution of businesses to the economic well being of Haldimand County. It is the intent of this Plan to provide for the development of this Business Park in an aesthetically pleasing and orderly manner.
2. The policies contained in this subsection of the Plan shall apply to the lands shown on Schedule B1 as the Frank A. Marshall Business Park Area. Except as otherwise provided herein, the policies of this subsection shall supercede the policies of any other area or site specific Official Plan Amendment which is in force in the County on the date of the approval of this Plan.
3. The County shall ensure that the natural environment is considered as an essential component of all new development, with special consideration given to natural topography, surface drainage patterns and vegetation cover.
4. The County shall ensure that all new development is built barrier free and with consideration for accessibility to all members of the public.

5. The existing residential cluster is recognized and protected in this Plan. Adjacent development shall be required to buffer these residential properties, and shall not create any undue adverse impacts to the residents. In addition, it is the long-term intention of this Plan that these residential properties be absorbed into the Frank A. Marshall Business Park and developed with appropriate employment generating land uses. Future development of these lands shall be facilitated through an Amendment to this Plan.

6. The uses permitted within the 'Business Park/Commercial' designation may include:

BUSINESS
PARK
/COMMERCIAL
PERMITTED
USES

- a) offices, including ancillary retail and service uses and restaurants, where internally integrated as a component of an office building;
- b) institutional uses including government services, research and training facilities and including ancillary retail and service uses and restaurants, where internally integrated as a component of an institutional building;
- c) prestige industrial uses, including enclosed warehousing, limited product distribution services, research and development facilities, communications facilities, and manufacturing and processing operations deemed not to be obnoxious by reason of dust, odour, fumes, particulate matter, noise and/or excessive vibrations;
- d) retail commercial uses including:
 - automobile sales, rental and service establishments;
 - other retail commercial uses that require the outdoor display of goods; and,
 - industrial merchandise sales and services for the nearby office/industrial uses.
- e) small scale retail uses requiring less than 2,350 square metres of gross floor area, plaza format retail/commercial uses and free standing restaurants are specifically prohibited in this designation;
- f) sports, health and fitness recreational uses including ancillary retail and service uses and restaurants, where internally integrated as a component of the health/recreational building;
- g) private sector commercial or trade schools;
- h) community facilities including public parks and open space linkages, day nurseries and places of worship; and,
- i) public or private sector utilities and storm water management and transportation facilities.

7. Restrictions on the range of permitted uses shall be identified on a site by site basis, in the implementing zoning by-law.

8. a) All new public and private sector development shall be consistent with the Council adopted Design Guidelines for the Frank A. Marshall Business Park.

BUSINESS
PARK/
COMMERCIAL
POLICIES

- b) The number of access points from individual lots to public roads shall be minimized. Shared access and internal connections between multiple lots is encouraged.
- c) Where a rear or exterior lot line abuts a public road, and/or public open space, special landscaping/building treatments shall be required to ensure that the rear and/or exterior side building façades are attractive and/or appropriately screened from view.
- d) Where any development within this designation is adjacent to and within 50 metres of an existing residential lot, enhanced landscaping/building treatments shall be required along with review of the proposed building's orientation, location of loading docks, on-site truck traffic routes, etc. to ensure that activities associated with the use are appropriately screened from view, improve aesthetic quality and that any undue adverse impacts are appropriately mitigated. In these locations, a minimum 5 metre landscaped buffer strip shall be included on the non-residential property, and shall be landscaped to the satisfaction of the County.

In addition, the County will carefully consider the uses that are permitted on any lands within this designation that are within 50 metres of an existing residential lot to ensure that the activities associated with the permitted employment use do not create any undue adverse impact on the existing residential use.

- e) All permitted uses shall be carried out entirely within wholly enclosed buildings. The exception to this policy includes automobile sales and rental establishments, as well as other permitted uses that include the outdoor display of goods. For those uses permitted to have an outdoor display of goods for sale to the general public, the display areas shall be subject to adequate landscaping that reflects the prestige location of this area, to the satisfaction of the County.
- f) Sites identified as 'Gateways' on Schedule "B.3" are intended to become identifiable entrances to the Frank A. Marshall Business Park from Highway 3. These sites shall:
 - include landmark buildings that reinforce the importance of the gateway location. This includes the use of high quality building materials, windows and entrances facing the streets and unified architectural detailing. Landmark buildings located within the Gateway sites shall be a minimum of 2 storeys, or 6 metres in height, whichever is greater; and,
 - be designed with minimal building setbacks from the streets, special landscape treatment, appropriate signage, and high quality streetscaping.

To facilitate the construction of the identified Gateways, partnerships among the County, developers and/or service clubs shall be encouraged.

- g) All roads within the 'Business Park/Commercial' designation shall be built in conformity with the Council adopted Design Guidelines for the Frank A. Marshall Business Park and County standards.

h) Where possible, all utilities and services shall be provided below grade.

9. The uses permitted within the 'Business Park' designation may include:

BUSINESS
PARK
PERMITTED
USES

a) all types of commercial offices;

b) prestige industrial uses, including enclosed warehousing, limited product distribution services, research and development facilities, communications facilities, and manufacturing and processing operations deemed not to be obnoxious by reason of dust, odour, fumes, particulate matter, noise and/or excessive vibrations;

c) private sector commercial or trade schools;

d) public parks and open space linkages; and,

e) public or private sector utilities and storm water management and transportation facilities.

10. Restrictions on the range of permitted uses shall be identified on a site by site basis, in the implementing zoning by-law.

BUSINESS PARK
POLICIES

11. a) All new public and private sector development shall be consistent with the Council adopted Design Guidelines for the Frank A. Marshall Business Park.

b) The number of access points from individual lots to public roads shall be minimized.

c) Where a rear or exterior lot line abuts a public road, and/or public open space, special landscaping/building treatments shall be required to ensure that the rear and/or exterior side building façades are attractive and/or appropriately screened from view.

d) Where any development within this designation is adjacent to and within 50 metres of an existing residential lot, enhanced landscaping/building treatments shall be required along with review of the proposed building's orientation, location of loading docks, on-site truck traffic routes, etc. to ensure that activities associated with the use are appropriately screened from view, improve aesthetic quality and that any undue adverse impacts are appropriately mitigated. In these locations, a minimum 5 metre landscaped buffer strip shall be included on the non-residential property, and shall be landscaped to the satisfaction of the County.

In addition, the County will carefully consider the uses that are permitted on any lands within this designation that are within 50 metres of an existing residential lot to ensure that the activities associated with the permitted employment use do not create any undue adverse impact on the existing residential use.

e) All permitted uses, shall be carried out entirely within wholly enclosed buildings.

URBAN
INDUSTRIAL
PERMITTED
USES

- f) All roads within the 'Business Park' designation shall be built in conformity with the Council adopted Design Guidelines for the Frank A. Marshall Business Park and County standards.
 - g) Where possible, all utilities and services shall be provided below grade.
12. The uses permitted within the 'Urban Industrial' designation may include:
- a) Light industrial uses, including:
 - manufacturing;
 - fabrication;
 - assembly and processing;
 - warehousing;
 - bulk storage tanks;
 - service and maintenance operations;
 - research and development laboratories and facilities and other similar uses;
 - product distribution services; and,
 - communications facilities;
 - b) private sector commercial or trade schools;
 - c) public parks and open space linkages; and,
 - d) public or private sector utilities and storm water management and transportation facilities.
13. Ancillary open storage is permitted in conjunction with any other permitted use. In addition, an ancillary retail sales show room and/or an ancillary office component may be permitted as an integral component of a building that accommodates any other permitted land use provided that:
- a) the retail sales showroom and/or office component is directly related to the primary use; and,
 - b) the retail sales showroom and/or office component does not constitute more than 25 percent of the Gross Floor Area of the building.
14. Restrictions on the range of permitted uses shall be identified on a site by site basis, in the implementing zoning by-law.

URBAN
INDUSTRIAL
POLICIES

15. a) All new public and private sector uses shall be consistent with the Council adopted Design Guidelines for the Frank A. Marshall Business Park.
- b) The number of access points from individual lots to public roads shall be minimized.
 - c) Where there is open storage, enhanced landscaping treatments shall be required to ensure that open storage areas are appropriately screened from view, to the satisfaction of the County.
 - d) Where any development within this designation is adjacent to and within 50 metres of an existing residential lot, enhanced landscaping/building treatments shall be required along with review of the proposed building's orientation, location of loading docks, on-site truck traffic routes, etc. to

ensure that activities associated with the use are appropriately screened from view, improve aesthetic quality and that any undue adverse impacts are appropriately mitigated. In these locations, a minimum 5 metre landscaped buffer strip shall be included on the non-residential property, and shall be landscaped to the satisfaction of the County.

In addition, the County will carefully consider the uses that are permitted on any lands within this designation that are within 50 metres of an existing residential lot to ensure that the activities associated with the permitted employment use do not create any undue adverse impact on the existing residential use.

- e) All roads within the 'Urban Industrial' designation shall be built in conformity with the Council adopted Design Guidelines for the Frank A. Marshall Business Park and County standards.

- 16. The lands designated "Existing Residential" shall be subject to the policies of Section 4.B.2) of this Plan. However, it is the long-term intention of this Plan that these residential properties be absorbed into the Frank A. Marshall Business Park and developed with appropriate employment generating land uses. Future development of these residential lands for employment generating land uses shall be facilitated through an Amendment to this Plan. EXISTING RESIDENTIAL DESIGNATION

- 17. This Section of the Plan constitutes the policy regime for the Frank A. Marshall Business Park. These policies shall be implemented using some or all of the following: GENERAL IMPLEMENTATION POLICIES
 - a) the approval of individual draft plans of subdivision/condominium submitted pursuant to Section 51 of the *Planning Act*, and/or part lot control exemptions pursuant to Section 50 of the *Planning Act*,
 - b) the enactment of zoning by-laws pursuant to Section 34 of the *Planning Act*,
 - c) the registration of site development agreements pursuant to Section 41 of the *Planning Act*,
 - d) the use of the holding zone provisions of the *Planning Act*,
 - e) the dedication of parkland or cash-in-lieu of parkland in accordance with the provisions of *the Planning Act*; and,
 - f) the execution of collateral development agreements designed to achieve municipal objectives related to development and the provision of services.

- 18. All development within the Frank A. Marshall Business Park shall proceed on the basis of full urban municipal services in accordance with the Master Servicing Study prepared by the County.

- 19. a) Existing land uses throughout the Frank A. Marshall Business Park Area are expected to continue to exist in the short to mid-term. Therefore, existing uses shall be deemed to conform to this Plan. EXISTING LAND USES

- b) Minor extensions or expansions to such uses shall be permitted without Amendment to this Plan, provided that the intent of this Plan is not compromised and the tests prescribed below, are met:
- i) the road pattern envisioned by this Plan is not compromised or precluded in the long-term;
 - ii) that the proposed expansion or enlargement of the existing use shall not substantially aggravate any undue, adverse impact on adjacent land uses created by the existing use, especially in regard to the requirements of the zoning by-law;
 - iii) that the characteristics of the existing use and the extension or enlargement shall be examined with regard to noise, vibration, fumes, smoke, dust, odor, lighting, parking and traffic generation;
 - iv) that the neighbouring uses will be protected where necessary by the provisions of additional land area for landscaping, buffering or screening, devices and measures to reduce nuisances and, where necessary, by regulations for alleviating undue adverse impacts caused by outside storage, lighting or advertising signs. Such provisions and regulations shall be applied to the proposed extension or enlargement and, where feasible, shall also be extended to the existing use in order to improve its compatibility with the surrounding area; and,
 - v) that in all cases where an existing use seriously affects the amenity of the surrounding area, consideration shall be given to the possibility of mitigating such conditions as a condition of approving an application for extension or enlargement of the existing use.

REQUIREMENTS
FOR
DEVELOPMENT
APPLICATIONS

20. a) Prior to the approval of any development application, the County may require the preparation of any or all of the following studies:
- traffic impact study;
 - environmental impact statement;
 - storm water management plan;
 - servicing study; and
 - archaeological survey of the lands.

The County shall establish specific requirements for studies addressing the foregoing matters with development proponents. The costs associated with carrying out these studies shall be the responsibility of the developers.

- b) In addition to the studies identified above, the County shall require each development application to include a Development Concept Plan, providing a detailed description of the proposed development, and the manner in which it addresses the policies of this Plan, and its companion Design Guidelines for the Frank A. Marshall Business Park. The Development Concept Plan will describe the following matters to the satisfaction of the County:
- phasing of development from initial construction to 'mature state' as

- envisioned by this Plan;
 - height and massing of buildings;
 - distribution of land uses and densities;
 - relationship between adjacent streets and buildings;
 - on-site landscaping;
 - location, size and treatment of surface parking lots and vehicular access points, including the potential for shared parking and internal connections to adjacent lots; and,
 - signage, streetscape amenity elements, lighting and site furnishings.
- c) In evaluating development applications throughout the Frank A. Marshall Business Park, the County shall consider:
- the adequacy of proposed parking areas and access points;
 - the availability of water and sewer services;
 - the suitability of the existing and/or proposed storm water management facilities;
 - the degree of compatibility with adjacent existing and/or approved land uses in proximity to the proposed use; and,
 - the compatibility of the proposal with the Council adopted Design Guidelines for the Frank A. Marshall Business Park and the implementing zoning by-law.
21. a) Development within the Frank A. Marshall Business Park shall be phased to provide for orderly development and to ensure the most efficient and economical use of existing and proposed infrastructure. The following phasing criteria shall be considered in the review of all development applications:
- PHASING
- the development contributes to, or can be appropriately integrated with existing development and within the logical sequence of construction of all required sewer, water, storm water and transportation facilities;
 - the development satisfies all requirements regarding the provision of parkland and other facilities; and,
 - traffic from the proposed development can be accommodated on the existing road network.
- b) Phasing may be addressed through the appropriate use of the holding (H) provisions of this Plan.
22. a) To implement all new development in the Frank A. Marshall Business Park, the County shall enact a By-law providing zoning categories and standards specific to this Plan.
- IMPLEMENTING ZONING BY-LAW
- b) The County may, when enacting implementing zoning by-laws, designate a holding zone with the suffix H and specify the future uses of these lands that, at the present time, are considered premature or inappropriate for development for any one or more of the following reasons:

- the Development Concept Plan, submitted in support of a development application has not been finalized to the County’s satisfaction;
- services and facilities such as sanitary sewers, storm water management facilities and water supply are insufficient to serve the proposed development;
- transportation facilities are inadequate or inappropriate based on existing road capacities and anticipated traffic;
- where development relies upon other matters occurring first, such as the consolidation of land ownership or completion of a development agreement, to ensure the orderly development of the project, and/or to secure funding and/or to equitably cost-share among benefiting landowners for sewer, water, storm water, roads, parks, or services;
- a site plan agreement is required; and/or,
- supporting studies are required on matters related to traffic, soils, archaeology, protection of any site features, environmental constraints or design features.

SUBDIVISION /
PART LOT
CONTROL

23. a) Subdivision Control encompasses draft plan of subdivision/condominium, consents and/or part lot control exemptions.
- b) All new development in the Frank A. Marshall Business Park is, as part of its initial development application process, expected to proceed by way of the subdivision approval process that includes the full extent of property ownership to secure the related infrastructure improvements required. Plans of subdivision/condominium shall only be draft approved which:
- conform with the policies of this Plan;
 - are consistent with the Council adopted Design Guidelines for the Frank A. Marshall Business Park;
 - can be provided with adequate services and facilities as required by the policies of this Plan; and,
 - are not premature and are in the best interest of the County.

SITE PLAN
CONTROL

24. All lands within the Frank A. Marshall Business Park shall be subject to site plan control.

DEVELOPMENT
AGREEMENTS

25. a) Development Agreements based on this Plan and the findings of any supporting studies may be required by the County as a condition of the approval of development applications.

b) Such agreements shall ensure that the necessary approvals and the required contributions of funds, lands and commitments for services will be in place and operative prior to, or coincident with occupancy and use of land, without adverse impact on the County's financial capability. This may require front-ending agreements to advance the timing for the required infrastructure, and to address any acceleration in associated costs. Items which shall be addressed in the Development Agreements include:

- parks, open space and environmental features;
- water, wastewater collection and storm water management facilities;
- road infrastructure and widening; and,
- other utilities and streetscape enhancements as required by the County.

26. If applications for conversions to other land uses are received they will only be considered in the context of a "comprehensive review/municipal comprehensive review"⁵⁰ of the need and justification for the proposed land use change prepared by the County, in conformity with the requirements of the Provincial Policy Statement. At a minimum, the County will evaluate as part of the required "comprehensive review/municipal comprehensive review" the following:

CONVERSIONS

- a) revised population and employment forecasts, and land needs calculations on a County-wide basis;
- b) there is a demonstrated need for the proposed change in land use and there exists a demonstrated shortfall in the inventory of lands designated for the proposed land use within the County;
- c) there exists a sufficient inventory of lands designated for urban business park development within the County to accommodate projected long-term forecasts for business park employment;
- d) the site's physical and natural characteristics, development constraints and location justify the consideration of a land use conversion;
- e) the proposed land use and development is compatible with the existing and planned land uses within the Frank A Marshall Business Park, and pose no threat to the operation of the full range of permitted employment generating land uses; and,
- f) the proposed land use and development would not compromise or negatively impact any Master Servicing Study completed for this development or the urban area of Dunnville.

Information supplied as part of a "comprehensive review/municipal comprehensive review" is required to help assess the merits of a proposal and therefore submission of such does not guarantee approval.

⁵⁰ Ministry Modification – June 8, 2009

27. a) These policies are intended to guide the development of the Frank A. Marshall Business Park Area. Some flexibility in interpretation is permitted, provided the intent of the policies and principles of this Plan are maintained to the satisfaction of the County.
- b) The designations identified on Schedule “B.3” are intended to show general areas. Minor adjustments to the boundaries of the designations may occur through the County’s approval process without Amendment to the Plan, except where the designations are established by fixed boundaries, such as road right-of-ways, or where specifically stated to be fixed in the policies of this Plan.
- c) Where lists or examples of permitted uses are provided, they are intended to indicate the possible range and type of uses that are to be considered. Specific uses not listed, but considered by the County to be similar to the listed uses and to conform to the general intent of the applicable land use designation may be recognized as a permitted use and recognized in the implementing zoning by-law.
- d) Minor variations from numerical requirements in the Plan, may be permitted without Amendment to this Plan provided that the general intent of the Plan is maintained to the satisfaction of the County.

3) INTERIM SERVICING POLICY FOR LAKE ERIE INDUSTRIAL PARK

1. Lake Erie Industrial Park (LEIP), a provincial-scale industrial park, is proposed to be a fully serviced industrial park providing opportunities for heavy industry and other industrial uses by protecting such industrial uses from land uses, which would detract from the industry’s ability to operate effectively. This protection is in the form of an Industrial Influence Area that is maintained to limit land use incompatibility.
2. Environmental Assessments (EAs) are in process, whereby full municipal servicing options for LEIP are being considered in conjunction with the major landowner in the area - Stelco – Lake Erie Steel. As the principal landowner in the area, Stelco has been receiving requests for industrial uses compatible to the intent of the principles of the industrial nature of the park to locate on their lands. To facilitate these requests, the County desires to establish interim servicing options for LEIP prior to the final approval of the EAs and the provision of additional water and wastewater capacity to the area. The interim servicing options are as follows:
 - a) The County will monitor the capacity of the existing sewage treatment lagoons and servicing infrastructure in LEIP to accommodate additional development. All development proposals in LEIP will be evaluated based on their ability to be serviced by the existing lagoons.
 - b) Should the lagoons and servicing infrastructure not be able to accommodate the proposed development, the County will consider, in the interim, private servicing options such as individual private services accommodating dry industry only or

industries that only utilize raw process water and do not discharge to sanitary services. For the County to consider the private servicing option, the proponent of the development proposal is required to undertake and commit to the following:

- i) Prepare a hydro-geological study that demonstrates the private servicing systems on the property containing the proposal will meet Ministry of Environment guidelines with respect to establishing such systems;
- ii) Consider options for providing fire protection for the proposal;
- iii) Enter into a servicing agreement that requires the following:
 - Connection to full municipal services when such services are made available to the property along with the payment of any associated fees or charges required for connection;
 - That the effluent to the private sanitary services will be from employee waste only;
 - That the Development Charge, based on the provision of full municipal services, is paid when a building permit is issued, to allow the County to obtain funds to assist in financing the municipal servicing infrastructure for LEIP.

D. INDUSTRIAL INFLUENCE AREA

1. An existing 3 kilometre (1.9 mile) Industrial Influence Area is delineated in Schedule “A.2” around the exterior properties of the steel mill, oil refinery, hydro generating station and sites for the purpose of restricting new land uses which are incompatible with the major industrial operations. A similar existing 2.1 kilometre (1.3 mile) extension to the Industrial Influence Area is delineated on Schedule “A.2” around the exterior of the lands designated Industrial. Schedule “A.2” also delineates the land use designations within the Industrial Influence Area.

IDENTIFICATION OF INFLUENCE AREA

The exact boundaries of the Industrial Influence Area within Haldimand County shall be subject to interpretation by the County, in consultation with the Ministry of Environment. For the purposes of interpretation, special consideration may be given to development proposals falling inside the Influence Area boundary for a distance of approximately 0.3 kilometres, subject to the relevant policies of this Plan.

2. The purpose of the Industrial Influence Area is to ensure that development in the Major Industrial and Industrial designations is continued, as the focal point for large scale and heavy manufacturing uses within the area and to protect such industrial uses from incompatible land uses which would detract from their ability to operate effectively. The development of other uses shall be in accordance with the Industrial Influence Area requirements.

PURPOSE OF INFLUENCE AREA

3. Residential development within the Industrial Influence Area shall be limited to the following:

RESTRICTIONS

- a) residential consents in accordance with surplus farm dwelling consent policies of this Plan;
- b) lots of record existing on October 23, 1980, provided such lots have direct access to a permanently maintained public road and are serviced by an on-site sanitary sewage

INDUSTRIAL
INFLUENCE AREA
OUTSIDE
HALDIMAND
COUNTY

- c) minor residential infilling within the designated boundary of the Hamlet of Nanticoke.
- 4. The County shall encourage the continued monitoring of industrial pollutants within the Industrial Influence Area through the Nanticoke Environmental Committee.
- 5. It is recognized that a portion of the Industrial Influence Area as defined in the former City of Nanticoke Official Plan is located in Norfolk County. Haldimand County will endeavour to establish a protocol with Norfolk County to ensure the intent of the Industrial Influence Area policies identified herein are maintained for the lands within the Industrial Influence Area within Norfolk County. Any proposal in Norfolk County that would undermine the integrity of the Industrial Influence Area will be opposed by Haldimand County.

The purpose is to ensure the viability of the heavy industrial uses located within Haldimand County and the integrity of planning rationale for originally establishing the Industrial Influence Area is maintained to limit land use incompatibility.

E. HAMLETS

1) HAMLETS

INTRODUCTION

- 1. There are 25 designated hamlets within Haldimand County. Traditionally, these hamlets have developed as residential, social and commercial centres serving the surrounding agricultural community. While this traditional role will continue to be encouraged, it is also recognized that changes and improvements to transportation facilities over time have lessened the emphasis on hamlets as agricultural service centres and increased their role as residential settlements. As a number of hamlets are located on designated arterial roads, some hamlets may also experience pressure to have property developed for commercial uses that can take advantage of access and/or visibility onto arterial roads.

It is the intent of the County to provide a hamlet environment conducive to rural residential living while permitting appropriately scaled and located commercial, industrial and institutional development in a manner that will minimize land use conflicts.

DESIGNATED
HAMLETS

- 2. Designated hamlets in Haldimand County are:

Attercliffe Station	Blackheath	Byng	Canborough
Canfield	Cheapside	Decewsville	Empire Corners
Fisherville	Garnet	Kohler	Lowbanks
Moulton Station	Nanticoke	Nelles Corners	Port Maitland
Rainham Centre	Selkirk	Sims Lock Road	South Cayuga
Springvale	Stromness	Sweets Corners	Unity Side Road
York			

The designated boundaries of these hamlets are shown on Schedules "C.1" to "C.25".

- | | |
|--|-----------------------------------|
| <p>3. The predominant land use within the Hamlet designation shall be low density residential housing, including single and semi-detached dwellings and apartments associated with commercial uses. Limited, appropriately scaled commercial, industrial and institutional and agriculturally related uses are also permitted</p> | <p>PERMITTED
USES</p> |
| <p>4. The Hamlet designation does not necessarily imply that all development proposed will be acceptable and that all sites within the designation are suitable for development. The following general criteria shall be considered when reviewing applications for development within designated hamlets:</p> <ul style="list-style-type: none"> a) the traditional form of servicing in the Hamlet areas has been⁵¹ individual water services and on-site sanitary sewage systems designed and installed as per the Ontario Building Code; b) the availability and provision of adequate stormwater management facilities and legal and adequate drainage outlets; c) new development should be a logical extension of the existing built-up area; d) in-depth development rather than linear development along roads is the preferred form of development in hamlets; e) provision shall be made at appropriate locations to permit access from main roads to second or third tiers of lots behind existing development; f) proximity to, and the potential impact on Natural Environment Areas, Hazard Lands and cultural heritage resources should be addressed; and g) the standards for separating residential uses from existing, new or expanding livestock facilities shall be the Minimum Distance Separation formulae. | <p>DEVELOPMENT
CRITERIA</p> |
| <p>5. New commercial, industrial, institutional and agriculturally related uses may also be permitted within hamlets in accordance with the following criteria:</p> <ul style="list-style-type: none"> a) the use employs a small number of persons, does not require significant quantities of water, does not produce undue amounts of sewage waste and where serviced by an on-site sanitary sewage system, such system is designed and installed as per the Ontario Building Code and such use is compatible with surrounding uses; b) the use will not generate undue noise, traffic, odour, fumes, dust or vibration to the extent of interfering with the ordinary enjoyment of surrounding properties; c) adequate on-site parking for the use must be provided; d) the development should be buffered, where possible, from adjacent residential areas by planted, landscaped areas; e) the designation and development of land for industrial purposes shall be considered in accordance with the appropriate Provincial guidelines regarding separation distances between industrial and sensitive land uses; and f) to the extent possible, commercial, industrial and institutional uses shall be separated from residential uses and shall be consolidated into groups rather than scattered throughout the hamlet. | |
| <p>6. Development of six (6) or more units in an area without full municipal services requires the preparation of a servicing feasibility report to the satisfaction of the County for examining servicing arrangements. Rural and hamlet development of fewer than six units must be on lots which are of suitable size for an individual sewage disposal system and potable water supply. With the exception of possibly servicing hamlets with known</p> | <p>SERVICING
REQUIREMENTS</p> |

⁵¹ Ministry Modification – June 8, 2009

HAMLET
EXPANSION

environmental problems, development on communal sanitary servicing will not be permitted.

7. As there is a combined 20 year supply of lands available for development in designated Hamlets and the Rural area, it is anticipated that new development within hamlets will consist primarily of infilling within existing designations. However, the County may consider the expansion of a Hamlet boundary only during a comprehensive review/municipal comprehensive review⁵² of this Official Plan where it has been demonstrated that:
 - a) sufficient opportunities for growth are not available through **intensification**, infilling and redevelopment and designated growth areas to accommodate the projected needs over the identified planning horizon;
 - b) the infrastructure and public service facilities which are planned or available are suitable for the development over the long term and protect public health and safety;
 - c) the lands do not comprise specialty crop areas;
 - d) there are no reasonable alternatives which avoid prime agricultural areas;
 - e) there are no reasonable alternatives on lower priority agricultural lands in prime agricultural areas; and
 - f) impacts from new or expanding hamlets on agricultural operations which are adjacent or close to the hamlet are mitigated to the extent feasible.

8. The comprehensive review/municipal comprehensive review⁵³ will address the following:
 - a) no new municipal water and/or sewage systems will be required and the long term suitability of the area for individual, on-site sewage disposal systems must be demonstrated by appropriate means;
 - b) the amount of land included within the expansion area is justified based upon the amount of land available for **intensification**, infilling and redevelopment within the existing hamlet and population projections for the County and the hamlet;
 - c) the availability of schools, community centres, recreational, cultural and/or other community facilities has been investigated;
 - d) the proposed expansion represents a logical extension of the hamlet and is compatible with existing development, including existing agricultural operations;
 - e) **prime agricultural land** is preserved unless no reasonable alternative exists and specialty crop land is avoided;
 - f) the standards for separating residential uses from existing, new or expanding livestock facilities shall be the Minimum Distance Separation formulae;
 - g) Mineral Aggregate Resource Areas, Natural Environment Areas and areas where physical constraints to development including drainage considerations are evident, should be avoided; and
 - h) potential impacts on cultural heritage resources are assessed and minimized.

⁵² Ministry Modification – June 8, 2009

⁵³ Ministry Modification – June 8, 2009

2) SPECIAL HAMLET POLICIES

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| <p>1. The Port Maitland area is based on one of the finest natural harbours along the north shore of Lake Erie. A number of existing industries are situated in this area with potential for additional port related commercial and industrial development. At the same time, Port Maitland is recognized as being an emerging tourist destination due in part to the pier extending into Lake Erie. The area is also environmentally sensitive and therefore, special measures will need to be implemented to mitigate impact on the environmentally sensitive area.</p> | <p>PORT MAITLAND</p> |
| <p>2. In addition to the permitted uses of the Hamlet designation, the following uses are permitted in Port Maitland:</p> <ul style="list-style-type: none"> a) Processing, manufacturing and assembly; b) Warehousing and grain elevators; c) Port related marine commercial and industrial uses such as vessel docking, ship repair, cargo handling; d) Rail and truck terminal facilities; and e) Uses incidental to and subordinate to the watercraft industry, e.g. sport fishing, water sports and boat accessories. <p>New uses will be required to meet the policies regarding separation from sensitive land uses.</p> | <p>PORT
MAITLAND
PERMITTED
USES</p> |
| <p>3. It is recognized that the east side of Port Maitland contains several large former industrial settling ponds. No development is to occur on these lands until decommissioning has occurred to the satisfaction of the County in consultation with the Ministry of Environment.</p> | <p>FORMER
INDUSTRIAL
SETTLING PONDS
PORT MAITLAND</p> |
| <p>4. Detailed studies and analyses necessary to address all environmental concerns shall be required prior to the establishment or expansion of any port related commercial or industrial uses. Such analysis shall include consideration of flooding, soils, noise, air quality, odour, adjacent sensitive areas, and Natural Environment Areas. Stormwater management including erosion and water quantity and quality control shall also be required. Development applications will be implemented through a draft plan of subdivision and/or the zoning amendment process. Necessary agreements between the proponent and the County shall also be required in order to implement any mitigation techniques recommended by the detailed analyses or studies. The County will also consult with appropriate agencies (i.e. conservation authority, Ministries) during the review and consideration of any development proposal.</p> | <p>DEVELOPMENT
CRITERIA FOR
PORT RELATED
COMMERCIAL
AND INDUSTRIAL
USES</p> |
| <p>5. The Hamlet of Nanticoke is recognized as a residential hamlet within the Industrial Influence Area. Minor residential infilling is permitted and the hamlet is allowed to develop as a commercial service centre for the industrial and port facilities in the area.</p> | <p>NANTICOKE</p> |
| <p>6. The Hamlet of Selkirk is the largest rural settlement in the western lakeshore area. It serves as a rural and lakeshore service centre, providing commercial and community</p> | <p>SELKIRK</p> |

facilities for the seasonal lakeshore residents and the agricultural community. Development proposed for Selkirk should enhance and expand this role.

7. The Caledonia to Cayuga water transmission line extends through the YORK Hamlet of York on Regional Road 54. While some existing properties in the vicinity of York are served with water from this line, no further individual connections to the transmission line will be permitted.

F. LAKESHORE

INTRODUCTION

1. The Lakeshore Area in Haldimand County has unique development circumstances and opportunities that are due to:
 - a) It's location adjacent to the north shore of Lake Erie;
 - b) The ribbon development pattern along the shoreline with concentrated development in certain resort residential nodes;
 - c) Development is on private services with the exception of the Major Industrial uses in the Nanticoke area;
 - d) The predominant residential character of the area for both seasonal and year round uses with commercial and tourist opportunities scattered throughout; and
 - e) The industrial uses located around the hamlets of Nanticoke and Port Maitland.

LAKESHORE PRINCIPLES

2. In the summer of 2004, the County prepared a study relating to the Lakeshore Area. The study established five principles for the future planning of the Lakeshore Area. These five principles are:
 - a) To provide appropriate opportunities for development in the Lakeshore Area while protecting the health, welfare and safety of Lakeshore residents;
 - b) To protect the Lakeshore as a resource by preserving its natural beauty and environmental significance as outlined in the Vision Statement of the County;
 - c) To reduce municipal financial liability and risk by preventing the need to provide full municipal services (water and sewer) that would be prohibitively expensive for the owners of property along the Lakeshore and the ratepayers in the County as a whole;
 - d) To express through County policy and regulation, the limitations of servicing development on private roads and protect the interest of the County by informing residents of the servicing limitations and the residents' personal liability associated with development on private roads; and
 - e) To market and plan for the north shore of Lake Erie in Haldimand County to ensure it remains an asset for all residents of the County and potential tourists to the Lakeshore area.

ADDITIONAL REVIEW

3. Prior to implementing policies relating to the above five principles, additional review is deemed necessary on six important themes. These themes are:
 - a) The conversion process from seasonal to year round use;
 - b) Lot size requirements;
 - c) Development on private roads;

- d) Environmental requirements;
- e) Septage requirements; and
- f) Review resort residential node boundaries.

Final policies implementing the study will be developed to achieve the principles identified when this review process has been completed. When the policies are formulated, a public participation process will be necessary to outline their implementation and obtain public and agency comments. The process is intended to be completed in 2007. Policies 4.F.4 through 4.F.15 below, are from the former Region of Haldimand-Norfolk Official Plan and are to be considered interim policies until the policy direction emanating from the study has been completed and undergoes public consultation.

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|---|---|
| <p>4. Haldimand County recognizes that the Lakeshore is an invaluable resource and the Lakeshore area is subject to both natural and human pressures. Integrated decision making will be critical in order that mutually beneficial development and actions occur.</p> | <p>INTERIM
LAKESHORE
POLICIES</p> |
| <p>5. Within the Lakeshore area, a variety of land uses exist ranging from agriculture, residences and recreation to heavy industry. The demand for recreational opportunities will continue to increase as the population of the County grows and society in general has more time for leisure pursuits.</p> | |
| <p>6. The County supports the preservation of the open nature of the lakeshore by limiting development to designated areas or nodes. Scenic roads, public vistas, and landscapes along the lakeshore will be identified and protected.</p> | <p>VISTAS</p> |
| <p>7. The preferred form of resort residential development is nodes or clusters rather than strip development. Resort residential nodes are identified on Schedules “D.1” to “D-21”.</p> | <p>GROWTH
NODES</p> |
| <p>8. Lot additions of an appropriate scale for residential purposes to facilitate the development of existing undersized lots of record in the nodes will be permitted. The purpose of the lot addition will be to allow the lot to accommodate an appropriate water supply system and Class 4 (filter bed) septic system in accordance with the requirements of the Ontario Building Code and achieve appropriate drainage patterns and controls.</p> | <p>LOT
ADDITIONS</p> |
| <p>9. Seasonal residences are the preferred type of dwellings along the Lakeshore. Only a limited amount of conversion of seasonal residential structures to year-round residences and new year-round residential infilling development may be permitted, where allowed in this Official Plan. Such areas may be specifically designated in this Official Plan after detailed study of each local situation in consultation with the applicable agencies and conservation authority. The types of issues which should be considered in these detailed studies should include but not necessarily be limited to the:</p> <ul style="list-style-type: none"> a) Suitability of areas relative to Hazard Lands, along the shoreline, Industrial Influence Area as defined in this Plan, and other land uses; b) Need to maintain a reserve of cottage properties for seasonal use; c) Need to maintain public access and usage of the Lakeshore; d) Implications of assuming and/or upgrading existing private roads and rights-of-way; e) Need for upgrading existing public roads and public rights-of-way; | <p>DEVELOPMENT
CRITERIA</p> |

- f) Necessity for the provision of services such as recreational facilities, schools and busing, parks, garbage collection, medical fire and police services, etc;
 - g) Suitability of soils and lot sizes to support individual sewage disposal systems and potable water supply;
 - h) Potential demands for municipal servicing and major infrastructural improvements must be avoided;
 - i) Feasibility of combining undersized lots to all for development;
 - j) Potential **negative impacts** on Natural Environment Areas such as wetlands, forested areas and fish habitat;
 - k) Potential negative impacts on cultural heritage resources; and
 - l) Potential negative impacts on agricultural operations and lands.⁵⁴
10. New development identified for year round use must have frontage on an open improved public road.
11. Existing undersized lots or portions thereof may be combined to create single residential lots of a size which meet criteria set out in Section 4.F.8 and the standards of the Ontario Building Code and the Zoning By-law.
12. The number of seasonal cottage conversions into year round homes may be monitored and controlled in order to preclude the need for services such as water and sewage treatment infrastructure, roadway improvements and parks.
13. Small scale, resort-oriented commercial uses may be permitted within **resort residential nodes**.
14. In areas suitable for recreation, public open space and recreation shall be encouraged along the Lakeshore. The recreational resources of the lakeshore should be protected and enhanced. Existing shoreline access points under County jurisdiction should be retained.
- Public access to beaches on publicly owned properties should be encouraged wherever appropriate.
15. Private entrepreneurs shall be encouraged to develop resource oriented recreational facilities of a high quality in areas suitable for outdoor recreation along the Lake Erie shoreline. Attention will be given to compatibility of development with the cultural, geological and physical aspects of the Lakeshore and the appropriateness of the particular recreational facilities proposed.

⁵⁴ Ministry Modification – June 8, 2009



COMMUNITY BUILDING

STRATEGIC DIRECTION

Community building starts with individual residents and corporate citizens working co-operatively to create an enjoyable and safe place to live, work and play. Community groups and organizations partnering under the umbrella of municipal governance can ensure all aspects of community life are developed. Key players in the building process are health care and education professionals, police, fire and emergency services, municipal staff and Council, as they provide the base framework on which the citizens can participate to forge a caring, friendly community.

COMMUNITY BUILDING

A. TRANSPORTATION

1) ROADS

1. Haldimand County is served by an extensive road network comprising a combination of Provincial Highways, County Roads and local Municipal roads. Internally, the County is served by this road network to allow for travel within the municipality however, it is recognized that improvements may be necessary in Caledonia, Hagersville and Dunnville over the time frame of this plan to address congestion issues in those areas. The lack of direct access to a 400 series highway limits the travel connection and economic development opportunities in the County. Haldimand County will continue to work with the Province to improve connectivity to and from the County via Provincial highways. In planning the Niagara-GTA Transportation Corridor, Haldimand County will be encouraging the establishment of interchanges in suitable locations to allow easy access for traffic to and from the County. The development of the Niagara-GTA Transportation Corridor will also have a significant impact on the economic vitality of the County.
2. Further, Haldimand County recognizes that the proposed Highway No. 6 extension from Highway No. 403 presents an opportunity to alleviate some of the current traffic congestion in Caledonia and will provide a convenient alternative truck route around Hagersville. The Highway No. 6 extension, in combination with recent and proposed access improvements to the John C. Munro International Airport in Hamilton, also offers great potential with respect to the economic prosperity of the County and the proposed route should be preserved and the lands adjacent to the proposed route protected from incompatible development.
3. Road classification within the County includes Provincial highways, arterial roads, collector roads, local roads and private roads.
4. Provincial highways are primary transportation routes under the control of the Ministry of Transportation. **Connecting links** linking provincial highways are controlled by the County. Direct access to a Provincial highway will be limited. Access will be restricted to roads that are not Provincial highways, where applicable, for all new developments. Permits must be obtained from the Ministry of Transportation for all developments located within their permit control area.
5. Arterial roads are generally recognized as the principal traffic thoroughfares within the County. Direct access to arterial roads should be limited and means of alternative access should be investigated for all new development or redevelopment adjacent to an arterial road. In some instances, the flow of traffic on an arterial road may take precedence over parking.
6. Collector roads are identified as those roads that distribute traffic from the arterial road network to local roads. Direct access to a collector road is permitted.

INTRODUCTION

PROVINCIAL
HIGHWAYS

ARTERIAL
ROADS

COLLECTOR
ROADS

- LOCAL ROADS 7. Local roads are intended to distribute traffic from collector roads to individual properties. The design of local roads should discourage high speed traffic through the incorporation of appropriate design measures.
- PRIVATE ROADS 8. Private roads are roads that are not owned or maintained by the County but are under private ownership and provide vehicular access to more than one property. The County encourages the upgrading of private roads to municipal standards; however, the improvement of private roads will not obligate the County to assume such roads. The County cannot guarantee the provision of emergency services on private roads.
- R.O.W. WIDTHS 9. Generally, the rights-of-way widths for various road classifications shall be in accordance with the following:
- a) Provincial Highways and Connecting Links subject to Ministry of Transportation requirements
 - b) Arterial Roads 36 metres
 - c) Collector Roads 30 metres
 - d) Local Roads 20 metres
- ALTERNATIVE STANDARDS 10. Notwithstanding the foregoing widths, alternative standards may be accepted in consideration of compact urban form by the County where such an alternative is considered to be of an advantage to the County and it will not interfere with or restrict the flow of traffic.
- ROAD WIDENINGS 11. Road widenings will generally be taken equally on both sides of the road where feasible. It may be necessary where due to topography, existing or proposed development, utilities, environmental constraints or other constraints, more than half the road widening is required on one side. In addition, where necessary, land requirements for **daylight triangles** may be required at intersections.
- ROAD DESIGN 12. Road construction for any new development shall be provided in accordance with the design criteria of the County or any other authority having jurisdiction. The County requires subdivision designs to allow for through streets rather than cul-de-sacs to allow for better circulation patterns for providing emergency and municipal services and neighbourhood connectivity. Cul-de-sacs will only be considered when warranted and justified by the physical conditions of the site, including the following criteria:
- Natural hazards
 - Topography
 - Future development potential.
13. Where a road aligns with the Trails Master Plan or Cycling Network Plan during Reconstruction, the County will ensure that wider road shoulders are provided to support active transportation, where feasible.
- TRAFFIC STUDIES 14. Traffic studies may be required as part of any proposal for development where it is determined that the development may have an impact on the road network. Only those development proposals that can reasonably be accommodated within the existing roads system will be permitted. Where improvements to the road network are necessary to accommodate development, the County will require that developers improve the system at their own expense or make financial contributions to the improvements. For a

development proposal within the Ministry of Transportation permit area for provincial highways, a traffic impact study may be required for review and approval by the Ministry.

15. The County recognizes the strategic importance of the proposed Highway No. 6 extension from Highway No. 403, both in terms of economic development as well as a means to address traffic issues in Caledonia and Hagersville. The County will continue to promote the extension of Highway No. 6 and work with the senior levels of government to make this proposal a reality. HIGHWAY
NO. 6
EXTENSION

16. Access between the areas north and south of the Grand River in Caledonia is generally limited to a river crossing at Argyle Street and the Highway No. 6 bypass. The County recognizes that the continued development of the southern portion of this urban area will only serve to increase the congestion experienced at this crossing and that options will have to be considered and implemented at some point in time. The County has prepared a Master Servicing Study for Caledonia that provides options for addressing the river crossing issue. An Environmental Assessment addressing feasibility of implementing the options, including a by-pass route and additional river crossing is required. A conceptual location of the by-pass route is identified on Official Plan map Schedule "F.1" with the preferred alignment to be determined through an additional Environmental Assessment process. Additional consultation with the public will be conducted through this Environmental Assessment process. CALEDONIA
ACCESS ISSUES

17. Main Street, a **connecting link** for Highway No. 6, serves as the main arterial road in Hagersville is an important connection between Lake Erie and the major population areas and markets of Ontario. As such, a considerable amount of traffic is directed through the commercial area of Hagersville. While the amount of tourist and commercial traffic passing through Hagersville has considerable benefit from an economic perspective, it is also recognized that the amount of truck traffic utilizing this route has had serious consequences for the buildings and infrastructure located in the commercial core area of the community. HAGERSVILLE
ACCESS
ISSUES

18. It is expected that the eventual extension of the New Highway No. 6 will alleviate this situation to a great extent. However as it remains uncertain when this extension may reach Hagersville, the County is supportive of investigating alternative solutions in the interim. Haldimand County initiated the Hagersville Traffic Study which examined methods to direct truck traffic away from the commercial core of Hagersville. A conceptual location for a Hagersville By-pass is identified on Official Plan map Schedules "F.1" and "F.2". The preferred alignment of the By-pass route will be determined through an Environmental Assessment process. Additional public consultation will be conducted through this Environmental Assessment process.

19. Highway No. 3, which serves as the main arterial road in Cayuga is an important connecting link for the east-west transportation route linking various communities in Ontario to New York and Michigan. A considerable amount of traffic is directed through the commercial area of Cayuga. It is recognized that the amount of traffic passing through the community is beneficial; however, the amount of heavy truck traffic utilizing Highway No. 3 will continue to have serious consequences for buildings and infrastructure in Cayuga, particularly the bridge spanning the Grand River. The County will monitor this situation and will work with the Ministry of Transportation to ensure that Highway No. 3 is maintained in an appropriate manner to accommodate existing and future traffic. CAYUGA
ACCESS
ISSUES

20. Connecting links are also found in the urban areas of Dunnville and Jarvis. Jurisdiction for entrances along these roads lies with the County. Where necessary, the County will consult with the Ministry of Transportation to ensure function of these connecting links is maintained.

CALEDONIA AND
DUNNVILLE
REALIGNMENT
ROUTES

21. The tentative locations of the new Highway No. 6 extension south of Caledonia, new Highway No. 75 and the realignment of Highway No. 3 at Dunnville are shown on Schedules "F.1 to "F.3". The County will continue to work with the Ministry of Transportation to further define the locations of these highways through Environmental Assessments. The process will include consultation with the public.

TRUCK ROUTES

22. The County designates Truck Routes and require truck traffic to use these routes. These truck routes are intended to reduce truck traffic impact on urban and hamlet areas.

23. Road rights-of-way widths shall be designed to also take into consideration vehicular traffic, pedestrian movements, non-motorized means of travel, emergency services and urban trail systems; and are to be designed to provide enhanced pedestrian oriented streetscapes, including measures such as improved lighting, landscaping, and street furniture.

2) ACTIVE TRANSPORTATION

SIDEWALKS

1. Walking and cycling are recognized as alternative modes of transportation that can play a valuable and positive role in improving mobility and the quality of life as part of a balanced transportation system..

2. Haldimand County will encourage the development and enhancement of pedestrian trails and bicycle routes, as well as connection of sidewalks, pathways, walkways and trails among the community and with recreational facilities within the municipality as part of on-going capital works. Routes which create a linked system between community facilities and major parks and open space areas or take advantage of the vistas provided by the County's natural features and cultural heritage resources will be considered. Routes that support tourism will generally be encouraged. Where possible, sidewalks will be used to connect urban trail systems.

TRAILS AND
BICYCLE
ROUTES

3. Providing facilities for convenient pedestrian movement is important and the provision of sidewalks shall be encouraged. Sidewalks will be required in conjunction with the development of new roads within urban areas; and, requirements for sidewalk construction will be in accordance with the County's design criteria.

4. New development and, where feasible, revitalization or redevelopments, shall be planned considering all forms of travel and be supportive of safe pedestrian and vehicular movement.

5. Where new residential development is within reasonable walking distance to recreational facilities, employment areas and institutional uses, direct connections should be provided to such areas through a suitable form.

6. Block sizes and road patterns in new developments should be of a scale appropriate to facilitate pedestrian and cycling activity, including the establishment of walking and cycling routes.
7. Additional or enlarged rights-of-way may be required within the County to provide for future pedestrian and/or cycling facilities. Any such additional right-of-way, widening or other requirements will be determined at the time of review.
8. The development of streetscapes that are safe, convenient and attractive for pedestrians shall be encouraged through measures such as wide sidewalks, building designs and attractive street level features, street furniture, trees and other amenities.
9. Adequate pedestrian-scaled lighting to accent walkways, steps, ramps and other features should be considered in new development or redevelopment, where appropriate.
10. Roadways, sidewalks and trails systems shall have consideration for the ability challenged and be incorporated into design, including corner ramps and signals or signage.⁵⁵

3) GRAND RIVER/LAKE ERIE

1. The use of the Grand River as a transportation route is primarily focused on its tourism potential. Haldimand County generally supports the development of uses and facilities that will enhance the river's potential; from an environmental or aesthetic perspective in accordance with the policies of this plan.
2. This Plan recognizes the importance and potential for Lake Erie to serve as an important transportation corridor. Accordingly, in the planning and development of port docking or harbour facilities by either the public or private sector, the following will be considered:
 - a) Environmental impact of the proposal including any proposed construction;
 - b) Public use and access to port facilities;
 - c) Most effective inter-modal linkage with transportation facilities;
 - d) Integration of functions into multi-use facilities; and
 - e) Co-ordination and conformity with Federal and Provincial regulations and County planning policies and the pertinent conservation authority policies.
3. There are three designated port facilities in Haldimand County located on Lake Erie. They consist of one port servicing the steel mill, one port servicing the hydro generating station, and one port at the mouth of the Grand River in Port Maitland. The viability and function of each of these ports will be maintained, where possible. Expansion of the port facilities of the steel mill to include inter-modal transportation facilities will be encouraged. The development of the Port Maitland port will be in accordance with the policies of Section 4.E.2)1 to Section 4.E.2)4.

⁵⁵ 843-HC/13

4) AIRPORTS

FEDERAL
JURISDICTION

1. While Haldimand County recognizes that the regulation of airports and airstrips is the responsibility of the Federal government, it is a policy of the County that airports and/or airstrips shall be permitted within the municipality with appropriate consultation between the relevant Federal agencies and the County.

DUNNVILLE
AIRPORT

2. The County recognizes the existence of a private airport on lands south of the Dunnville urban area. The facility opened as an airbase in 1940 and operated as a school for training pilots from various countries for duty during World War II. Following the war, it was used as a Royal Canadian Air Force repair facility.

The facility is now privately owned and operated and is registered with Transport Canada as a certified airport. It is designed and equipped for the arrival, departure, movement and servicing of aircraft and includes runways as well as buildings and equipment associated with aeronautics. Other permitted uses are set out in site specific policies section.

5) RAIL LINES

1. The County acknowledges the importance of the rail infrastructure and recognizes its critical role in long-term economic growth and the efficient and effective movement of goods. The County shall encourage the use of rail for the transport of goods, including seeking to protect land adjacent to rail corridors for employment uses in appropriate locations. The County shall seek to ensure the continued viability and ultimate capacity of the rail facilities is protected and may identify and support strategic infrastructure improvements such as targeted grade separations where appropriate.

B. SERVICING

INTRODUCTION

1. The provision of municipal infrastructure such as roads, stormwater facilities, municipal water and sanitary sewers, is necessary to support urban development within the community. Haldimand County recognizes the importance of providing municipal infrastructure in a timely fashion and that the maintenance and sustainability of existing facilities is fundamental to the continued vitality and growth of the urban settlement areas of the County.
2. The urban areas of the County are serviced with water by Lake-based supply systems. Caledonia and Cayuga are serviced with Lake Ontario water from the City of Hamilton, while Jarvis, Townsend and Hagersville are serviced with Lake Erie water from a central water system based in Nanticoke. Dunnville is serviced by a separate lake based water system.

Each urban area has municipal sewage treatment facilities consisting of a treatment plant or lagoon. Lake Erie Industrial Park is also serviced with municipal water and sewer. Longer term servicing capacity building opportunities for each urban area and Lake Erie Industrial Park are being examined through Environmental Assessments and municipal servicing studies.

1) URBAN AREAS

1. New development and redevelopment in the Urban Areas shall generally proceed where the development is fully serviced by municipal water, sanitary sewers, adequate drainage and stormwater management facilities.

URBAN AREA
SERVICING

2. Notwithstanding subsection 5.B.1).1, in those areas included within the Urban Area boundaries that are provided with municipal water or sewer services, but not both, development of single detached dwellings may be considered in the following situations:

SERVICING
EXCEPTIONS

- a) where minor development (one or two lots) is of an infilling nature in an area largely developed and presently on partial services; or
- b) where minor development (one or two lots) is proposed on land situated in such a way that there are unique circumstances which would deter rational extension of services. For the purpose of this subsection, unique circumstances would include topographical constraints and the absence of any feasible future users of services, combined with distances from existing services. However, distance from existing services alone does not constitute a unique circumstance for the purposes of this section.

Development occurring in reference to this subsection, servicing exceptions will require an amendment to the Zoning By-law and shall only be permitted in accordance with the requirements of the Ontario Building Code and where the installation of private water or an on-site sanitary system would not adversely affect existing private services.

Notwithstanding subsection 5.B.1).1, **dry industrial and commercial** uses that do not require municipal water and/or sanitary sewers may be permitted within those portions of the Urban Area designated for those uses where it is not feasible for services to be provided as identified by a Master Servicing Study.

3. When monitoring residual water and sewage treatment reserves, the County shall have regard to the servicing requirements of residential development, new and/or expanded commercial, institutional and industrial uses as well as capacity for septage and will endeavour to maintain adequate reserves to meet these requirements and undertake expansions to facilities in a timely manner.

MONITORING
SERVICING
CAPACITY

4. The County will prepare and oversee implementation of Master Servicing Strategies to identify required roads, water, sanitary sewer and storm water management capacity for growth within each Urban Area.

MASTER
SERVICING
STRATEGIES

5. The County will minimize the impact of municipal services on the environment by:

MINIMIZING
THE IMPACT
OF MUNICIPAL
SERVICES

- a) Encouraging compliance with the County's sewage use by law;
- b) Encouraging industry to further reduce their impact on municipal sewage treatment facilities by pre-treating waste;
- c) Monitoring and advising industries that use large quantities of water to recycle and conserve that resource through conservation programs;
- d) Promoting the use of water saving fixtures and appliances, especially in new development;

- e) Continuing to detect and repair leaks in the water system and inflow and infiltration in the sewage collection system;
- f) Maintaining a user-pay system for the provision of sewerage and water services;
- g) Prohibiting the connection of sump pumps to the sanitary sewage collection system;
- h) Ensuring a logical extension of services; and
- i) Phasing development in an appropriate manner.

2) NON-URBAN AREAS

SERVICING REQUIREMENTS

1. Generally, municipal water and/or sanitary sewer services shall not be provided to lands outside the designated boundaries of the Urban Areas. Development outside the designated boundaries of the Urban Areas shall be primarily serviced by individual water supply and sewage disposal systems. In only one instance, a private communal servicing system is being considered as a pilot project in accordance with the policies this Plan. The results of the pilot project will be used in determining the appropriateness of developing communal sanitary servicing systems in non-urban settlement areas of the County.

Development using on-site sanitary sewage systems shall require the prior evaluation and approval of such systems in accordance with the Ontario Building Code.

MINIMUM SERVICING REQUIREMENTS

2. A single detached dwelling may be erected upon any legally existing vacant lot of record provided:
 - a) The lot has access and frontage on an open public road;
 - b) The lot is capable of accommodating a water supply system and an on-site sanitary sewage system designed and installed as per the *Ontario Building Code*; and
 - c) The site has appropriate drainage patterns.

HOLDING TANKS

3. New development shall not be permitted on a holding tank and/or the conversion from seasonal occupancy to year-round occupancy. Any new installation of a holding tank shall only occur where permitted under the *Ontario Building Code*.

Additions to existing development may be permitted on an existing holding tank provided that the holding tank has the adequate capacity to accept the increased loading as calculated per the *Ontario Building Code*.

LIFESTYLE COMMUNITY

4. A site specific policy for a **lifestyle community** south of the hamlet of Cheapside outlines the requirements for the only lifestyle community on private communal services in the County.

3) STORM WATER MANAGEMENT

MINIMUM SERVICING REQUIREMENTS

1. All new development shall be subject to storm water management practices adequate to control storm water run-off in an efficient and environmentally sound manner and where required, storm water management facilities shall be provided. Comprehensive storm water management studies will be required for development proposals. In all instances, the need for storm water management facilities shall be determined by the County, the appropriate conservation authority and any other agency having jurisdiction.

2. Storm water management facilities that are required as part of any development proposal shall include provisions and methods to ensure that the quantity and quality of run-off will not exceed pre-development levels or appropriate levels as determined by the County, the conservation authority and/or any other agency having jurisdiction.
3. New development shall be required to control stormwater run-off, sediment and erosion during construction to the satisfaction of the County, the appropriate conservation authority and any other agency having jurisdiction.
4. Combined storm water and sanitary sewers shall be prohibited.
5. The following policies are directed at protecting the water quality of the streams in the County and will be addressed during the preparation of stormwater management plans.
 - a) The base flows of streams and quality of stream water will be maintained or enhanced.
 - b) Forest cover and riparian vegetation in headwaters, recharge areas and along streams and rivers will be maintained, protected and enhanced. Buffer strips in urban and agricultural settings shall be protected.
 - c) Existing sources of water pollution will be reduced and eliminated where possible and further deterioration of water courses and water bodies prevented.
 - d) Construction methods or techniques which will prevent and control pollution and increased siltation of streams will be required. This shall apply to public works as well as private development.
 - e) Open and closed municipal and agricultural drains will be designed, constructed and maintained to reduce detrimental effects upon water resources, affiliated wildlife habitats, the surrounding environment, and minimize subsequent maintenance of the drain.
6. When considering development proposals, the County may require development of a storm water management plan to ensure the quantity and quality of the receiving stream and the provision of legal and adequate drainage outlets.
7. Haldimand County has a significant amount of municipal drainage infrastructure, particularly in the eastern portion of the County. As part of the establishment and maintenance of the municipal drainage infrastructure, the County will be both fiscally and environmentally sensitive, and act according to the procedures set out in the *Drainage Act* and other applicable provincial and federal legislation. Impacts on municipal drainage infrastructure may need to be assessed when proposing new land uses.

PROTECTING
WATER QUALITY
OF STREAMS

LEGAL AND
ADEQUATE
OUTLET
REQUIREMENT

MUNICIPAL
DRAINS

C. SOLID WASTE MANAGEMENT

1. This Plan recognizes that the County is responsible for the operation and perpetual care of municipal waste disposal sites as well as the collection of curb side waste and blue box recycling materials. The establishment of any new municipal waste disposal facilities, waste transfer facilities or the expansion of existing facilities will be in accordance with the policies of this Plan as well as the requirements of the *Environmental Assessment Act* and the *Environmental Protection Act*. In addition, the establishment and operation of a new waste disposal site or the land based expansion of an existing waste disposal site or the establishment of a new waste transfer station will require an amendment to this Plan.

WASTE
DISPOSAL
SITES

Existing waste disposal sites may be converted to waste transfer stations without amendment to the Plan.

IDENTIFICATION
OF SITES

2. All known former and existing landfill sites are shown for information purposes on the land use schedules. Site rehabilitation and land reclamation by the landowner shall be encouraged for each landfill site which has been abandoned or has reached its capacity. Forestry and recreational uses shall be given preference for such sites.

STUDY
REQUIREMENTS
FOR LANDS
ADJACENT TO
LANDFILL SITES

3. When a development is proposed within 500 metres of a former or existing site for waste disposal purposes, in addition to other pertinent policies:
 - a) The appropriate agencies shall be consulted regarding actions necessary to identify and mitigate any potential adverse environmental affects; and
 - b) A study may be required by the proponent to provide information on the following:
 - i) Soil and groundwater quality;
 - ii) Potential human health concerns such as noise, odour, traffic and dust;
 - iii) Potential for the rehabilitation of the development site where necessary to meet appropriate Federal, Provincial and County standards;
 - iv) Procedures and timing of site rehabilitation where necessary;
 - v) The possibility of on-site soil rehabilitation of contaminated sites rather than the removal of contaminated soil; and
 - vi) Test for leachate and/or combustible gas migration.

As impacts of waste disposal sites can be encountered beyond 500 metres. Where appropriate, this policy may apply to development beyond the 500 metre distance in consultation with the appropriate agencies.

4. New development within 30 metres of a non-operating waste disposal site shall generally be discouraged unless:
 - a) studies are completed to the satisfaction of the County and other relevant public bodies regarding matters such as, but not limited to, gas, leachate and hydrogeology, indicating that a particular development is compatible and can safely be introduced in proximity to the non-operating waste disposal site; and
 - b) measures are implemented to the satisfaction of the County and other relevant public bodies to mitigate and/or control any issue identified through studies completed to satisfy Subsection 5.C.5 (a).

HAZARDOUS
WASTE

5. The disposal, storage or treatment of hazardous industrial waste, other than the by-products of normal industrial operations and maintenance activities, shall not be permitted within the County.

WASTE
DIVERSION
RECYCLING

6. Industrial, commercial and other uses which incorporate alternative methods of solid waste disposal including resource recovery and waste reduction shall be encouraged.

This Plan encourages the principles of “reduce, reuse and recycle” in order to reduce solid waste disposal needs and increase the lifespan of landfill sites. A Waste Management Strategy will outline targets for waste reduction in accordance with Ministry of Environment requirements.

D. TRANSMISSION CORRIDORS AND COMMUNICATIONS/TELECOMMUNICATIONS FACILITIES

- | | |
|--|------------------------------|
| 1. While the County recognizes that certain Federal or Provincial regulated energy and communication/telecommunications facilities are not within the direct authority of the municipality, it is a policy of the County that such facilities shall be permitted within the County with appropriate consultation with the relevant Provincial and Federal agencies without an Official Plan Amendment. | JURISDICTION |
| 2. When locating energy, and communication/telecommunication facilities, the following matters should be considered:

a) compatibility with adjacent uses;
b) impacts on agricultural or forestry activities;
c) impacts on Natural Environment Areas; and
d) access for maintenance purposes. | LOCATIONAL
CRITERIA |
| 3. Energy, and communication/telecommunication facilities that pose a hazard shall generally be located away from residential areas and where possible, towers and other fixtures of such major facilities should be located outside Provincially Significant Wetlands and Habitat of Endangered and Threatened Species. When being located in agricultural areas, these facilities should be located along lot or fence lines, hedge rows or on the edges of agricultural holdings and woodlots to minimize interference with agriculture and forestry. | |
| 4. The establishment of these major facilities will not require an amendment to this Plan provided they have been reviewed and approved through an environmental assessment process. For those facilities that are not subject to an environmental assessment process, no official plan amendment is required but the County may review the proposal through a development approval process to ensure that the location criteria of subsection D.2. are addressed | |
| 5. Haldimand County encourages multiple use service corridors for major servicing infrastructure and where appropriate and feasible, encourages the use of these corridors for secondary purposes where feasible, such as recreation, agriculture, reforestation, other utilities or transportation. | MULTIPLE
USE
CORRIDORS |
| 6. Easements are preferred over severances in the establishment of transmission line corridors so as to prevent the unnecessary fragmentation of land. | EASEMENTS
PREFERRED |

E. UTILITIES

1. Utilities and services necessary for the provision of municipal water and sanitary sewage, storm services, public roads, railway lines, hydro, gas, and facilities for the detention, retention, or discharge of storm water are permitted in all land use designations provided that such development satisfies the provisions of the *Environmental Assessment Act*, the

Environmental Protection Act, and any other relevant legislation except where any of these facilities would promote a development pattern that is contrary to the Official Plan.

DEVELOPMENT
CRITERIA

2. Where possible, the County will avoid siting these uses within or immediately adjacent to Natural Environment Areas. Where such is not possible, routes should be chosen which have the least impact on the designated Natural Environment Areas.

EASEMENTS
PREFERRED

3. Easements are preferred over severances in the establishment of utility corridors so as to prevent the unnecessary fragmentation of land. Where possible, the multiple use of service corridors is recommended.

F. LAND USE COMPATIBILITY WITH EXISTING LAND USES

1) SENSITIVE LAND USES

EVALUATION OF
USES ADJACENT
TO SENSITIVE
LAND USES

1. Where a new use is proposed on lands which abut a **sensitive land use**, a study outlining mitigation measures may be required to protect the sensitive land use. The D-series Guidelines of the Ministry of the Environment will be used to guide the preparation of a study and the decisions related to locating the new use where sensitive land uses are involved. Where appropriate, mitigation measures may be recommended which sufficiently minimize the land use conflict and be appropriate to the particular conditions encountered. Mitigation measures may include but are not limited to any of the following:⁵⁶

- a) Separation of uses by increased setbacks;
- b) Screening and buffering such as landscape strips, architectural screenings, fences or berms;
- c) Location of lighting so that it is deflected away or shielded from adjacent sensitive uses;
- d) Proper location of parking, loading and unloading areas, and outside storage; and
- e) Provision of safe, convenient pedestrian access with minimal interference from vehicular movement.

EVALUATION
FOR
PROPOSING A
NEW SENSITIVE
LAND USE

2. Where a new sensitive land use is proposed adjacent to existing potentially non-compatible land uses, a study outlining mitigation measures may be required. Mitigation measures may include the items outlined in policy F.1)1.a) through e) above.

SEPARATION
FROM SEWAGE
TREATMENT
FACILITIES

3. Haldimand County recognizes the importance of maintaining adequate separation between sewage treatment facilities and sensitive land uses. To safeguard the ability to expand these facilities as necessary and address odour and traffic issues, the County will consider applications for new development in proximity to any sewage treatment facility in accordance with the guidelines of the Ministry of Environment. Development within 150 metres of a sewage treatment plant must meet Ministry of Environment guidelines⁵⁷ before any development approval is given. Development that does not meet the recommended setbacks shall not be permitted unless it can be shown, through appropriate studies and reports prepared by qualified professionals, that the development will not impact on the

⁵⁶ Ministry Modification – June 8, 2009

⁵⁷ Ministry Modification – June 8, 2009

operations of the treatment facility such as odours or traffic or on the ability to reasonably expand the facility in the future.

2) NOISE AND VIBRATION EVALUATION STUDIES

1. The County may require a noise evaluation study for the siting of sensitive land uses, including residential development, adjacent to potential sources of excessive noise such as certain industrial facilities, transportation corridors or aggregate operations or auto racing facilities.

NOISE
EVALUATION
FOR NEW
SENSITIVE
USES

Noise evaluation studies shall be prepared to the satisfaction of the County, by a qualified acoustical consultant. The study shall take into consideration the total noise on the site from all sources and demonstrate whether noise control measures are needed to meet Ministry of Environment guidelines. The Noise Study may be required to be peer reviewed. If the peer review is a County requirement, it will be undertaken at the proponent's expense. Noise mitigation measures shall be implemented where the need is demonstrated.

2. In the case of a proposal for a new stationary noise source such as industry, aggregate extraction or a utility area, the County may require a noise study prior to the approval of the development or land use change.
3. A noise and vibration study is required under the *Aggregate Resources Act* where a dwelling is located within 120 metres of a proposed aggregate site.
4. If the source of noise is a line or transportation source such as a Provincial highway, railway or auto racing facility, the noise study and required noise mitigation shall be required and submitted prior to approval.
5. Vibration studies may be required for new development and changes to existing industrial development within 75 metres of a sensitive land use or where a new sensitive land use is being proposed adjacent to an existing industrial use.

NOISE
EVALUATION
FOR NEW
NOISE
GENERATING
LAND USES

VIBRATION
STUDIES

3) AIR QUALITY EVALUATION STUDIES

1. Air quality is important to Haldimand County as it impacts land, water, wildlife and human health. Clean air is important to Haldimand County and is monitored by the Ministry of Environment for future interpretation and impact on health. Various air quality-monitoring stations have been placed in Haldimand County by the Ministry of Environment to determine the effects of the Lake Erie Industrial Park as well as air pollutants from the United States.
2. As part of Haldimand County's commitment to addressing air quality issues, air quality studies may be required where new industrial development is proposed near sensitive land uses or where a new sensitive land use is being proposed adjacent to an existing industrial use.

AIR QUALITY
STUDIES

4) DEVELOPMENT IN PROXIMITY TO RAIL CORRIDORS

1. Sensitive land uses are generally discouraged adjacent to railway corridors. Development located in the vicinity of active railway corridors could be subject to environmental hazards such as excessive noise, and vibration and safety concerns. Therefore a development proponent may be required to undertake the following to the satisfaction of the County:
 - a) For a proposed residential or other noise sensitive development within 300 metres of a railway right-of-way, a noise impact study shall be prepared in consultation with the appropriate railway operator, with appropriate measures identified to mitigate adverse effects; and
 - b) For development within 75 metres of a railway right-of-way, a vibration impact study shall be prepared to the satisfaction of the County in consultation with the railway operator with appropriate measures identified to mitigate any adverse effects.
2. All proposed development adjacent to railway corridors shall ensure that appropriate safety measures such as setbacks, berms and security fencing are provided, to the satisfaction of the County in consultation with the appropriate railway operator.

G. DESIGN PRINCIPLES/URBAN DESIGN GUIDELINES

1. Urban design guidelines are used to ensure that development contributes to the well being of residents and enhances the positive aspects of the community character. Urban design contributes to and guides:
 - a) the revitalization of the commercial cores;
 - b) new commercial and industrial development;
 - c) subdivision design;
 - d) preservation of cultural heritage resources and scenic values;
 - e) tree preservation;
 - f) conservation of natural environment areas;
 - g) location and design of arterial and collector roads;
 - h) compact and efficient urban uses;
 - i) pedestrian walkways and bicycle paths;
 - j) community integration; and
 - k) aesthetics.
2. The County will undertake to establish urban design guidelines and once the guidelines are in place, the County will require proponents to develop in accordance with the guidelines. The County will require the proponent to meet the urban design guidelines when preparing plans for new residential, commercial, industrial, business parks, institutional buildings, and parks and recreational facilities.
3. The urban design guidelines shall in particular address the challenges of creating compact residential development in **designated greenfield areas**. The guidelines shall be implemented through revisions to the zoning by-law for residential zones in the **designated greenfield areas**. The urban design guidelines and implementing zoning shall consider:
 - i) a minimum lot size for 1 and 2 car dwellings;

- ii) a maximum garage width based on the width of the lot;
- iii) a requirement that garages be in line with the front wall of the dwelling or the outward extent of a covered front porch; and
- iv) reduced side yards while still being in keeping with the overall character of the existing urban areas.

H. LOT CREATION

1. The Subdivision and Condominium Plan approval process and accompanying agreements pursuant to the *Planning Act*, will be used by Council to ensure that the policies and land uses of the Official Plan and applicable Secondary Plans are complied with and that a high standard of design is maintained in new development areas. Council will only approve Plans of Subdivision or Condominium which conform the *Planning Act* and the following criteria:

PLANS OF
SUBDIVISION
AND
CONDOMINIUM

- a) The Plan of Subdivision or Condominium conforms with the policies of this Plan;
- b) Adequate servicing such as water supply, sewage disposal facilities, storm water drainage, solid waste collection and disposal, roads, and emergency services can be provided;
- c) The County is able to provide necessary services without imposing undue increases in taxation on all residents, and;
- d) The Plan of Subdivision or Condominium is not deemed to be premature, and is considered necessary in the public interest.

2. The division of land is encouraged to proceed by plan of subdivision; however, where the Committee of Adjustment deems that the subdivision process is unnecessary for the proper and orderly development of the community, the creation of new lots may proceed by consent in accordance with the relevant policies of this Plan. Generally, new lot creation by consent shall be guided by the following:

GENERAL
CRITERIA
FOR
CONSENT

- a) The size of any parcel of land created by consent should be appropriate for the use proposed and the intent and purpose of the Official Plan and Zoning By-law are maintained;
- b) The creation of new lots for development shall only be granted in accordance with the relevant servicing policies contained in this Plan;
- c) The proposed severed and retained land fronts on an existing public road that is of a reasonable standard of construction and access would not create a traffic hazard because of limited sight lines on curves or grades. Direct access from provincial highways or arterial roads should be restricted where possible and residential lots should, where possible, have access only from collector or local roads; and
- d) Not more than five lots are being created.

3. Generally consent to sever land in the Agricultural designation may be considered in accordance with the following criteria:

CRITERIA FOR
NON-
RESIDENTIAL
CONSENTS

- a) The parcel to be severed and the parcel to be retained are both for agricultural use and are a minimum of 40 hectares in size;

- b) Severances for individual, small-scale agriculturally-related uses may be permitted provided that the severance of these uses meet MDS requirements, does not form strip development and the size of the parcel is limited to the amount of land specifically required for the use.⁵⁸
- c) Severances for **legal or technical reasons**, including minor boundary adjustments, easements or rights-of-way or other purposes that do not create an additional separate lot or in agricultural areas do not compromise the functionality and/or viability of a farm.⁵⁹

CRITERIA FOR
SURPLUS FARM
DWELLING
CONSENTS

- 4. A severance may be granted for a habitable farm dwelling of a minimum age of ten years, calculated from the date of occupancy of the dwelling, made surplus through farm consolidation where it is part of a farm holding containing two or more habitable dwellings and where each farm is located within the County. No new residential dwelling shall be permitted on the retained lands. To ensure this, a zoning by-law amendment will be required that specifically excludes a dwelling from being permitted on the retained lands. If the title of the retained parcel is merged with the title of an adjacent farm holding, the zoning by-law amendment to restrict a new residential dwelling on the retained lands will not be required.^{58a}

The creation of the surplus farm dwelling lot will be based on the following:

- a) The severance shall generally be 0.4 hectares to 0.6 hectares in size and shall minimize the amount of agricultural land or productive forest land taken out of production. Consideration of varying the size of the parcel include ensuring farm fields are not fragmented, environmental and topographical features are recognized and the location of the surplus farm dwelling in relation to the existing farm buildings and structures;
- b) No severance shall be granted unless the proposed lot can be serviced by an on-site sanitary sewage system designed and installed as per the *Ontario Building Code*;
- c) No severance shall be granted unless it is shown that it will not adversely affect the operation or viability of the farm operation on the remaining lands;
- d) Severances that do not meet the Minimum Separation Distance formulae, as amended, shall not be permitted;
- e) Severances shall not be permitted within 300 metres from licensed pits and 500 metres from licensed quarries and must be well removed from waste disposal sites and other potential land use conflicts;
- f) The lot created by severance shall be located with safe and direct access to a permanently maintained public road; and
- g) Potential impacts on natural environment areas and/or cultural resources shall be assessed and addressed, where necessary.

INFILLING

- 5. Infilling lots will only be permitted in Urban Areas, Hamlets and **resort residential nodes** along the Lakeshore.
- 6. Notwithstanding any other policy contained in this Plan, the Committee of Adjustment may consider an application to sever non-agriculturally designated lands situated between the

⁵⁸ Ministry Modification – June 8, 2009

⁵⁹ Ministry Modification – June 8, 2009

^{58a} 803-HC-12

roads along the lakeshore and Lake Erie for lake access purposes. When considering such an application, the Committee shall be satisfied that:

CONSENTS FOR
LAKE ERIE
ACCESS
PURPOSES

- a) The lands being severed are not suitable for development due to size, configuration and/ or topography; and
- b) The lands are zoned in a manner that prohibits new development and identifies the use as for access purposes only;
- c) If the property created for lake access purposes is for a property or properties located in the vicinity, the title of the property for lake access purposes should be tied to said property or properties.

7. The creation of new lots for commercial, industrial and institutional purposes in an area not designated 'Agriculture' in this Plan⁶⁰ may proceed by consent provided that development issues such as servicing, drainage, road patterns, screening, buffering, separations from sensitive land uses and other relevant land use matters have been addressed to the satisfaction of the County.

NEW LOTS FOR
INDUSTRIAL,
COMMERCIAL
AND
INSTITUTIONAL
USES

8. Where the County determines it is appropriate, lot creation may occur through the use of Part Lot Control Exemption by by-law, in accordance with the provisions of the *Planning Act*.

PART LOT
CONTROL

9. In accordance with the *Planning Act*, registered plans of subdivision that have been registered for eight years or more may be deemed not to be plans of subdivision if the lots no longer meet the current requirements for new development or conflict with the overall planning program.

DEEMING

10. Approval of draft plans of subdivision shall be for a time period of 3 years, unless an extension is approved by Council. Haldimand County may also apply lapsing dates to previously approved plans of subdivision as a means of encouraging developers to redesign proposals to better conform to Growth Plan requirements.

When the draft approval of any plan of subdivision has lapsed, the goals and objectives of the Growth Plan shall be considered with respect to the consideration of any new plan of subdivision.

I. INFILLING AND INTENSIFICATION

- 1. Haldimand County will support measures to provide residential **intensification** such as conversion, infilling and redevelopment in areas designated for residential use. The intensification of residential development reduces the need to expand urban boundaries and uses existing services more efficiently. Residential intensification, infilling and redevelopment of existing areas allows for the efficient provision of urban services thereby helping to minimize the costs of providing services while meeting an important component of housing needs and to achieve the **intensification** strategy set out in Section 4.B.7.
- 2. The County will monitor intensification activity in order to ensure that the intensification target in Section 4.B.4 is being met, **intensification** is being satisfactorily integrated with

⁵⁸ Ministry Modification – June 8, 2009

the physical characteristics of residential and commercial areas and proper health and safety standards are maintained.

3. Small scale intensification may be permitted in all areas designated for residential use, subject to the design criteria of Section 4.B.2) 11, except where infrastructure is inadequate or there are significant physical constraints.
4. In order to protect the stability of older residential neighbourhoods, the County shall require new development or redevelopment to be undertaken in a manner that is in character with existing development in the neighbourhood and meets the criteria set out in Section 4.B.2) 11.
5. The County will encourage the development of medium and higher density uses within the Intensification Areas and Intensification Corridors. These areas are conducive to higher density residential and mixed use development and provide convenient access to shopping, public open space, recreation facilities and other urban amenities.
6. The County shall update the residential **intensification** analysis during the five year review of the Official Plan. Such update shall assess the rates of **intensification** within the built-up areas and shall assess the continued appropriateness of the Intensification Target.
7. Infilling, intensification and redevelopment of commercial, industrial and institutional uses will be encouraged to ensure an appropriate range and mix of employment opportunities are provided. The County will undertake a study to identify and promote opportunities for infilling, intensification and redevelopment, where this can be accommodated, taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public facilities required to accommodate projected needs.

J. HOME-BASED BUSINESSES

1. Home-based businesses are a growing trend as more people are opting to work at occupations and professions in their homes rather than external work environments. Home-based businesses may be permitted in designations where residential uses are permitted. Home-based businesses shall:
 - a) be clearly secondary and subordinate to the residential use of property;
 - b) generally not occupy more than 25% of the total gross floor area of the dwelling unit, up to a maximum of 50 square metres, if the business is a home occupation as defined by the Zoning By-law. If the home occupation is located in an accessory building, the use shall not occupy a total gross floor area in the dwelling and/or accessory building of more than 25% of the dwelling up to a maximum of 50 square metres. Total gross floor area of a home industry, as defined in the Zoning By-law, will be determined based on a sliding scale set out in the Zoning By-law. (County By-law 694-HC-10)
 - c) restrict employment to members of the household living in the dwelling unit and one outside worker;
 - d) be limited to those uses that are compatible with adjacent residential uses and that do not result in a detrimental impact due to noise, odour, traffic and parking;
 - e) have sufficient on-site parking;

- f) in the case of a home occupation, as defined in the Zoning By-law, not require outdoor storage of goods or materials; in the case of a home industry, outdoor storage may be permitted as set out in the Zoning By-law (County By-law 694-HC-10)
 - g) restrict signage to a maximum size of 0.5 square metres; and
 - h) permit the sale of products produced on the premises or those products directly associated with a home occupation, as defined in the Zoning By-law, and to a maximum gross floor area as set out in the Zoning By-law. For a home industry, as defined in the Zoning By-law, the use shall not entail the sale of merchandise other than the sale of arts and/or crafts produced on site. (County By-law 694-HC-10)
2. Where a home-based business fronts on a Provincial Highway, **safe access** to and from the roadway in accordance with Ministry of Transportation regulations is required.

K. BED AND BREAKFASTS

1. A **bed and breakfast establishment** may be permitted within the Agricultural, Residential, Hamlet and commercial designations and also within the vicinity of the Grand River and Lakeshore area but outside Hazard Lands and Natural Environment Areas in accordance with the following criteria:
- a) with the exception of the commercial designations, the use is clearly accessory to the principal residential use of the property and the use does not significantly change the character of the dwelling as a private residence;
 - b) in the commercial designations, the bed and breakfast establishment is not permitted in the street front portion of the building at street level;
 - c) in the Agricultural designation, the bed and breakfast establishment is permitted as a secondary use.
 - d) the dwelling unit in which the use is established is occupied by the operator and employment associated with the use is restricted to members of the household and one outside worker;
 - e) the use will not generate undue noise, traffic, and have inappropriate signage to the extent of interfering with the ordinary enjoyment of surrounding properties; and
 - f) signage shall be appropriately scaled for the use; and
 - g) adequate parking is provided on site.

L. PARKING

1. Haldimand County will prepare a Parking Study to identify parking needs and provide guidelines on parking initiatives. The following parking policies are interim policies that may be amended subject to the findings and recommendations emanating from the Parking Study.
2. Adequate off-street parking and loading facilities shall be provided for all new development and/or redevelopment proposals to serve the needs of the specific use. Within commercial core areas, alternative measures for the provision of parking may be employed. Such measures may include, but are not limited to, cash-in-lieu of parking,

PARKING
STUDY

reduced parking standards or arrangements acceptable to the County for the provision of parking on nearby sites.

3. Parking facilities may be permitted in all land use designations with the exception of the Natural Area designations and shall be accessory to a permitted use or public facility.

M. GARDEN SUITES

1. Garden Suites are defined as a form of temporary accommodation and consist of a **self-contained portable dwelling unit**, whose purpose is to provide accommodation for elderly, sick or disabled person.
2. Garden suites may be permitted by a temporary use by-law and an implementing development agreement within the Agricultural, Residential or Hamlet designations where a legitimate need is demonstrated for a separate housing unit in proximity to an existing residential use on a property. A garden suite shall be located in accordance with the following criteria:
 - a) the suite is not placed in the front yard of the house or the required front yard as set out in the Zoning By-law;
 - b) the suite is compatible with adjacent residential or agricultural properties in terms of aesthetics, privacy and noise;
 - c) the garden suite is well removed from potential land use conflicts such as animal operations and operating pits or quarries;
 - c) the garden suite is sited near the principal farm residence, if situated on a farm;
 - e) the garden suite does not require additional separate access to a municipal road;
 - f) placement of the unit on the lot is not excessively removed from the existing dwelling;
 - g) the proposed site is capable of being connected to municipal services or can accommodate a water supply system and is serviced by an on-site sanitary sewage system designed and installed as per the *Ontario Building Code*;
 - h) the location of the unit shall have regard to the Minimum Distance Separation formulae, from livestock operations on adjacent properties; and
 - i) there is adequate on-site parking.

N. BROWNFIELD/GREYFIELD REDEVELOPMENT

1. Haldimand County contains areas of older industrial and commercial development. Some of these areas may contain **brownfield/greyfield** sites, within its urban areas and hamlets.
2. Where development and redevelopment of brownfield and greyfield sites becomes problematic, the County may prepare Community Improvement Plans aimed at addressing possible impediments to redevelopment. Through the Community Improvement Plans, the County will identify tools and partnerships aimed at increasing opportunities for brownfield/greyfield redevelopment. These tools may include grant/tax

incentive programs and partnerships with local groups, the County and direct support from Provincial and Federal governments.

O. SECONDARY SUITES

1. Secondary Suites, where permitted in this Plan will be subject to the following criteria and the regulations of the Zoning By-law:
 - a) The unit is clearly subordinate to the primary residential unit in the dwelling;
 - b) Adequate on-site parking for both residential units is provided;
 - c) Adequate servicing capacity exists;
 - d) The secondary suite complies with Provincial building and fire code requirements; and
 - e) The exterior appearance of the dwelling is not significantly altered to accommodate the unit.

P. PUBLIC EMERGENCY SERVICE FACILITIES

1. Public Emergency Service Facilities are defined as land, buildings and structures used for the provision of police, fire protection and land ambulance services and programs which are provided or subsidized by a government or other body.
2. Public Emergency Service Facilities are permitted in all land use designations, except Natural Environment Areas or Hazard Lands where such use will interfere with the attributes that establish the area as Hazard Land and Natural Environment Area.
3. Public Emergency Service Facilities shall be subject to the following criteria:
 - a) the Public Emergency Service Facility shall be subject to site plan control;
 - b) the use is only permitted if direct access to a Provincial Highway, arterial or collector road is available;
 - c) where a Public Emergency Service Facility fronts on a Provincial Highway, safe access to and from the roadway in accordance with Ministry of Transportation regulation is required;
 - d) there is adequate on-site parking;
 - e) appropriate screening and buffering shall be implemented to ensure compatibility with surrounding properties;
 - f) Public Emergency Service Facilities shall be compatible with adjacent properties in terms of aesthetics, privacy and noise;
 - g) Signs for Public Emergency Service Facility uses should be designed and sited in accordance with the County's Sign By-Law.

4. In addition to the criteria in Section 3 above, Public Emergency Service Facilities in the Agricultural designation are subject to the following criteria. The criteria are to be addressed through a study completed by a qualified professional land use planner which must be submitted to the satisfaction of the General Manager of Planning and Economic Development prior to the granting of site plan approval and the issuance of the building permit:
- a) the land does not comprise a specialty crop area;
 - b) there is a demonstrated need in the planning horizon for the lands to be used for a Public Emergency Service Facility;
 - c) there are no reasonable alternative locations which avoid prime agricultural areas; and
 - d) there are no reasonable alternative locations in prime agricultural areas with lower priority agricultural lands.⁸³

Q. FILM PRODUCTION

1. Film production is permitted in all land use designations.
2. Film Production shall:
 - a) be clearly secondary and subordinate to the primary use of the property;
 - b) have sufficient on-site parking;
 - c) not generate undue noise, traffic, lighting, exhaust fumes or inappropriate signage to the extent of interfering with the ordinary enjoyment of surrounding properties;
 - d) not negatively impact natural environment areas, hazardous areas or cultural or heritage resources;
 - e) comply with the *Ontario Building Code*, as amended from time to time;
 - f) comply with the Haldimand County Noise By-law, as amended from time to time;
 - g) comply with *Procedural Manual – Haldimand County Filming Guidelines and Filming Permits policy*, as amended from time to time, if film production is proposed to take place on Provincially or County owned land; and
 - h) be regulated by the County's Zoning By-laws.⁸⁴

⁸³750-HC/11

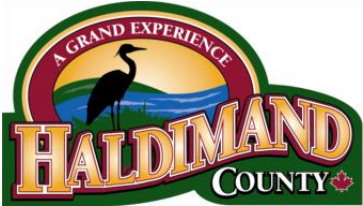
⁸⁴741-HC/11



LEISURE, HERITAGE AND CULTURE

Strategic Direction

Establishing Haldimand County as great a place to play and nurture future generations includes establishing opportunities for leisure and exploring the County’s heritage and history. These activities involve not only the residents of the County but also those who come to visit and share in our history and heritage. The opportunities for strategically maximizing our built and natural leisure resources need to be explored. Continuing partnership opportunities with the County’s many recreational, cultural and heritage community groups allows for building a high quality of life for current and future residents and creating awareness of our strengths as a preferred destination for tourists.



6. LEISURE, HERITAGE AND CULTURE

A. PARKS AND OPEN SPACE

1. Haldimand County recognizes the importance of providing a full range of parks, open space and recreational facilities for use by residents and as a means of increasing the County's appeal as a tourist destination.

INTRODUCTION

Open space areas may either be public or privately owned and can include conservation areas, walking trails, active and passive areas, and similar uses. Recreational facilities can provide both outdoor and indoor sport and recreational opportunities for various segments of the population. Due to the diversity in size, parks and leisure areas are not specifically designated in the Plan but where practical, are identified in the Zoning By-law.

In addition to the several inland parks, open spaces and recreational facilities, residents and visitors also enjoy water oriented recreational opportunities provided by Lake Erie and the Grand River.

A Leisure and Recreation Master Plan will inventory existing parkland and identify deficiencies, establish standards and guidelines for park and facility location, guide the County in developing strategies for park land acquisition and financing and define the County's relationship with partners and volunteers. As such, the policies contained in this section are interim and the policy recommendations of the Master Plan will be incorporated by amendment into this Plan where applicable.

2. Haldimand County will ensure that there is an adequate supply of parks, open spaces and recreation facilities to serve people of all ages and abilities.
3. As part of revitalization and renewal projects for County owned lands, parks and facilities, the County will explore opportunities to include walkways, accessibility improvements and infrastructure upgrades that are supportive of active transportation, including bicycle racks and facilities and other such amenities.
4. Community parks are large-scale public parks designed to serve the entire County such as arenas, major sports fields including ball diamonds, soccer fields and tennis courts and community centers. These parks and facilities shall have good transportation access and adequate parking facilities to meet the anticipated demand.
5. Neighbourhood parks primarily serve the immediate neighbourhood, such as tot lots and parkettes. Neighbourhood parks can be incorporated as part of development such as residential subdivisions or within residential neighbourhoods. Adjacent collector and local roads should provide good pedestrian, cycle and vehicular access with minimal parking requirements.

COMMUNITY
PARKS

NEIGHBOURHOOD
PARKS

LOCATIONAL
CRITERIA

6. Public parks, public open spaces and public recreational facilities and uses that do not require significant buildings, do not significantly alter the soil or topography, and have a lower density of concentration of human activity are permitted in all land use designations, except certain Natural Environment Areas or Hazard Lands where park structures, buildings and recreational uses will interfere with the attributes that establish the area as Hazard Land and Natural Environment Area. Golf courses may be permitted subject to the policies of Section 6.C. of this Plan.⁶¹ Parks and open space areas that are also designated Natural Environment Areas or Hazard Lands shall be subject to the limitations for development imposed by those land designations. Arenas and community centres will not be permitted in the Agricultural designation.
7. The County may provide neighbourhood and community parks and recreational facilities with new developments where applicable. The parks and recreational facilities shall be of appropriate size, shape and quantity and located where there is good pedestrian, cycle and in the case of community parks, vehicular access and adequate parking to enable the recreational use.
8. The County may direct neighbourhood and community parks to be located in strategic locations in Urban Areas and Hamlets.
9. To the greatest extent possible, the County shall continue to secure park and leisure areas through various strategies for land acquisition including the land development process, shared use agreements, leases, covenants and donations.
10. Where feasible, the County will consider locating parks in conjunction with other municipal and community facilities such as schools, and other institutional lands, open spaces, storm water management facilities and public and private lands in order to achieve economies of scale and avoid duplication of services. The County shall encourage private recreational development such as lakefront parks to complement County recreational opportunities.

PARK MAINTENANCE

11. The County will continue to maintain County owned existing parks, recreational and tourism related activities and land uses in conjunction with community groups and organizations.

NEW PARKS, OPEN
SPACE AND
RECREATIONAL
FACILITIES

12. In order to meet community needs, the County will encourage new parks and leisure facilities to:
 - a) Be accessible. Provisions should be made in community parks and recreational facilities for the parking of vehicles while neighbourhood parks should require limited parking facilities for vehicles and be pedestrian oriented;
 - b) Be of sufficient size, shape, and quantity;
 - c) Contain landscaped amenities; and
 - d) Be equitably distributed and well integrated in the community.

GOVERNMENT
AGENCIES

13. The Ministry of Natural Resources, the Grand River Conservation Authority, and Long Point Region Conservation Authority provide park and recreational opportunities for both local residents and tourists visiting Haldimand County.

⁶¹ Ministry Modification – June 8, 2009

There are three provincial parks located in the County, being Selkirk Provincial Park, Rock Point Provincial Park and James N. Allan Provincial Park. The County encourages the continued role of the conservation authorities and the Ministry of Natural Resources as the primary public providers of Provincial natural resource based recreation opportunities.

14. The County supports partnerships, joint ventures, and facility sharing with school boards, other institutions and community groups to expand the supply of parks, open space and recreational facilities.
15. The County will encourage private entrepreneurs interested in developing outdoor recreational facilities of a high quality to consider siting the facilities along the lakeshore area or in the vicinity of the Grand River. In accordance with applicable land use policies, recreational developments in these areas will enhance tourism opportunities in areas that the County is already marketing for tourism. Where possible, parks shall be designed to be compatible with the cultural and natural aspects of the lakeshore or waterway.

PRIVATE
ENTREPRENEURS

B. PARKLAND DEDICATIONS

1. The County may utilize the following measures available through the *Planning Act* to obtain additional lands for park purposes:
 - a) The County may require the dedication of land for park or other recreational purposes, including trail development, as a condition of approval of a plan of subdivision, plan of condominium, consent, residential, commercial or industrial development or redevelopment in accordance with the *Planning Act* at a rate of 5 percent for residential purposes and 2 percent for all other purposes. The details for parkland acquisition will be determined through the Leisure and Recreation Master Plan;
 - b) The County may accept cash-in-lieu of parkland dedication if it is determined there are adequate parks and recreational facilities within the community. The funds will be placed in an account to purchase parkland elsewhere;
 - c) A combination of parkland dedication and cash-in-lieu of land may be used for a particular development at the discretion of the County in accordance with the *Planning Act*;
 - d) All lands dedicated to the County for park purposes shall be conveyed in a condition satisfactory to the County and will not include lands required for drainage purposes, lands susceptible to flooding including storm water management ponds, steep valley slopes and any other lands unsuitable for park development. However, the County may consider the integration of valley lands, wooded areas, significant cultural heritage resources or other lands that may be otherwise unsuitable for development into the required parkland;
 - e) Land dedicated to the County for park purposes as part of legal requirements under the *Planning Act* will be accepted only when the County is satisfied that the land is suitable for park purposes and is situated in a location that is appropriate for the manner in which it is to be used; and

PARKLAND
DEDICATION
REQUIREMENTS

- f) As an alternative to the basic provisions for parkland dedication noted above, conveyance of parkland may be requested at a rate of up to one hectare for each 300 dwelling units proposed.

DETERMINATION
OF VALUE

- 2. The value of the land conveyed to the County for parkland purposes shall be determined as of the day before the day of the approval of the draft plan of subdivision, severance, plan of condominium, zoning or site plan, as applicable. The County may also use an established fee per residential lot for calculating the cash-in-lieu of parkland requirement.

C. GOLF COURSES

INTRODUCTION

- 1. In reviewing golf course proposals, the County's major objective will be to encourage the development to occur with the minimum environmental and economic impact. Proponents may be required to demonstrate the need for the use, consideration of alternative locations, and no significant impact to adjacent land uses and the natural environment.

LOCATIONAL
CRITERIA

- 2. Golf courses may be permitted in designated Urban Areas, Agricultural areas and in the vicinity of the Grand River and Lake Erie shoreline subject to an Official Plan Amendment. The County may also consider permitting golf courses in former landfills, brownfield areas and as part of pits and quarry rehabilitation subject to an Official Plan Amendment. New golf course developments or expansions shall be subject to the following criteria and all the studies undertaken shall be at the proponent's expense:
 - a) A market analysis is conducted to justify the need for the proposed use;
 - b) An Environmental Impact Assessment is undertaken and impacts on adjacent land uses mitigated prior to development, during construction, maintenance and operation of the golf course;
 - c) The golf course is subject to site plan control;
 - d) Hydrogeological studies shall be undertaken to determine cumulative effects of golf courses on water courses above and below the surface (e.g. lowering of the water table);
 - e) The construction of ponds associated with golf courses shall be accompanied by a water budget analysis to maximize retention of surface drainage generated within the site and minimizes use of supplementary sources (e.g. surface streams, groundwater);
 - f) Golf courses shall be developed and managed with consideration for the unique conditions of the ecosystem of which it is a part e.g. existing wildlife and plant life including habitat shall be preserved as much as possible;
 - g) A monitoring program established to reduce environmental impacts by chemical use;
 - h) Effluent shall be contained onsite or disposed of in a manner that does not impact on the immediate surroundings;
 - i) In designated agricultural areas, a study demonstrating that:
 - i) there are no reasonable alternative locations which avoid prime agriculture areas;

- ii) there are no reasonable alternative locations in prime agricultural areas with lower priority agricultural lands; and
 - iii) the lands do not comprise a specialty crop area.
- j) The use is removed from potential land use conflicts such as livestock operations, operating pits, quarries and landfill sites;
 - k) The Minimum Distance Separation shall be maintained between farm and non-farm uses and buffering of the two uses shall be encouraged where appropriate; and
 - i) The golf course will not sterilize any known mineral aggregate resource areas.

D. SCENIC ROUTES

1. Haldimand County's location and scenic assets provide ample opportunities for creating scenic or heritage routes especially within the vicinity of the Grand River and Lake Erie. The Talbot Trail extends from Windsor to Fort Erie along Regional Road No. 3 through the County. The Lake Erie Circle Route and the Heritage Trail are established trails both following Highway No. 3 through the entire County. The Grand River Scenic Parkway follows the east side of the Grand River from Dunnville, through Cayuga and Caledonia. These scenic routes draw both local residents and tourists to the scenic areas of the County.
2. The County may consider establishing a Lakeshore Trail using existing roads close to the Lake Erie shoreline. Due to the meandering nature and existing conditions of some of the roads located along the lakeshore, the route would be a more leisurely, scenic driving route. Prior to establishing the Lakeshore Trail an assessment of the road conditions and safety will be undertaken.

LAKESHORE
TRAIL

E. TRAIL DEVELOPMENT

1. Where appropriate and feasible, Council will encourage the development of a pedestrian and non-motorized vehicular trail system to link open space and park areas within and adjacent to areas of development utilizing such features as existing creek and stream valleys, transportation corridors and other natural corridors.
2. Where possible, public parks and open space areas will be connected with other community facilities through a comprehensive trail and walkway system, particularly in the waterfront area.
3. Trail development shall be established in accordance with the Haldimand County Trails Master Plan, and trails and cycle corridor depiction on Official Plan schedules and be designed to accommodate a range of users, abilities and needs.

Changes to the schedules to reflect revisions to either the Trails Master Plan or Cycling Network Plan can be completed within an amendment to the Official Plan.

4. Where necessary, public access trails may need to be established on lands not under the control or ownership of the County, and in these situations the County should consider long term access agreements and maintenance policies relating to the private lands.
5. Trail establishment will be supported by trends and community interest, including the Trails Advisory Committee, and a higher priority should be assigned to recreational trail development, in particular trails that connect residential areas to other communities and destinations such as leisure facilities and the waterfront.
6. Trail connectivity with adjacent municipalities and matters of provincial interest will be encouraged and established where feasible.
7. Trail Systems within the County will be identified as follows:
 - a) County-Wide Routes
 - b) Local Routes
 - c) Special Use Routes

The intent of the classification is to create a variety of trail types and to service a variety of uses and levels of experience.

County-wide trails will provide opportunities to move throughout the County and along major corridors, with linkages between urban centres and neighbouring communities.

Local routes will create access to local points of interest and neighbourhood opportunities.

Special-use routes are intended to cater to specific uses, and/or those requiring special design or treatment.

8. The following chart identifies design standards that will be followed when addressing trail development:

Trail Type	Dimension Guideline (width)	Surface	Characteristics
County-wide	3.0-3.5 metres	<p>Hard surface (asphalt, concrete, unit pavers) especially for routes/loops within urban centre.</p> <p>Granular surface in rural area or where deemed appropriate.</p>	<ul style="list-style-type: none"> ○ Higher volume use ○ Destination oriented ○ Widest range of users; On-road cycle routes, ATV trails, Off-road cycle routes ○ Connection for neighbouring

			municipality
Local Route /Urban Core Area	3.0-3.5 metres	Hard surface (asphalt, concrete, unit pavers)	<ul style="list-style-type: none"> ○ Moderate to high volume use ○ Connection link for facilities, Connection routes to County-wide Trail, Cycle routes, Pedestrian/Walking systems
Special Route	2.4-3.0 metres	Granular surface or other surface considered to be appropriate for the site.	<ul style="list-style-type: none"> ○ Lower volume use ○ Cater to specific uses and/or limited use due to site conditions ○ Potential to be stand-alone loops – no connection to local or country-wide route.

9. Use of permeable materials shall be encouraged in trail construction where possible.
10. Trail systems will be encouraged to work within the natural environment, and the lands beyond the required travelled trail portion should remain in a naturalized state. Maintenance by the County will be contained to the travelled trail sections proper.
11. Trails should be appropriately signed for location, permitted uses and speed, with trail entry and access points identified. Way finding signage shall be provided throughout the trail network.
12. Benches and garbage receptacles shall be encouraged to be located at trailheads and, where feasible and appropriate, along the trail route.
13. Safety and lighting of trails shall be taken into consideration and the principles of Crime Prevention Through Environmental Design (CPTED) will be used as a guiding document.
14. Trails will be designated to accommodate a range of users and abilities. Slopes, where possible, should be under 5%

15. Trails located in proximity to sensitive natural features should incorporate signage at various locations to promote stewardship initiatives that will protect and enhance the features and functions of the natural environment.
16. Trail development and linkage will be encouraged through proposed plans of subdivision and can be used in calculation of the parkland dedication value.
17. The County will encourage partnership opportunities for trail development, including private interest groups and community organizations. The partnerships could be used to address the following:
 - Trail establishment
 - Trail maintenance
 - Access
 - Signage.⁶²

F. CULTURE/HERITAGE

1. Haldimand County's cultural heritage adds to the quality of life for local residents, attracts visitors to the County, aids in revitalization of communities and plays a role in supporting local businesses. Heritage resources also provide physical and cultural links to the original settlement of the area and to specific periods or events in the County. Heritage resources are human made features exhibiting historical, cultural, architectural or archaeological features of local, Provincial or Natural significance. The Grand River, is a Canadian Heritage River, and is well known for its archaeological heritage. Other landscapes such as Mohawk Island, the Carolinian forest and the Lake Erie shoreline also add to Haldimand County's natural heritage. Buildings and structures of historical significance or special architectural merit such as Ruthven Park, a National Historic Site and Haldimand County Museums consisting of Edinburgh Square Heritage and Cultural Centre, Haldimand County Museum and Archives and the Wilson MacDonald Memorial School Museum, draw both local and outside visitors to the County.

Haldimand County values its local heritage and will continue to preserve to the greatest extent possible the cultural and heritage assets. A Strategic Plan will be prepared that will establish standards and guidelines for identifying, designating and preserving cultural heritage resources. As well, the Plan will enable the undertaking of various initiatives including cultural mapping and/or cultural inventories to increase heritage awareness. This section of the Official Plan may be amended as appropriate to reflect the Provincial changes to the *Heritage Act* and the Strategic Plan.

2. In accordance with the *Ontario Heritage Act*, Heritage Haldimand Local Architectural Conservation Advisory Committee (LACAC) identifies heritage resources, advises the County on heritage matters, and assists with the conservation of cultural heritage resources. The County may document heritage

⁶² 843-HC/13

features, encourage the development of heritage sites, trails, interpretive plaques, public archives, awards, educational programs and other appropriate measures to promote heritage resources.

3. The County in consultation with LACAC may prepare a study to determine the feasibility of designation and delineation of heritage conservation districts for future conservation and planning. The area to be studied will be defined by by-law. HERITAGE DISTRICT
4. The County will encourage the preservation of designated significant heritage buildings, structures and features including scale, form, colour, texture, material and the relation between structures, open spaces and landforms. PRESERVING FEATURES
5. The County may, by by-law, establish an area of Demolition Control under the *Planning Act* to control the demolition in whole or in part of a designated property or property in a designated area. The County may give consideration to the designation of any heritage resource if that resource is threatened with demolition. Where an owner of a heritage resource applies for approval to demolish, the County may consider acquisition of the property where it determines that it is in the public interest to do so, and the property is of sufficient heritage merit to the community.
6. The County will inform the appropriate government agencies of new development or redevelopment that may affect defined heritage features. In reviewing such developments, the County may consider the following: NEW DEVELOPMENT AFFECT ON HERITAGE FEATURES
 - a) Profile and character of adjacent heritage buildings;
 - b) The effect of shadows on adjacent heritage properties, particularly on landscaped open spaces and outdoor amenity areas;
 - c) Encourage residential infill in heritage areas to be sensitive to the existing scale and pattern of those areas and districts, which maintains the existing landscape and streetscape qualities of those areas and which does not result in the loss of any heritage resources; and
 - d) Utility companies will be required, where possible, to place metering equipment, power lines, equipment boxes, piping, and other utility equipment and devices in locations which do not detract from the visual character of heritage resources, and which do not have a negative impact on the architectural integrity of those resources.
7. The Grand River is a designated Canadian Heritage River running through Dunnville, Cayuga and Caledonia. Since its designation, Haldimand County and various local interest groups have engaged in various projects to protect and promote the Grand River. THE GRAND RIVER

The County will continue to support appropriate incentives to maintain, enhance, manage and conserve those features of the Grand River that are integral to its recognition and designation as a heritage river.

The County will continue to partner with other agencies such as the Grand River Conservation Authority, the Lower Grand River Land Trust and other relevant

agencies engaged in other activities that protect and preserve the Grand River as a heritage river.

VISTAS

8. Vistas are open spaces that provide scenic views. Vistas along the Lake Erie shoreline and the Grand River provide visual access to the water. Where feasible, the County will protect public vistas by evaluating new development for impact on significant vistas and requiring building setbacks or construction techniques to retain the important views as much as possible. Also, where feasible, the County may consider preserving and/or reserving existing public land along strategic locations on the shoreline for scenic views.

G. ARCHAEOLOGICAL RESOURCES

INTRODUCTION

1. Archaeological sites are the remains of structures, events, activities, place features or objects which because of the passage of time, are on or under ground or water, and are important to understanding the history of community. Archaeological assessments will be required when a proposed development will impact areas having the potential for the presence of archaeological sites in consultation with the Ministry of Culture's prescreening criteria. The County in consultation with the Ministry of Culture and other appropriate agencies may require the proponent of any plan of subdivision, plan of condominium, site plan, consent or zoning by-law amendment to complete an archaeological inventory of the site being developed. Where warranted, a detailed excavation or preservation of the area may also be required.

ARCHAEOLOGICAL
REVIEWS

2. Areas of potential archaeological significance shall be identified prior to new **development**, or **site alteration**. Where these areas exist, they shall be studied and significant **archaeological resources** preserved or removed, prior to development, or site alteration.

The County will require the preparation of an archaeological assessment by an archaeologist licensed under the *Ontario Heritage Act* and mitigation of impacts when development or site alteration adversely affects an archaeological resource.

3. Where significant archaeological resources including marine resources must be preserved on site, only development and site alteration which maintain the heritage integrity of the site will be permitted.

Removal of significant archaeological resources from a construction site shall be undertaken in accordance with Ministry of Culture's guidelines.

NEW
ARCHAEOLOGICAL
DISCOVERIES

4. If **archaeological resources** are discovered during the course of construction, the site shall be protected from further disturbance until the Ministry of Culture has been notified. The Ministry of Culture's approval is required for development to proceed.

HERITAGE
CEMETERIES

5. Cemeteries and burial grounds are an important record of our past. In order to maintain accurate and accessible inventories of cemeteries, Haldimand County will

endeavour to identify, protect and recognize marked, unmarked and abandoned cemeteries or burial grounds.

Documentation and interpretation of historical cemeteries will increase public appreciation of the importance of their preservation and will be encouraged by the County.

Cemeteries are considered to be part of a community's **cultural heritage landscape** and should be protected where possible from demolition and destruction. Where development is proposed, existing cemeteries should be incorporated as part of any development plans.

6. Discovery of unmarked burial grounds of First Nations and early settlers will require that Haldimand County staff (Heritage & Culture Division and Leisure Services Department) contact the Registrar of Cemeteries of the Ontario Ministry of Small Business and Consumer Services⁶³ and seek the guidance of a licensed archaeologist. Regarding First Nations' burial grounds, the County will work with the appropriate First Nations Band Council, Provincial Ministries and the landowner to ensure that the identified burial site is suitably conserved subject to the provisions of the *Cemeteries Act* and relevant legislation or policies.
7. If Haldimand County commences an Archaeological Master Plan, Six Nations of the Grand River and the Mississaugas of the New Credit shall be notified and invited to participate in the process.⁶⁴

FIRST NATIONS
AND EARLY
SETTLER MARKED
AND UNMARKED
BURIAL GROUNDS
OR CEMETERIES

When a marked, unmarked or abandoned burial ground is affected by a development proposal, the County will contact the appropriate government agencies, including Ministry of Culture and Ministry of Consumer and Commercial Relations (Cemeteries Branch). The provisions of the *Ontario Heritage Act* and the *Cemeteries Act* will apply. Heritage Haldimand LACAC will consider designating heritage or "Settler" cemeteries or burial grounds as a heritage resource.

⁶³ Ministry Modification – June 8, 2009

⁶⁴ Ministry Modification – June 8, 2009

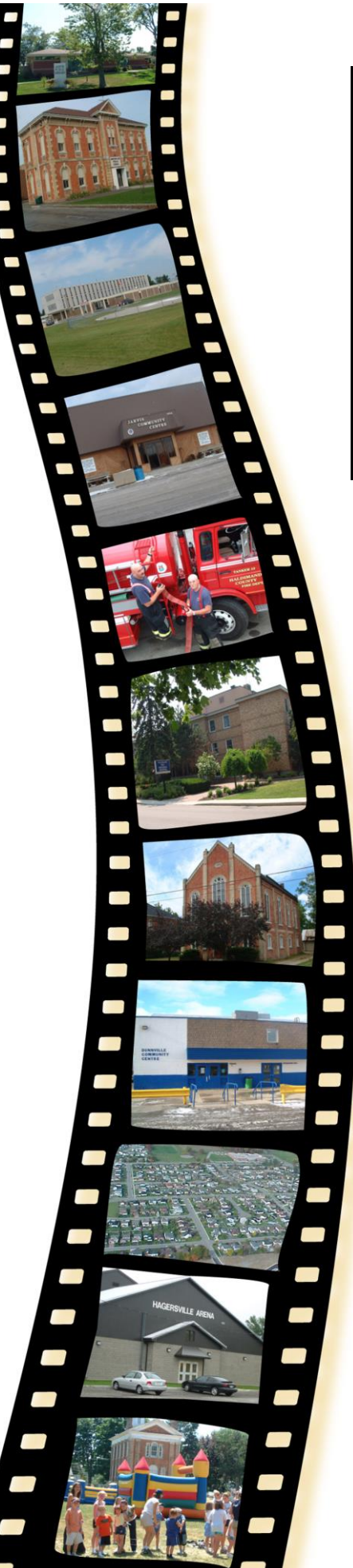
HEALTH & SOCIAL SERVICES

Strategic Direction

The inter-relationship of health and social service agencies within and external to the County administration are important links to be developed for the health and welfare of the citizens of Haldimand County. Initiatives by boards and agencies such as Local Health Integration Networks and the Community Alliance to Promote Homeness address a number of needs of Haldimand citizens. Programs and services provided by the Health and Social Services Department such as Ontario Works, addictions counseling, supports for new parents, injury prevention programs, the State of the Environment Reports and many others ensure important issues are being considered to build a high quality of life for all residents.



OFFICIAL PLAN



7. HEALTH AND SOCIAL SERVICES

Haldimand County is committed to providing a variety of social services to enable residents to enjoy a high quality of life. Services delivered include child-care, educational facilities and services, assisted living or long term care, employment services, **affordable housing**, transitional shelters, **group homes**, long term care and support services, and health facilities. Some of the social services are provided and funded directly by the Province or community agencies while others are provided through partnerships with the County. Volunteer groups also play an important role in the provision of social and health services within the community. The County will continue to partner with various government and non-government agencies to deliver social services that are appropriate, effective and accessible.

INTRODUCTION

A. INSTITUTIONAL

1. Institutional uses range in size from those occupying relatively small sites to those uses occupying large and prominent sites and provide specialized services and/or contribute significantly to the employment of local residents. The location and interrelation of institutional uses have social and health implications which must be considered during the land use planning process. Institutional uses such as libraries, educational facilities, community centres, day cares, places of worship, **group homes**, transitional homes and health facilities are permitted within Urban Areas and Hamlets as indicated in the Growth Management Section of the Plan.

B. AFFORDABLE HOUSING

1. Changes were made in Federal and Provincial policies relating to the provision of affordable housing as a result of, residents on fixed income and low-income groups increasingly seeking funding assistance to obtain appropriate, affordable housing.
2. The County acknowledges that affordable housing may also include improved access to various forms of supportive housing, such as **group homes** and emergency/transitional housing.
3. Affordable housing will be encouraged within designations permitting residential uses in Urban Areas and Hamlets.

INTRODUCTION

LOCATIONAL
/DEVELOPMENT
CRITERIA

4. Where affordable housing is permitted within the commercial designation, the County may require adequate residential amenities such as balconies, terraces and roof top patios.
5. Affordable housing developments shall be integrated into the community in existing or proposed residential neighborhoods.
6. Where feasible, affordable housing including special needs housing shall be located in proximity to other community facilities such as parks, recreational facilities and other relevant support services.
7. The County may negotiate agreements with the public and private sectors to address the provision of affordably priced housing through the subdivision approval process.
8. The County may adopt and implement Community Improvement Plans and Maintenance and Occupancy Standard by-laws and to take advantage of federal and Provincial programs designed to upgrade and improve established areas and maintain the existing housing stock.
9. The County may consider the feasibility of affordable housing projects for surplus County-owned lands. In addition, the County may investigate the feasibility of capital funding and exemptions from fees and charges for the development of non-profit rental housing.
10. Subject to the policies of Section 5.1., the County shall encourage different forms of **residential intensification** in parts of built-up areas that have sufficient existing or planned infrastructure to create a potential supply of new housing units available from residential intensification.
11. The County will consider cost effective development standards for new residential development and redevelopment where a negotiated percentage of units in the new development is made available at affordable rental prices, such as townhouses, semi-detached, triplexes, and apartments.

PROGRAM
DEVELOPMENT

12. The County may develop programs and implement actions to increase the supply of affordable housing and encourage the use of innovative housing design to assist in achieving County goals related to affordability and compact form.

HOUSING STUDY

13. The County completed a Social and Affordable Housing Study in 2009 which sets out strategies for maintaining and enhancing the supply of affordable ownership housing and affordable rental housing in the County. The County should monitor affordable housing and consider regular updates to the Social and Affordable Housing Study.

PRESERVATION OF
AFFORDABLE
HOUSING

14. Where possible, the County shall encourage existing affordable rental housing to be retained. Where an existing affordable rental housing development containing six or more rental units is to be demolished and replaced by new development, the County shall require the redevelopment plan to incorporate an equal number of rental housing units as was previously available at similar affordable rates.

15. When reviewing a proposal for permission to convert a rental residential building to ownership tenure, Council will be guided by the following criteria before approving such applications:
- a) The vacancy rate for similar unit types, which are available at a similar level of rent, as determined by the Canada Mortgage and Housing Corporation or by a supplementary vacancy rate survey conducted by the County, has been at or above 3% for the preceding three consecutive annual surveys.
 - b) The impact of the conversion on tenants and the potential for displacement and the measures proposed to minimize hardship for existing tenants.
 - c) That the purchase price shall be set at a similar level of affordability as the existing rate of rent. Regard shall be made to the definition of **affordable** in Section 11 – Glossary of this Plan.
 - d) That existing tenants shall be given the right of first refusal as it relates to the purchase of dwelling units and security of rental tenure until such time as they agree to move.
 - e) That the proposal complies with all residential development standards, any applicable maintenance and occupancy by-laws and municipal design standards. In this regard, proposals to convert rental residential buildings to ownership tenure may be subject to site plan control to ensure that consistent standards are established for both new development and conversion throughout the County.
 - f) That the proposal complies with the Ontario Building Code and Fire Codes or is proposed to be upgraded in accordance with such standards or requirements. The County may require a building condition report to be submitted by a qualified professional engineer for this purpose.

Notwithstanding the above, the County may approve an application to convert rental housing to ownership tenure where it can be demonstrated that:

- a) Essential retrofitting is immediately required to provide safe, healthy and affordable housing and where it is demonstrated to the satisfaction of the County that income received from rent, including rent increases permitted under Provincial legislation, is not capable of supporting the work required. The County may require applicants to submit certified financial statements in this regard.”
16. Where a proponent seeks to demolish a residential structure containing six or more units for the purpose of creating new development, the County may request the developer to provide the following information:
- a) Number by type of units proposed for demolition;
 - b) Number of units currently occupied by tenants and number of vacant units and units used for other purposes such as offices, common rooms;

- c) Market rates for each affected unit including utilities;
- d) Evidence regarding consultation with tenants about the proposed demolition; and
- e) A proposal for relocating displaced tenants.

17. Much of the housing currently being constructed in Haldimand County meets the criteria for affordable housing contained in Section 11 - Glossary. However, for households within the bottom 30th income percentile, obtaining affordable ownership or rental housing can be a challenge. The County shall encourage applicants to provide a minimum of 25% of all housing which meets the definition of affordable housing, and shall also encourage the provision of ownership and rental housing which meets the needs of the households in the bottom 30th income percentile.
18. To facilitate affordable housing, the County may offer incentives such as:
- i) development charge exemptions under the *Development Charges Act*; and
 - ii) rebates of planning and building permit fees as well as grants, loans and tax increment financing where applicable.

Such incentives should be based on the following criteria:

- i) priority for sites within the built-up area where access to services and amenities are best;
- ii) priority to conversion of existing buildings;
- iii) a minimum number of units is guaranteed; and
- iv) for rental housing, guarantees of rental rates at affordable levels for a specified time period.

C. SPECIAL NEEDS HOUSING

INTRODUCTION

1. Haldimand County will continue to improve access to housing for those people with special needs including assisted living for seniors, various forms of supportive housing and emergency/transitional housing. A concerted effort by the County and other relevant housing agencies and local groups is required to assess the extent of the need for **special needs housing** and to establish appropriate programs to enhance the provisions of special needs housing.

LOCATIONAL CRITERIA

2. Special needs housing will be permitted in the Residential, commercial, and Hamlet designations. The implementing Zoning By-law may contain special regulations and location criteria to ensure that there will not be an undue concentration of special needs housing in any one residential neighbourhood or area. The location of special needs housing shall be based on the following criteria:
- a) such uses are to be integrated within the community and be located in proximity to other community facilities and necessary support services;
 - b) the use should be located in proximity to an arterial or collector road;
 - c) adequate on-site parking must be provided, including provision for drop-off and pick up facilities, where required;

- d) the use, including buildings is designed in a manner that reflects the character of the neighbourhood in which it is proposed, including consideration of the nature, scale and density of existing development in the vicinity; and
- e) site plan control may be required for screening and buffering to minimize potential land use conflicts.

D. GROUP HOMES

1) ASSISTED LIVING GROUP HOMES

INTRODUCTION

1. **Assisted Living Group Homes** will be permitted in Residential, Community Commercial, Agricultural and Hamlet designations. An office may be permitted within the unit provided that the office is used only for the administration of the Assisted Living Group Home in which it is located.

2. The location of Assisted Living Group Homes shall be based on the following criteria:

LOCATIONAL
CRITERIA

- a) Such uses are to be integrated within the community and where possible, shall be located in proximity to other community facilities and necessary support services
- b) In order to encourage assisted living group home residents to live in mainstream residential neighbourhoods rather than in a cluster of other group homes, the Zoning By-law may establish a minimum separation distance between Assisted Living Group Home uses;
- c) The use should be located in proximity to an arterial or collector road;
- d) Access to transportation support services should be available;
- e) Adequate on-site parking must be provided, including provision for drop-off and pick up facilities, where required;
- f) The use, including buildings, is designed in a manner that reflects the character of the neighbourhood in which it is proposed, including consideration of the nature, scale and density of existing development in the vicinity; and
- g) Screening and buffering may be implemented through site plan control to minimize potential land use conflicts.

2) CORRECTIONAL GROUP HOMES

1. **Correctional Group Homes** may be permitted through a Zoning By-law Amendment in Residential, Community Commercial, Agricultural, Hamlet and Urban Business Park designations subject to the locational criteria listed below. An office within the unit may be permitted provided that the office is used only for the administration of the Correctional Group Home in which it is located. The Zoning By-law will establish the minimum and maximum number of persons residing in the home.

2. The location of Correctional Group Homes shall be assessed through a Zoning By-law amendment based on the following criteria:

- a) In order to avoid an undue concentration of Correctional Group Homes in any one area, the implementing Zoning By-law will establish separation distances between Correctional Group Homes as well as separation distances from other institutional uses and industrial uses;
- b) Such uses are to be integrated within the community and be located close to other appropriate community facilities and necessary support services;
- c) The use should be located close to an arterial or collector road. The County may require traffic studies to assess the impact of traffic on the community emanating from the Correctional Group Home;
- d) Access to transportation support services should be available;
- e) Adequate on-site parking must be provided, including provision for drop-off and pick-up facilities, where required;
- f) The use, including buildings, is designed in a manner that is compatible with the character of the area in terms of the size, scale and density of existing development in the vicinity;
- g) The use may be subject to Site Plan Control to minimize potential land use conflicts by ensuring the implementation of site requirements resulting from the review of the Zoning By-law Amendment; and
- h) Where a Correctional Group Home is proposed in an Urban Business Park designation, an assessment of the group home's compatibility with adjacent business park uses will be required.

E. ACCESSIBILITY

- 1, Haldimand County is committed to improve access and opportunities for persons with disabilities in accordance with the *Ontarians with Disabilities Act*. As part of that commitment, the County will:
 - a) Have regard to accessibility for persons with disabilities when considering draft plans of subdivision;
 - b) Establish a process to identify barriers and gaps in by-laws, policies, programs, practices and services;
 - c) Continuously improve the level of accessibility of by-laws, policies, programs, practices and services;
 - d) Actively encourage input from the community and the Accessibility Advisory Committee appointed by the Haldimand County Council in the design, development and operation of new, renovated, purchased or leased municipal services and facilities;
 - e) Improve accessibility to persons with disabilities to encourage their integration into the economic, political, social, cultural and educational mainstream; and
 - f) Provide resources and support to obtain these objectives.

IMPLEMENTATION & INTERPRETATION



8. IMPLEMENTATION/INTERPRETATION

A. LEGAL EFFECT OF THE OFFICIAL PLAN

1. All County municipal works will be undertaken in accordance with the policies of this Plan.
2. No public or private work will be approved where Council deems that the County is not in a financial position to provide the area with the appropriate level of services and/or assume any financial matter for which it is responsible.
3. The County will cooperate with other levels of government and may acquire land to implement any component or feature of this Plan.
4. Statements in this document identified as a preamble are intended to provide a basis and/or an explanation of the general purpose or intent of the various policies of the Plan and are not themselves considered to be statements of policy.
5. Appendices referenced in the text of this Plan are for information only and do not form part of the Plan. Such appendices may be amended from time to time at the discretion of the County without amendment to this Plan.
6. Where differences of opinions arise as to the meaning of any part of this Plan, the Provincial Policy Statement should be consulted. If the Provincial Policy Statement does not resolve the differences of opinion, then Council may interpret the policy after hearing all interested parties.

B. INTERPRETATION OF LAND USE DESIGNATION BOUNDARIES, FIGURES AND QUANTITIES

1. Where a parcel of land is subject to more than one designation on a Schedule in this Plan, development proposals will be reviewed in accordance with all policies of the applicable designation, but where conflict exist between these policies, the more restrictive policies will prevail to the extent of the conflict. Although the land use designations of this Plan are intended to be conceptual in nature, in cases where a parcel of land contains more than one separate land use designation, the policies of each designation shall apply only to the portion of the property so designated.
2. Boundaries of any land use designation on any schedule are considered approximate and with justification may be subject to appropriate minor variations

without the need for an amendment to this Plan, unless such boundaries are consistent with fixed definable physical features such as roadways, property boundaries, railway right-of-ways, rivers, streams or other similar geographic features.

3. Where lists or examples of permitted uses are provided, unless specified, they are intended to indicate the possible range and types of uses that are considered. Specific uses that are not listed but are similar to the listed uses and conform to the general intent of the applicable land use designation may be recognized as a permitted use.
4. It is intended that all figures and quantities contained in this Plan be considered as approximate only, unless otherwise stated. Amendments to this Plan will not be required to permit any reasonable deviation from any of the figures and quantities, provided that suitable justification is provided and the general intent of this Plan is maintained.

C. PUBLIC PARTICIPATION PROCESS

- INTRODUCTION
1. The County shall actively seek the views and participation of the public prior to deciding upon matters relating to the Official Plan, or Zoning By-law, subdivision, consents and minor variances.

In each case involving such planning matters, at least one public meeting of Council or Committee of Council is required at which the public will be encouraged to offer their opinions and suggestions.

- INFORMATION
REQUIRED
2. Adequate information regarding the planning matter shall be made available to the public prior to as well as at the public meeting. Such information shall include a copy of the proposal being considered and or adequate information to enable the public to generally understand the proposal that is being considered.

- PUBLIC
NOTIFICATION
3. In order to provide sufficient opportunity for the public to review a proposed Official Plan or Zoning By-law amendment in advance of a public meeting, notice of the meeting shall be given in accordance with the *Planning Act*. Changes to the notification procedures as indicated in the *Planning Act* are permitted and are noted below:

- a) For a general amendment to the Official Plan, Zoning By-law or other planning matters for which the County deems public notice to be appropriate, such notice shall be given at least 20 days prior to the public meeting by:
 - i) advertisement in a newspaper or newspapers having general circulation in the municipality; and
 - ii) personal service or prepaid first class mail to every person and agency that has given the Clerk a written request for such notice with respect to that planning matter.

- b) For a site specific amendment to the Official Plan or Zoning By-law, notice shall be given at least 14 days prior to the public meeting by:
 - i) personal service or prepaid first class mail to every owner of land within the area to which the proposed amendment would apply and within 120 metres of the area to which the amendment will apply; and
 - ii) personal service or prepaid first class mail to every person and agency that has given the Clerk a written request for such notice with respect to that planning matter.
- c) A notice of public meeting shall contain the following information:
 - i) the date, time and place of the meeting;
 - ii) in the case of a site specific amendment, a key plan showing the location of the site or area to which the proposed amendment would apply; and
 - iii) the proposed amendment or an explanation of the proposed amendment sufficient to enable the public to understand the nature and general effect of the proposed amendment.
- d) In addition to the foregoing, for all site specific amendments to the Official Plan, Zoning By-law or any other planning matter for which Council requires similar treatment, the applicant shall post one or more signs on the property to the satisfaction of the County. The signage must be posted in a manner that is clearly visible to the general public and further, must describe the proposed amendment and invite any inquiries or comments regarding the matter to be submitted to the County.

D. CHANGES TO THE OFFICIAL PLAN OR ZONING BY-LAW NOT REQUIRING NOTICE

1. Where a section, subsection or policy is added or deleted from the Official Plan or Zoning By-law, the remainder of the Plan or By-law may be renumbered and referenced to reflect a logical sequence without further notice of the changes to the Plan or Zoning By-law.
2. Changes to the text of this Plan or Zoning By-law to correct spelling errors and include appropriate punctuation shall not require notice to the public provided that the changes do not result in a substantive change to the policies or regulations.

E. OFFICIAL PLAN REVIEW PROCESS

1. As required by the *Planning Act*, the County is committed to reviewing this Plan at least every five years and more frequently for specific policies if necessary. Continuous monitoring shall be undertaken to address significant issues or

MONITORING AND
REVIEW

changes in planning thought, to encourage effectiveness, viability and relevance of the objectives and policies of the Plan.

The County recognizes that changing social, economic and environmental conditions may necessitate amendments to the Official Plan from time to time. Prior to considering any general amendment to the Official Plan, the County may require the preparation of studies and reports to assist in consideration of the issues.

JUSTIFICATION
REPORT FOR
INDIVIDUAL
APPLICATIONS

2. In considering a site specific application to amend the Official Plan, the County may require the applicant to provide a justification report having regard to the following:
 - a) conformity with the overall intent and purpose of the objectives and policies of this Plan;
 - b) the suitability of the lands affected by the amendment for the use proposed and compatibility with surrounding lands and uses;
 - c) the impact on municipal services, infrastructure and finances; and
 - d) comments received from the public, County Departments and other agencies.

F. SECONDARY PLANS

INTRODUCTION

1. The Haldimand County Official Plan establishes broad land use policies designed to manage and protect the County's resources and to promote orderly patterns of development. However, there are areas within the County, particularly within the urban communities, that are presently undeveloped or experiencing redevelopment pressures. Development or redevelopment of some of these areas is expected to occur over the time frame of this Plan. In order to facilitate the efficient use of land and municipal services as well as promote good urban design, the County may adopt Secondary Plans for these areas of the municipality

GENERAL
CRITERIA

2. Secondary Plans shall be incorporated into this Plan through the adoption of an amendment to the Official Plan. Generally, prior to the adoption of a Secondary Plan by the County for a particular area, the County shall undertake a detailed land use, servicing and urban design review in which the following criteria will be considered:
 - a) existing and anticipated patterns of land use;
 - b) population projections;
 - c) existing and anticipated distribution of housing types and densities;
 - d) provision for adequate and appropriate areas for commercial, institutional and other community-oriented facilities;
 - e) provision for parks and open space facilities;
 - f) environmental constraints;
 - g) development of a network of arterial, collector and local roads that facilitates the efficient movement of vehicular and pedestrian traffic;

- h) servicing considerations relating to the provision of water, sanitary sewers and storm water management;
 - i) phasing considerations; and
 - j) establishment of criteria and principles with respect to streetscape, heritage considerations, buffering, landscaping, urban design and other matters as deemed appropriate by the County.
3. Generally, while Secondary Plans may be used to assess all areas experiencing development or redevelopment pressures in the County, two specific areas have been highlighted in the Official Plan as Secondary Plan Areas. One area is located in Caledonia along Argyle Street South, south of Braemar Avenue/Celtic Drive to the Sixth Line. The second area is located in Dunnville and extends from Cedar Street to include Lot 7, east of Taylor Side Road, and from the former CNR Line south to the Grand River and Regional Road No. 3. The locations of the Secondary Plan areas are shown on Schedules “B.1” and “B.3” respectively. SPECIFIC
SECONDARY
PLAN
LOCATIONS

 4. The main purposes for the Secondary Plan area along Argyle Street South in Caledonia is to: ARGYLE STREET
SOUTH
REQUIREMENTS
SECONDARY
PLAN STUDY
 - a) establish urban design guidelines and massing considerations for the commercial development anticipated to be developed along this corridor;
 - b) establish appropriate transportation guidelines addressing roadway cross-sections and entrance locations; and
 - c) assess the impact of the above guidelines on adjacent residential areas.

 5. A Secondary Plan for the Dunnville Secondary Plan area as identified on Schedule “B.3” and “J.1” has been prepared and is provided in Section 9.1 A (Dunnville Secondary Plan).⁸⁴ DUNNVILLE
SECONDARY
PLAN

G. ZONING

1. This Plan shall be implemented through various means including a Zoning by-law. It is the County’s intention that most lands will be zoned for their existing use(s) and that any change in land use that conforms with this Plan be accomplished through an application to amend the Zoning By-law. As an interim measure, some areas of undeveloped land may be placed in a special development zone or holding zone which will permit only existing and/ or low intensity uses. These uses may be rezoned to permit additional uses in conformity with this Plan when development patterns and provision of municipal services allow for such uses to be developed logically and cost effectively. INTRODUCTION

The Zoning By-laws of the former municipalities of Nanticoke, Haldimand and Dunnville currently apply and will continue to be in effect until the County approves a new comprehensive Zoning By-law which conforms with this Official Plan.

⁸⁴ Dunnville Secondary Plan

LEGAL NON-
CONFORMING
LAND USES

2. Some existing uses will not meet all of the policies and provisions of the Official Plan. Uses that legally existed prior to the adoption of this Plan may be recognized in the Zoning By-law, in accordance with the present use and standards, or appropriate standards of a suitable zoning category provided that:
 - a) the zoning will not permit a change of use or standard which will aggravate any situation detrimental to adjacent uses;
 - b) the use does not constitute a threat to the safety of surrounding uses and persons due to its hazardous nature, the traffic it generates or any other potential danger;
 - c) the use is not obnoxious by reason of odour, noise, vibration, dust, smoke, gas, fumes, interference with radio and television reception or unsightly storage of goods to the extent of interfering with the ordinary enjoyment of surrounding properties;
 - d) appropriate provisions with respect to buffering, screening and setbacks for buildings and structures are incorporated in an effort to reduce nuisance impacts on neighbouring properties;
 - e) the use does not unduly interfere with the desirable development of the adjacent area, particularly development that conforms with the policies of this Plan;
 - f) minor adjustments to the boundaries of sites or minor extensions of sites containing uses non-conforming to this Plan and which are recognized in a Zoning By-law shall be deemed to conform with this Plan;
 - g) the extension or enlargement of a non-conforming use or site legally existing as of the adoption of this Plan shall not be permitted within a Provincially Significant Wetland or within the Habitat of Endangered and Threatened Species; and
 - h) the values and features of Natural Environment Areas are considered.

EXTENSION OR
ENLARGEMENT OF
EXISTING NON-
CONFORMING USE

3. Any land use legally existing as of the adoption of this Plan that does not conform with the various land use designations as shown on land use schedules or is not deemed to conform to this Plan in accordance with Section 8.F.2 above should ultimately cease to exist. However, in order to avoid unnecessary hardship, the extension or enlargement of such non-conforming uses may be permitted subject to the following conditions:
 - a) The extension or enlargement of the existing non-conforming use or site shall not unduly aggravate an incompatible situation by reason of odour, noise, vibration, dust, smoke, gas, fumes, interference with radio or television reception, unsightliness, inadequate parking, traffic hazards, or other incompatible features;
 - b) Neighbouring conforming uses will be protected, where necessary, by the provisions of areas for landscaping buffering or screening, appropriate setbacks for buildings and structures and other measures to reduce nuisances; wherever feasible this policy shall apply not only to the extension or enlargement of the use or site but also to the established use in order to improve its compatibility with the surrounding area; and
 - c) The County may require an Environmental Impact Study to be undertaken at the proponent's expense and mitigation measures implemented where necessary to protect the Natural Environment Area. Such an EIS will be

required where the extension or enlargement of a non-conforming use or site legally existing as of the adoption of this Plan is proposed within:

- i) A Natural Environment Area other than those mentioned in c) above; or
- ii) The adjacent lands of any Natural Environment Area.

- | | |
|--|--------------------------------------|
| <p>4. Council may use a holding symbol using suffix “H” where the use of land is established but where the details of development have yet to be determined or where the specific requirements have not been fulfilled. By-laws using the holding symbol will specify the purpose for which the “H” has been applied and will include a statement outlining the conditions in which the holding provisions shall be removed. The County may also consider using a Holding symbol to address issues relating to:</p> <ul style="list-style-type: none"> a) environmental contamination or clean-up; b) future subdivision of lands or land assembly; c) school sites; d) the provision of services, road works; e) stormwater management facilities; f) financing; g) servicing; or h) development agreement. | <p>USE OF
HOLDING
SYMBOL</p> |
| <p>5. Removal of the “H” suffix, by way of a by-law, shall depend on meeting the conditions identified by the specific Zoning By-law. Temporary uses permitted prior to the removal of the holding symbol may also be specified, however, such interim uses will generally be limited to existing uses and those uses that will not adversely impact the intended future use of the lands.</p> | <p>REMOVAL OF
HOLDING SYMBOL</p> |
| <p>6. The County may through a by-law in accordance with the <i>Planning Act</i>, adopt or establish a development permit system to control land use development within an identified area of the County. The Development Permit System may be used to support economic development in targeted areas such as brownfields and greyfields and Community Improvement Areas by allowing quicker approvals, eliminating duplication and incorporating some flexibility for permitted uses and development standards.</p> | <p>DEVELOPMENT
PERMITS</p> |
| <p>7. In the Urban Area, a Development Zone may be used when the ultimate use of land is not yet known or development requires further planning approval or studies. Permitted uses in such a zone may include existing uses and limited agricultural uses.</p> | <p>DEVELOPMENT
ZONE</p> |
| <p>8. The County may enact temporary use by-laws to allow the temporary use of land for the purpose that is otherwise prohibited by the Zoning By-law. The County may enact Temporary Use By-laws in the following situations:</p> <ul style="list-style-type: none"> a) For a separate housing unit (such as a garden suite), in accordance with the relevant policies of this Plan; b) For unfamiliar or uncommon uses on a trial basis that do not necessarily conform to the policies of this Plan; and/or | <p>TEMPORARY
USE BY-LAWS</p> |

- c) For a use where it is known that the use will only be established for a brief, defined period.

PASSAGE OF
TEMPORARY
USE BY-LAWS

- 9. Prior to the passage of a temporary use by-law, Council shall be satisfied that:
 - a) The temporary use permitted is compatible with adjacent uses or alternatively, that appropriate measures to mitigate any adverse impacts are implemented;
 - b) On-site parking is adequate for the use and no adverse impacts on traffic or transportation facilities will result;
 - c) There is a reasonable probability that the temporary use will cease on or before the expiry of the by-law; and
 - d) That in the case of a garden suite an agreement has been prepared addressing tenure, occupancy and conditions of removal of the unit.

EXTENSION OF
TEMPORARY
USE BY-LAWS

- 10. A temporary use by-law may be extended by the passage of subsequent by-laws at the discretion of the County and for periods that are deemed appropriate by the County, in accordance with the provisions of the *Planning Act*.

INTERIM
CONTROL BY-
LAWS

- 11. Where Council has directed that a study or review of land use policies be undertaken in the municipality or in any defined area or areas thereof with respect to a land use policy contained in the Official Plan or Zoning By-law, the County may pass an Interim Control By-law restricting the use of land, buildings or structures within the said area for one year while the study is being undertaken. Prior to the expiry of the Interim Control By-law, Council may extend the period to which By-law is in force by a period of up to one year in accordance with the *Planning Act*. When an interim control by-law ceases to be in effect, Council may not pass a further interim control by-law on the subject lands for a minimum period of 3 years.

BONUSING

- 12. Council may pass a by-law in accordance with the *Planning Act*, to establish increase in the height and/or density of development in return for the provision of certain facilities, services or other matters. Such a by-law would identify areas or zone categories in which the bonus provisions would apply, and would specify the amount by which the height and/or density of development would be permitted to increase in exchange for development features which:
 - a) provide for housing units which assist in meeting the housing targets established in the Municipal Housing Statement;
 - b) provide parkland dedication greater than the legislative requirement;
 - c) improve traffic and pedestrian movement;
 - d) provide hard servicing facilities that are more than required to service the development;
 - e) increased buffering or landscaping beyond the requirements set out in the Zoning By-law;
 - f) use or re-use vacant land and buildings particularly in the urban area; and
 - g) improve the compatibility of existing land uses.

The County will require that the owner of the development involving bonus provisions enter into an agreement with the County which details the bonus exchange.

13. It is the intent of Council pursuant to the *Planning Act*, to appoint a Committee of Adjustment to assist in the administration of the zoning by-law and lot creation functions. The Committee of Adjustment functions are to:

COMMITTEE OF
ADJUSTMENT

- a) grant minor variances from any Zoning By-law and Temporary Use By-law that implements the Official Plan;
- b) permit the expansion or enlargement of a legal non-conforming use;
- c) permit the conversion of a legal non-conforming use to a use that is similar to the non-conforming use or to a use that is deemed to be more in conformity with the policies of the Official Plan than the non-conforming use;
- d) permit the granting of consents where a plan of subdivision is not deemed necessary; and
- e) grant easements, rights-of-way and validation of title.

14. When considering an application for minor variance, the Committee of Adjustment shall have regard as to whether the requested is minor in nature and desirable for the appropriate development of the land. Further, Committee should consider whether the said relief maintains the general intent and purpose of the County's Official Plan and Zoning By-law.

MINOR
VARIANCES

H. SITE PLAN CONTROL

1. All lands and uses within Haldimand County may be deemed to be a Site Plan Control Area except:

SITE PLAN
CONTROL AREA

- a) farm buildings and farm dwellings;
- b) single detached dwellings, semi-detached dwellings and duplexes, except those permitted within Hazard Lands or within or adjacent to Natural Environment Areas, on private roads or where contained within a condominium development;
- c) outdoor recreation, excluding golf courses, major sports fields and conservation uses;
- d) mineral aggregate operations; and
- e) waste disposal sites which remain subject to a Provisional Certificate of Approval issued in accordance with the provisions of the *Environmental Protection Act*.

2. Site plan control shall generally be used to implement measures with respect to new development or the expansion or redevelopment of existing sites. Matters that may be addressed through the site plan control process may include:

SITE PLAN
REQUIREMENTS

- a) Requirement for drawings showing plan, elevation and cross section views for all buildings to be erected,;
- b) Compatibility with adjacent uses;
- c) Function and efficiency;
- d) Grading, drainage and storm water management;
- e) Servicing, utilities, etc.
- f) Safety and access;

- g) Widening of highways as a condition of site plan approval for all development within the Site Plan Control Area abutting local streets; and
 - h) Buffering and landscaping including:
 - i) Landscaped vegetation in the form of trees and bushes or grassed areas preferably using indigenous plant material;
 - ii) Appropriate structures such as fences, perforated walls or trellis work;
 - iii) Separate incompatible uses by incorporating additional setbacks;
 - iv) Locate parking and loading facilities in a manner that provides as much separation as possible between incompatible uses;
 - v) Regulate and place lighting and signage in a manner that protects adjacent uses; and
 - vi) Use earth berms, where appropriate.
3. Council may require the fulfillment of conditions and have the proponent enter into an agreement with the County based on the provisions for site plan control as specified in the *Planning Act*.

SITE PLAN AGREEMENTS

I. COMMUNITY IMPROVEMENT/PROPERTY STANDARDS

1) COMMUNITY IMPROVEMENT

INTRODUCTION

1. Haldimand County is committed to maintaining a healthy living environment for its citizens. This can be attained in part through Community Improvement programs permitted through the *Planning Act* which are designed to:
- a) reduce or eliminate deficiencies in municipal, social, recreational and physical facilities and services by bringing them to an acceptable community standard;
 - b) provide a framework to guide the expenditure of public funds on community improvement activities;
 - c) foster a climate favourable to private investment and provide guidance in the rehabilitation or redevelopment of property; and
 - d) encourage the preservation, rehabilitation, renewal and reuse of heritage resources.

DESIGNATED COMMUNITY IMPROVEMENT AREAS

2. The County may designate, by by-law, Community Improvement Areas, the boundary of which may be the whole of Haldimand County or any part thereof, and in partnership with affected property owners and tenants, prepare improvement plans and undertake various projects to implement the plans.

The designation of a Community Improvement Area will be influenced by the availability of government and/or private sector assistance to help implement the necessary improvements.

3. The boundaries of a Community Improvement Area are deemed to be flexible. Minor extensions and/or alterations to the boundaries may be permitted.

4. Criteria for the selection of community improvement project areas will include, among other items deemed appropriate by the County, any one or combination of the following:

CRITERIA FOR
DESIGNATING
COMMUNITY
IMPROVEMENT
AREAS

Residential Areas

- a) Portions of the housing stock may be in need of rehabilitation;
- b) A deficiency or deterioration in one or more of the following municipal services or community facilities:
 - i) sanitary and storm sewers and watermains;
 - ii) drainage infrastructure;
 - iii) roads and streets;
 - iv) curbs and sidewalks;
 - v) street lighting and utilities;
 - vi) public indoor/outdoor leisure and recreational facilities;
 - vii) public open space and parkland; and
 - viii) public social facilities such as community centres, libraries, clinics, day care facilities, youth centres and centres for the aged;
- c) The area is potentially stable in terms of land use and densities and there are no indications of major redevelopment plans that would negatively impact on the stability of the area as a residential neighbourhood;
- d) The area is in part residential and appropriately zoned;
- e) The area may exhibit problems of vehicular and pedestrian traffic circulation and/or parking deficiencies;
- f) There may be insufficient quantity of housing to meet assisted housing needs of the County;
- g) The area may contain land use conflicts between non-compatible uses or under utilization of land which may detract from the viability of the area; or
- h) There may be vacant land parcels or properties having future (re)development potential in the area.

Commercial and Industrial Areas

- a) There is a deficiency or deterioration in one or more of the municipal services as identified in 8.11).4.b) above;
- b) The area may exhibit problems with traffic circulation and/or parking deficiencies;
- c) The area may contain land use conflicts between non-compatible uses or under-utilization of land which may detract from the viability of the area;
- d) The area is an older, predominantly commercial or industrial area, which is stable in terms of land use and viable economically;
- e) The area may exhibit symptoms of physical, functional and/or economical decline in the form of, for example, buildings in need of rehabilitation, decrease in retail sales, high vacancy rate or declining tax base;
- f) There is a demonstrated interest in community improvement by the private sector and reflected commitment and endorsement of people who live and/or do business in the area;
- g) There may be vacant land parcels or properties having future (re)development potential in the area;
- h) The area may be deficient in amenities conducive to a pleasant shopping environment (i.e., streetscapes);

- i) The area may be defined, in whole or in part, as a Business Improvement Area (BIA);
- j) The area may be defined as a heritage crossroads or core; or
- k) The area is an identified **brownfield or greyfield** site.
- l) In those hamlets with individual commercial sites or smaller clusters of commercial activity which demonstrate a need for building and façade improvements, are underused, vacant or demonstrate dilapidation, or are otherwise candidates for redevelopment or re-use.

Agricultural/Rural Areas

- a) The area may exhibit symptoms of physical, functional and/or economic decline in the form of, for example: buildings or properties in need of rehabilitation; evidence of reduction in viability of individual farm holdings; evident need for and opportunity for diversification of agricultural production including on-farm retail, agri-tourism and other Value-added uses permitted (as further defined/described in the County zoning by-laws); population decline; farm fragmentation, including the severance of farm houses; increased/high vacancy rate or declining tax base;
- b) Evidence of private and/or public infrastructure decline;
- c) There is a demonstrated interest in community improvement by the private sector and reflected commitment and endorsement of people who live and/or do business in the area;
- d) There may be underdeveloped/underutilized land parcels or properties having future (re)development potential in the area; or
- e) There may be deterioration in the aesthetic qualities of the area.⁶⁵

Waterfront Areas

- a) The area is under-utilized in terms of residential, tourist, or commercial potential;
- b) The area may exhibit problems with traffic circulation and/or parking deficiencies;
- c) There may be vacant parcels of land that have (re)development potential for commercial and/or residential uses;
- d) There may be deterioration in the aesthetic qualities of the area; or
- e) Drainage issues need to be addressed.

PHASING 4. Community improvement activities will be phased in a manner that:

- a) Prevents unnecessary hardship for the residents and businesses within the community as well as the County;
- b) Provides for a natural and logical sequence of improvements based on appropriate engineering and planning studies;
- c) Takes advantage of the economy of scale for certain underground services; and/or
- d) Reflects the priorities and funding capabilities of the County and other agencies.

⁶⁵ 837-HC/13

5. The County may implement the following measures to assist in the achievement of the objectives pertaining to community improvement:

IMPLEMENTATION

- a) Designation of Community Improvement Areas by By-law;
- b) Preparation of a Community Improvement Plan for a Community Improvement Area;
- c) Construct, repair, rehabilitate or improve buildings or land acquired or held by the County in a Community Improvement Area, in conformity with Community Improvement Plans;
- d) Evaluate development and redevelopment applications within Community Improvement Areas having regard for the objectives of community improvement in that area;
- e) Utilize available Federal and Provincial government programs to assist with community improvements and property rehabilitation, where appropriate; and
- f) Capital forecasts shall have regard to the areas of deficiencies.

6. The County will continue to support by providing information, holding workshops, sponsorship events and providing network opportunities to Business Improvement Areas (BIAs), Chamber of Commerce organizations and other appropriate structures to encourage and coordinate the private sector to participate in the improvement and maintenance of designated Community Improvement Areas.

PRIVATE SECTOR INVOLVEMENT

2) STANDARDS FOR MAINTENANCE AND OCCUPANCY OF PROPERTY

1. The Standards for Maintenance and Occupancy of Property By-law is administered under the authority of *the Ontario Building Code Act*. The By-law sets out minimum standards of property maintenance and occupancy. Such a by-law shall have regard to and may include any or all of the following matters:

STANDARDS

- a) the physical conditions of yards and passageways including the accumulation of debris and rubbish;
- b) the physical conditions of all structures; and
- c) the application of this by-law should not be detrimental to the conservation of identified heritage resources.



SITE SPECIFIC POLICIES



OFFICIAL PLAN

9. SITE - SPECIFIC POLICIES

INTRODUCTION

The majority of policies below were adopted by Councils of the former municipalities of Dunnville, Haldimand and Nanticoke because of special site circumstances, legal decisions or other matters relating to the particular properties. Some of the policies are amendments to the existing Official Plans that have been approved by Haldimand County Council. The site-specific policies provide for specific development requirements or constraints, allow for policy exceptions, and / or may require the undertaking of certain studies and the mitigation of adverse impacts prior to development proceeding. Properties affected by site-specific policies are identified on various map schedules.

A. SITE - SPECIFIC POLICIES IN THE FORMER TOWN OF DUNNVILLE

- Dun 1** On the lands shown on **Schedules ‘A.3’ and ‘D.14’** as having reference to this special provision, the County shall acquire all private rights-of-way within the area and will by, by-law assume these roads for maintenance purposes at a standard eligible for the Ministry of Transportation maintenance subsidies.
- Dun 2** No development upon any existing lot of record is permitted within the following areas:
- i. Part Lot 7, Concession 2, N.D.R., Geographic Township of Dunn, Plan R-9;
 - ii. Part Lot 6, Concession 2, N.D.R., Geographic Township of Dunn, Plan R-31, Lots 18, 19, 20, 21, 23, 27 and 28. The lands referred to by policy Dun 2 are shown on **Schedule ‘A. 3’**.
- Dun 3** In addition to the range of permitted uses, the following uses are also permitted on the lands having reference to this special provision on **Schedule ‘A.3’**:
- a) Concrete products and building supply business.
 - b) Custom workshop.
- Dun 4** Notwithstanding any other provisions of this Plan, the lands having reference to this special provision on **Schedule ‘D.14’ and Schedule ‘A.3’** may be divided into five residential lots by consent.
- Dun 5** In addition to the range of permitted uses, the lands having reference to this special provision on **Schedules ‘A.3’ and ‘B.3’** may be used for service commercial uses servicing the needs of the traveling public or requiring large outdoor storage areas.

- Dun 6** In addition to the range of permitted uses, the lands having reference to this special provision on **Schedule “B.3”** and **Schedule “A.3”** may be used for the open storage and sale of vehicles.
- Dun 7** Number not used.
- Dun 8** In addition to the range of permitted uses, the lands having reference to this special provision on **Schedules “A.3” and “B.3”** may be used for light industrial uses serving the needs of the people of the surrounding area and requiring large storage areas.
- Dun 9** In addition to the range of permitted uses, the lands having reference to this special provision on **Schedule “A.1”** may be used as an operation for the collection and processing of municipal recyclables.
- Dun 10** In addition to the range of permitted uses, the lands having reference to this special provision on **Schedule “A.3”** may be used for the storage, sale and service of trucks predominantly for farm use as an ancillary use to a farm implement sales and service establishment.
- Dun 11** Notwithstanding any other provision in this Plan, the lands having reference to this special provision on **Schedule “A.3”** may be divided into two residential lots subject to Ministry of Transportation granting entrances by consent.
- Dun 12** In addition to the range of permitted uses, the lands having reference to this special provision on **Schedule “D.17”** may be used for the sale and service of recreational vehicles and open storage accessory thereto.
- Dun 13** In addition to the range of permitted uses, the lands having reference to this special provision on **Schedule “A.3”** may be used for a marine commercial use together with a seasonal tent and trailer park. Any such development shall be subject to the following:
- a) The Conservation Authority and the Ministry of Natural Resources is satisfied regarding the location and specification of dredging and regarding Impact Statement/Enhancement Plan for the adjacent hazard Lands; and
 - b) The applicants undertake a heritage resource assessment of the site and undertake any removal/ preservation of artifacts found to the satisfaction of the Ministry of Culture and that no grading or other soil disturbances shall take place prior to the approval of the Ministry of Culture.
- Dun 14** Number not used.
- Dun 15** The location of the Canborough landfill site is delineated on **Schedule “A.3”**. The map accompanying this special policy provision defines the lands comprising the Canborough landfill site. Within this area, there are land use designations for the following purposes: landfill, buffer and

environmental protection. The following uses shall be permitted within each designation:

- a) Landfill - active landfilling of non-hazardous waste and ancillary uses.
- b) Buffer- uses necessary to the landfill operation including weigh scales, landfill utility, servicing and control structures, facilities and operations, equipment and maintenance buildings, composting and recycling and reuse facilities and operations, household hazardous waste collection facilities, monitoring wells and sampling stations, screening measures including berms and planting strips and other accessory uses.
- c) Environmental Protection- forestry management and other uses which assist in conserving or managing natural features in addition to monitoring wells and sampling stations.

Stormwater management plans will be designed to ensure major system flows are adequately accommodated across the site to avoid potential impacts on fish and wildlife habitat and to minimize soil erosion and sedimentation particularly with respect to the "Sugar Creek" drain. The Niagara Peninsula Conservation Authority and the Ministry of Natural Resources shall be consulted for any such storm water management plans.

Dun 16 The lands having reference to this special policy provision on **Schedule "A.3"** may be used for a marina complex including a restaurant and private club facilities accessory thereto, on the basis of private sewage disposal and water facilities subject to the County Building Division approval.

Dun 17 On the lands shown on **Schedule "A.3"** and **Schedule "B.3"** as having reference to this special provision, a gas line and meter repair and installation service shall also be permitted. So as to minimize any conflict with adjacent land uses, the scale of this use shall be limited and open storage shall be prohibited.

Dun 18 On the lands shown on **Schedule "A.3"**, **Schedule "B.3"** and **Schedule "C.3"** as having reference to this special provision, the sale of arts and crafts, camping supplies and a fast food outlet shall also be permitted.

Dun 19 A The Grand River Conservation Authority has advised that the lands having reference to this special provision on **Schedule "B.3"** are located above regulatory floodline and not subject to flooding of the Grand River or high Lake Erie levels. Therefore, the lands are not designated Hazard Lands. They are subject to this special policy provision Dun 19A only. No other land use designation applies to the lands. The lands may be used for a marina complex including a restaurant and facilities accessory thereto. In addition, bed and breakfast establishment and a seasonal trailer park may also be permitted. Servicing of the lands may be on the basis of private sewage disposal and water facilities subject to approval of the appropriate authority.

- Dun 19B** The lands having reference to this special provision may be affected by the regulatory floodline and may contain Provincially Significant Wetlands and adjacent lands thereto. Further study will be required to determine the limits of these natural environmental features. The lands shall remain subject to Hazard Land policies of this Plan and zoned Hazard Land until the limits of these features are identified to the satisfaction of the appropriate authorities. Once these limits have been identified, amendments to the Zoning By-law may proceed in accordance with the provisions of policy Dun. 19B, provided that no development shall be permitted within the defined limits of a Provincially Significant Wetland and provided that the placement of new buildings or structures is in accordance with the requirements of the appropriate authority.
- Dun 20** On the lands shown on **Schedules “B.3”, D.14 and D.18”** as having reference to this special provision, the construction of a permanent year-round dwelling shall be permitted.
- Dun 21** Number not used.
- Dun 22** On the lands shown on **Schedule “A.3”** as having reference to this special provision, a truck terminal and service establishment shall be permitted. The lands are located on Part of Lot 1, Concession 3, in Canborough.
- Dun 23** Notwithstanding any other provisions of this Plan, the lands having reference to this special provision may by consent be severed from the balance of the holding. The lands are shown on **Schedule “A.3”** and are located on part of Lot 8, Dochstader Tract, in Canborough.
- Dun 24** On the lands shown on **Schedule “A.3”** as having reference to this special provision, a retail flea market shall also be permitted. The subject lands are legally described as Sheehan Tract, Part of Lots 5, 6 and 7, Part of Reference Plan 18R-2000, Geographic Township of Dunn, Haldimand County.⁶⁶
- Dun 25** In addition to the range of permitted uses, the lands shown on **Schedule “B.3”** as having reference to this special provision may be used for residential uses in the form of single detached and multiple dwellings. The lands are located on Lots 45 and 46, Registered Plan 190161, Dunnville.
- Dun 26** On the lands shown on **Schedule “A.3”** as having reference to this special provision, a farm implement sales and service establishment shall also be permitted. The lands are located on part of Lot 12, Clement Tract, in Canborough.
- Dun 27** On the lands shown on **Schedule “A.3”** as having reference to this special provision, short term shows and events shall also be permitted. The subject lands are legally described as Sheehan Tract, Part of Lots 3,

⁶⁶ Ministry Modification – June 8, 2009

4, 5, 6 and 7, Part of Part 1 on Reference Plan 18R-2000, Geographic Township of Dunn, Haldimand County.⁶⁷

Dun 28 Notwithstanding any other provision in this Plan, the lands located on part of Lot 18, Concession 5. S.D.D.R., in Dunn, identified on **Schedule “D.14”** as having reference to this special provision may be divided by consent into two residential lots. Frontage onto a permanently maintained public road is not required, provided that safe access is provided by an appropriately registered right-of-way. This special provision does not obligate the County to assume or maintain private rights-of-way. Further, the limitations on municipal services that can be provided for on private rights-of-way should be recognized.

Dun 29 The following policies shall apply to those lands shown on **Schedule “B.3”** as having reference to this special policy provision:

- a) Permitted uses are limited to the following:
 - i) One supermarket possessing a minimum gross leasable floor area of 2,787 metres squared and which is not represented in the central business district of Dunnville. If the requirement for an unrepresented supermarket is declared by a Court of competent jurisdiction to be void for any reason, the remaining policies of this site specific policy area shall nevertheless remain valid and binding and shall be read as if the offending section or subsection had been struck out and, furthermore, the owner shall be required to submit a new market impact study, to the County’s satisfaction.
 - ii) One tires/batteries/accessories retail store, such as but not limited to Canadian Tire, possessing a minimum floor area of no less than 2,320 metres squared gross leasable floor area.
- b) The permitted uses of the subject lands shall not be interpreted to include a department store or retail warehouse, such as but not limited to Wal-Mart, Zellers, Costco, Home Depot or Business Depot.
- c) The establishment of any land uses other than the permitted uses shall only occur by way of amendment to this Plan and, furthermore, the owner of the subject lands shall be required to submit a new market study, to the County’s satisfaction.
- d) Any building or structure shall have its lowest opening above the regulatory flood line elevation.
- e) Flood proofing measures will be completed to the satisfaction of the Grand River Conservation Authority.

⁶⁷ Ministry Modification – June 8, 2009

- f) A Fill, Construction and Alteration to Waterways permit may be required from the Grand River Conservation Authority.

- Dun 30** Development of lands lacking public road frontage and shown on **Schedule “A.3”** as having reference to this special provision, shall be permitted.
- Dun 31** Notwithstanding any other provisions of this Plan the lands identified on **Schedule “B.3”** as having reference to this special provision may be used as a place of assembly with a maximum floor area of 92 square metres in association with an existing dwelling and bed and breakfast.
- Dun 32** In addition to the range of permitted uses in the Rural Industrial designation the lands identified on **Schedule “A.3”** as having reference to this special provision may also be used for a tent and trailer park consisting of 50 total lots. The subject lands are legally described as Sheehan Tract, Part of Lots 5 and 6, Part of Part 1, of Reference Plan 18R-2000, Geographic Township of Dunn, Haldimand County.⁶⁸
- Dun 33** In addition to the range of permitted uses in the Urban Business Park designation, the lands identified on **Schedule “B.3”** as having reference to this special provision may also be used for a movie rental establishment.
- Dun 34** Number not used.
- Dun 35** Notwithstanding the permitted uses of the Residential designation, the lands identified as Plan 507 Part Lot A shown on **Schedule “B.3”** may also be used as a motel and for accessory uses.
- Dun 36** The lands on Plan 720 Part Lot V, Part Lot 21 Con 1 and Part Lot 20 Con 2 identified by the star symbol on **Schedule “A.3” and “B.3”** contain existing sewage treatment facilities and may be used for sewage treatment purposes and related uses. New development adjacent to these areas shall be subject to the policies of Section 5 F.1.2 for sewage treatment facilities.
- Dun 37** In addition to the Agricultural uses permitted on lands on Concession 2 Part Lot 8 and Lots 9 and 10 shown on **Schedules “A.3” and “B.3”**, existing residential uses are permitted to continue. Municipal water and sewer will not be extended to service these lands.
- Dun 38** In addition to uses permitted within the Urban Business Park designation, a hardware store, gas station, farm and feed supply, pet food supply and garden centre outlet will also be permitted on the lands having reference to this site specific special provision. The lands referred to by policy Dun 38 are shown on Schedule “B3”.

⁶⁸ Ministry Modification – June 8, 2009

- Dun 39** The following policies shall apply to those lands having reference to this special provision on **Schedule “B.3”**. Due to the former use of these lands for industrial and commercial purposes, the following conditions the lands shall be subject to the requirements of Ontario Regulation 153/04, the Record of Site Condition regulation, including any amendments or variations thereto.⁶⁹
- Dun 40** Number not used.
- Dun 41** Notwithstanding the Hazard Land Policies which prohibit the location of Institutional uses within the Hazard Land designation, a long term care facility and accessory uses are permitted and expansions to the use may be permitted in consultation with the appropriate conservation authority. The subject lands are identified on **Schedule “B.3”**.
- Dun 42** The following policies shall apply to those lands on **Schedule “B.3”** as having reference to this special provision:
- a) one (1) supermarket with accessory uses having a gross leasable floor area of not less than 3,000 m² and not greater than 5,100 m² and an associated automotive service station with a maximum of 31 m² of useable floor area and a maximum of 6 service pumps.
 - b) The establishment of any land uses other than the permitted uses shall only occur by way of amendment to this Plan and be subject to the submission of a market impact analysis satisfactory to Haldimand County.
- Dun 43** The following policies shall apply only to those lands on Schedule “B.3” follows:
- a) Permitted uses on the lands having reference to this Site Specific Policy Area are limited to:
 - i) One (1) department store having a gross useable floor area of no more than 8,361 sq. m. (90,000 sq. ft.);
 - ii) Up to three (3) buildings with a total gross floor area of 3,251.5 sq. m. (35,000 sq. ft.) within which the following uses will be permitted:
 - Up to a total of 1,858 sq. m. (20,000 sq. ft.) of retail stores for Department Store Type Merchandise (DSTM);
 - Service Commercial Uses
 - b) No more than 745 sq. m. (8,000 sq. ft.) of the floor area of the one department store may be devoted to the sale and display of food items.

⁶⁹ Ministry Modification – June 8, 2009

- c) Notwithstanding the policies of 4.B) 3) 9. Of this Plan, there shall be no limitation on the minimum gross leasable floor area of any permitted use.
- d) Phase 1 Development shall consist of the 8,361 sq. m. (90,000 sq.ft.) of ancillary commercial space.
- e) Phase 2 Development shall consist of the building of up to 1,393.5 sq. m. (15,000 sq. ft. of ancillary commercial space. Such commercial space shall be open for business in Phase 2 prior to April 1, 2009.
- f) Floodproofing measures, including but not limited to having all building openings and first floor areas situated above the Regional Storm elevation of 176.42 m. CGM, are to be completed to the satisfaction of the Grand River Conservation Authority prior to development occurring on the lands having reference to this special policy.⁷⁰

B. SITE - SPECIFIC POLICIES IN THE FORMER TOWN OF HALDIMAND

- Hal 1** Medium density residential development shall be permitted on those lands identified as having reference to this subsection on **Schedule “B.2”**.
- Hal 2** A dental clinic shall be permitted on those lands as having reference to this subsection on **Schedule “B.1”**.
- Hal 3** Retail commercial uses may also be permitted on those lands identified as having reference to this subsection on **Schedule “B.1”**.
- Hal 4** Commercial uses shall be limited to vehicle sales, rental service establishments as well as uses subordinate and incidental to this use. Following the completion of detailed land use planning, transportation, servicing, and market analysis and impact studies acceptable to the County, the following range of uses within the Community Commercial designation may be permitted on the subject lands without a need for an amendment to this Plan: retail and service commercial facilities; business; personal and professional offices; recreation and entertainment facilities; communication and transportation services; hotels; restaurants; private clubs; government offices; community and cultural facilities and public and private institutions.

This policy applies to the lands identified as having reference to this subsection on **Schedule “B.2”**
- Hal 5** On the lands shown on **Schedule “B.2”**, commercial uses shall be limited to vehicle sales and rental establishment as well as uses subordinate and incidental to this use.

⁷⁰ Ministry Modification – June 8, 2009

Hal 6 On those lands identified as having reference to this subsection on **Schedules “B.2 and C.11”**, industrial uses shall be limited to small scale, low intensity operations that will have minimal impact on surrounding sensitive land uses. For the purpose of this subsection, small scale, low intensity operations shall be those that meet the following criteria:

- a) dust, odour and/ or noise generated from the use is infrequent and not intense;
- b) the use is operated entirely within a building and any emissions from the building should meet Ministry of Environment guidelines;
- c) no outdoor storage is required; and
- d) the use generally operates during normal business hours and does not generate significant truck traffic.

Hal 7 **DELETED** (County By-law 871-HC-14).⁷¹

Hal 8 Number not used.

Hal 9 Those lands situated on the west side of Inverness Street, south of Orkney Street West in Caledonia and further identified as having reference to this subsection on **Schedule “B.1”** have been designated Residential to reflect the County’s intent that, in the event that the current industrial use occupying the lands, that being an industrial warehouse and storage facility, should cease to operate at this location, the future development of the lands will be in accordance with the Residential policies of this Plan.

New industrial use will not be permitted on these lands, however, the existing use shall be recognized in the County’s Zoning By-law and will be permitted to continue and expand in accordance with the Industrial policies of this Plan.

Hal 10 Those lands situated on the north side of Orkney Street West, between Argyle Street North and Highway No. 6 by-pass in Caledonia and further identified as having reference to this subsection on **Schedule “B.1”** have been designated as a Special Policy Area. There is presently no development on these lands, however, the lands are occupied by an active rail line.

It is the intent of the County that these lands be developed in a manner that is compatible with the existing development in the area and may include residential, institutional, light industrial and or open space uses. The development of these lands shall not be permitted until such a time as a detailed review of the property is completed and accepted by the County. The County in consultation with other appropriate agencies will require consideration of the following matters during such reviews: compatibility with existing land uses; adequate servicing; recommendations based on a soil study; traffic impacts; and record of site condition.

⁷¹ 877-HC-14

At such a time as a review of the site has been completed and accepted by the County, the recommendations of the review will be used in the preparation of an amendment to the Official Plan.

- Hal 11** Those lands situated on the west side of Tuscarora Street, south of Victoria Street in Hagersville and further identified as having reference to this subsection on **Schedule “B.4”** have been designated as a Special Policy Area.

The existing use of the lands, that being a fertilizer and feed mill, shall be recognized in the County’s Zoning By-law and will be permitted to continue and expand in accordance with the Industrial policies of this Plan. However, in light of the predominance of residential development to the east of the lands, new uses shall not be permitted until such a time as a detailed review of the property is completed and accepted by the County. The County in consultation with other appropriate agencies, may consider the following during such a review: compatibility with existing land uses; adequate servicing; and environmental impacts of use.

- Hal 12** Those lands situated on the west side of Tuscarora Street, north of Victoria Street in Hagersville and further identified as having reference to this Subsection of Schedule “B.4” are presently occupied by an active rail and have been designated as a Special Policy Area.

It is the intent of the County that these lands be developed in a manner that is compatible with existing development in the area and may include residential, institutional, light industrial and or open space uses. The development of these lands shall not be permitted until such a time as a detailed review of the property is completed and accepted by the County. The County in consultation with other appropriate agencies will determine the matters for consideration in such a review.

At such a time as a review of this site has been completed and accepted by the County, the recommendations of the review will be used in the preparation of an amendment to the Official Plan.

- Hal 13** Those lands situated east of Tuscarora Street and north of the traditional commercial business area of Hagersville and further identified as having reference to this subsection on the **Schedule “B.4”** have been identified as a Special Policy Area. There is presently no development on these lands, however, a portion of these lands is used as an access to several of the commercial enterprises situated to the immediate south.

These lands will be developed for commercial and or residential uses that will have a minimal impact on surrounding sensitive land uses, particularly the residential uses situated to the immediate north. The Zoning By-law will include specific uses that will be permitted on these lands and will also set out appropriate minimum setbacks, fencing and landscaping requirements in accordance with the criteria contained in Policy F of the Community Building Section.

Hal 14 A small-scale transport truck depot and dispatch operation may also be permitted on those lands identified as having reference to this subsection on **Schedule “C.2”**.

Hal 15 **DELETED** (County By-law 503-HC-07).⁷²

Hal 16 **DELETED** (County By-law 871-HC-14).⁷³

Hal 17 Notwithstanding any other provisions contained in this Plan, a motor home shall be permitted on those lands identified as having reference to this subsection on **Schedule “D.6”**.

For the purposes of this subsection, a motor home shall be used only for seasonal residential purposes and the placement of said motor home on the subject lands shall meet the requirements of the County Building Division regarding a sewage system.

Hal 18 A wholesale pet food and supply outlet shall be permitted on those lands identified as having reference to this subsection on **Schedules “A.1”** and **“C.24”**.

Hal 19 A custom woodworking shop for the manufacturing of furniture shall be permitted on those lands identified as having reference to this subsection on **Schedule “A.2”**.

Hal 20 A country inn shall be permitted as a secondary and concurrent use on those lands identified as having reference to this subsection on **Schedule “A.2”**.

Hal 21 A non farm related truck and trailer repair establishment shall be permitted as a secondary use to a farm implement sales and service business on those lands identified as having reference to this subsection on **Schedule “A.1”**.

Hal 22 A small scale flat bed trailer construction establishment shall be permitted as a secondary use to a single family dwelling house on those lands identified as having reference to this subsection on **Schedule “A.3”**.

Hal 23 A general purpose mini storage facility shall be permitted on those lands identified as having reference to this subsection on **Schedule “A.2”** and **Schedule “B.4”**.

Hal 24 An establishment for the sale of used automobiles shall be permitted as a secondary and ancillary use to an automobile recycling and wrecking yard on those lands identified as having reference to this subsection on **Schedule “A.2”** and **Schedule “B.4”**.

⁷² Ministry Modification – June 8, 2009

⁷³ 871-HC-14

- Hal 25** An establishment for the sale of antiques and other, similar collectable items shall be permitted as a secondary use to a single detached dwelling house on those lands identified as having reference to this subsection on **Schedule “A.3”**.
- Hal 26** A water bottling and storage facility shall be permitted on those lands identified as having reference to this subsection on **Schedule “A.3”**
- Hal 27** A truck depot and freight transfer station for the haulage of agricultural produce shall be permitted on those lands identified as having reference to this subsection on **Schedule “A.1”**. The property owner may be required to enter into a site-specific agreement with the County to address the following:
- i. that all aspects of the truck depot and freight transfer station comply with the applicable noise standards that are established for the said use pursuant to the *Environmental Protection Act*; and;
 - ii. that the hours of operation for general maintenance of trucks are restricted to normal business hours in an effort to minimize conflicts and disturbances with adjacent residences.
- Hal 28** A country inn shall be permitted on those lands identified as having reference to this subsection on **Schedule “A.1”**
- Hal 29** The vending and auctioning of non-agricultural products, goods and merchandise shall be permitted as secondary and ancillary uses to an agriculturally-oriented auction center on those lands identified as having reference to this subsection on **Schedule “A.1”** and **Schedule “B.4”**.
- Hal 30** A small scale vehicle sales establishment shall be permitted on those lands identified as having reference to this subsection on **Schedule “A.1”**.
- Hal 31** A machine and metal fabrication shop shall be permitted on those lands identified as having reference to this subsection on **Schedule “A.2”** and **Schedule “C.17”**.
- Hal 32** In addition to the range of permitted uses in the Agricultural designation, the lands identified on **Schedule “A.1”** as having reference to this special provision may also be used for a commercial landscaping establishment.
- Hal 33** Those lands situated south of Indiana Road East between Highway No.54 and the Grand River and further identified as having reference to this subsection on **Schedule “A.1”** are occupied by Ruthven National Historic Site. Ruthven Park, as it is commonly known, is an important asset with respect to tourism and the County and all activities and land uses associated with and accessory to Ruthven Park shall be permitted. Ruthven Park shall be specifically identified in the Zoning By-law.
- Hal 34** The Cayuga Speedway and Toronto Motorsports Park are identified as having reference to this subsection on **Schedule “A.2 and C.11”**.

Notwithstanding the Agricultural policies of this Plan, it is intended that the type and scale of uses which have occurred on these lands previously, will be permitted to continue within the traditional areas of use. These uses and their areal extent shall be defined in the Zoning By-law.

Any significant change in these uses or the areal extent as defined in the Zoning By-law will require an amendment to the By-law and, if deemed necessary by the County, may also require an amendment to this Plan. Accessory uses associated with the Cayuga Speedway and the Toronto Motorsports Park are intended for use only when racing events occur.

Hal 35 Notwithstanding the Agricultural policies of this Plan, within the lands identified as the Toronto Motorsports Park as reference to this subsection on **Schedule “C.11”** the racing of motorized vehicles on the road course, extension of the drag strip, ancillary uses to motorized racing events, and a tent and trailer park ancillary to motorized racing events shall be permitted in accordance with the following over a three year period:

First Year (commencing June 2002)

- Proponent to construct noise mitigation (berming) for the road course as recommended in the Valcoustics study dated January 21, 2002 and monitor the results of that mitigation. The resulting mitigative berming will need to be shown on the proponent's site plan.
- Preparation of an overall noise mitigation study by the proponent to incorporate the newly constructed road course, the existing drag strip including the grandstands and other spectator viewing areas, parking and staging areas for racing, spectator parking, and camping areas. It is recommended that the overall noise mitigation study be peer reviewed by J. E. Coulter Associates Limited and that the costs of that peer review be borne by the proponent.
- Issuance of a license to deal with the operation of the road course including types of motorized vehicles, muffling of vehicles, numbers of vehicles racing at any one time, hours of racing, and number of racing events permitted annually. The license would be drafted in consultation with the proponent.

An overall County licensing by-law must be in place before an operating license can be issued for this property. There may be a short interim period after site plan approval is issued for this proposal, but prior to the time when the County can issue an operating license, when the proponents may want to conduct motorized racing on the road course. The proponent will be required to provide the County with a legal undertaking to specify that only full mufflered vehicles will be used on the road course during that interim period.

Second Year (commencing June 2003)

- Based upon the monitoring results from the first year for the road course, the Proponent would address noise reduction measures for the road course if required.
- Proponent to implement noise mitigation for the drag strip based upon the subsequent noise impact study prepared in the first year and peer

review and monitor the results of that mitigation. Any required mitigative berming will need to be shown on the proponent's site plan.

- If required, the operating license issued in the first year would be modified to deal with the operation of both the road course and drag strip including types of motorized vehicles, muffling of vehicles, numbers of vehicles racing at any one time, hours of racing, and number of racing events permitted annually. The license would be drafted in consultation with the proponent.

Third Year (commencing June 2004)

- If the noise mitigation measures that are introduced in the first and second years are effective, the County can consider a zoning by-law amendment to permanently zone the road course operation and ancillary uses; or
- If there are outstanding issues relative to noise mitigation and licensing, the County can consider extending the temporary use for an additional year in order for solutions to be found; or
- If there are outstanding issues relative to noise mitigation and licensing, the County can let the temporary use by-law expire and not pass a permanent zoning amendment and then the road course and ancillary uses would no longer be permitted on the lands affected by the temporary use by-law.

Notwithstanding the above implementation and monitoring process, the racing of motorized vehicles will not be permitted on the road course until the required noise berming and fencing is constructed.

Any significant changes in these uses or the areal extent as defined in the Zoning By-law will require an amendment to the By-law and, if deemed necessary by the County, may also require an amendment to this Plan.

Hal 36 None of the policies contained in Section 2. A.1) and 2. A.3) of the Plan, shall apply to the Edwards Landfill Site identified as having reference to this subsection on **Schedule "A.1"** and located on lands described as Part Lot 24, Concession 1 N.T.R in North Cayuga during such a time as a Provisional Certificate of Approval, issued in accordance with the provisions of the *Environmental Protection Act*, remains in existence pertaining to such lands.

Hal 37 On those lands identified as having reference to this subsection on **Schedule "B.1"** single detached residential development shall not require municipal water or sanitary sewer services and the development of the lands may proceed on private, individual water and sanitary sewer systems in accordance with the requirements of the County Building and By-law Enforcement Division.

Hal 38 In addition to the uses permitted in the Residential designation, on the lands identified as having reference to this subsection on **Schedule "B.1"** as Hal 38, a library, community hall, ambulance station and physiotherapy

and rehabilitation center may be permitted on the same lot as an arena, aquatic center, and Lions Hall.

- Hal 39** The lands identified as having reference to this subsection on **Schedules “B.1, B.2 and B.4”** as illustrated by the star symbol contain existing sewage treatment facilities and may be used for sewage treatment purposes and related uses. The lands referred to in this policy are:
Con 1 STR, Part Lot 31;
Con 12, Part Lot 14, Walpole;
Cal Part Lots 1 & 2 S Forfar; and
Part Lots 1 & 2 E Berwick
New development adjacent to these areas shall be subject to the policies of Section 5 F.1.3 for sewage treatment facilities.
- Hal 40** Notwithstanding the permitted uses in the Agricultural designation, the lands identified as having reference to this subsection on **Schedules “A.1” and “B.1”** are currently being used for commercial purposes. The Zoning By-law will define the extent of existing uses. The lands referred to in this policy are:
Sen Range 1 WPR E Half Part Lot 7
Sen Range 1 EPR W Half Part Lot 7
Sen Range 1 EPR Part Lot 7
- Hal 41** Notwithstanding the Agricultural uses permitted on these lands, a place of worship and accessory use shall also be permitted on those lands identified as having reference to this subsection on **Schedule “A.1” and Schedule “B.1”** In addition, notwithstanding the servicing policies outlined in this Plan for non-urban areas, a building constructed for the uses noted above may be connected to municipal water services provided the design standards are acceptable to the County.
- Hal 42** A Residential estate and golf course and associated uses are permitted on the lands identified as having reference to this subsection on **Schedule “B.1”**. The lands are located at Concession River Range Part Lot 30, 31, 32, 33, 34 35, 36 and 37 in Seneca. Golf course and associated uses shall be subject to the conditions outlined in Section 6.C of this Plan.
- Hal 43** In addition to the Large Format Retail uses permitted on lands identified as having reference to this subsection on **Schedule “B.4”**, compatible light industrial and institutional uses that will not have a significant adverse impact on the development of the existing Large Format Retail area may also be permitted.⁷⁴

⁷⁴ Ministry Modification – June 9, 2009

C. SITE - SPECIFIC POLICIES- IN THE FORMER CITY OF NANTICOKE

Nant 1 In addition to the specified uses, a flea market, auction and bingo hall, and accessory/incidental uses shall also be permitted on those lands specifically referenced to this subsection as identified on **Schedule “A.2”** (Part Lots 3 & 4, Concession 11, Walpole).

Nant 2 a) A contractor’s yard shall also be permitted on those lands specifically referenced to this subsection as identified on **Schedules “A.2” and “C.14”** (Hamlet of Nanticoke).

b) The lands may be used for industrial purposes including a machinery rental establishment, contractors yard, training center, a labour assembly hall, general office uses, a motel, coffee shop, general store, laundromat, barber shop/hair salon and financial institution on those lands specifically referenced as Parcel 1 to this subsection.

c) And that Industrial uses along with a machinery rental establishment, contractors yard, training center, labor assembly hall and general office uses shall be permitted on those lands specifically referenced to this subsection identified as Parcel 2.

d) And further that the above lists of permitted uses shall be subject to the concurrence of the Building Division and the Ministry of the Environment guidelines. A hydrogeological study may be required to address high water consuming uses.

Nant 3 In addition to the uses permitted within the Agricultural designation, the following may also be permitted on those lands specifically referenced to this subsection as identified on **Schedule “A.2”** (Part of Lot 22, Concession 1, Walpole):

A facility for the storage and dismantling, but not the sale, of vehicles and parts thereof, and removal of same from site for further processing.

Nant 4 The sale of propane fuel will also be permitted on those lands specifically referenced to this subsection is identified on **Schedule “A.2”** (Part of Lot 19, Con 1 in Walpole).

Nant 5 The sales and service of recreational vehicles and mobile homes, the sale of propane, an air station, and water sport activities shall be permitted on those lands specifically referenced to this subsection and identified on Schedule “A.2” and **Schedule “B.4”** (Part Lot 23, Con 12 in Walpole) subject to the following conditions:

a) That any proposed alterations to the existing drainage pattern affecting Railway property must receive prior concurrence from the Railway and be substantiated by a drainage report.

- b) That surface runoff from the site must be constrained to pre-development levels under Regional or 100 year storm conditions, whichever is most severe.
- c) That the owner shall install and maintain, at his own expense, a chain-link fence of minimum 1.8 metre height along the mutual line.
- d) That the proponents must provide a building safety setback of 15 metres from the railway right-of-way.

- Nant 6** In addition to the uses permitted in the Agricultural designation, small scale transport truck repair and storage operation will also be permitted on the lands specifically referenced to this subsection as identified on **Schedule "A.2"** (Part Lots 7 and 8, Con 10 in Walpole).
- Nant 7** On the lands having reference to this policy, as identified on **Schedule "B.4"** (Part Lot 13, Con 12, Walpole) limited industrial may be permitted, provided that the permitted industrial uses are limited to only those industrial uses which do not require high usage of water and sewage treatment, and that in addition to any industrial zone provision, the minimum setback from Kings Highway No.6 right-of-way shall be 27.74 metres (91 feet).
- Nant 8** Notwithstanding any policy of the Plan to the contrary, the lands having reference to this Policy on **Schedule "A.2"** and **Schedule "C.18"** (Part Lot 24, Con 1 Walpole), may be subdivided into a total of 3 estate type residential lots.
- Nant 9** Notwithstanding the Residential designation, the lands having reference to this Policy on **Schedules "B.6"** may only be used for park or golf course purposes. In the interim, agricultural uses shall be limited to field crops and those agricultural uses compatible with urban development.
- Nant 10** Notwithstanding the Residential designation, the lands having reference to this Policy on **Schedule "B.6"** may only be used for public recreational including picnic, swimming and day use activities.
- Nant 11** Notwithstanding the range of uses permitted by the Urban Business Park designation, the lands having reference to this special policy provision on **Schedule "B.5"** shall be limited to an auto repair facility excluding the sale of motor fuel and one dwelling unit.
- Nant 12** **REPEALED (BY-LAW 952-HC-16).**
- Nant 13** That in addition to the range of permitted uses in the "Agricultural" designation, the lands identified on **Schedules "B.5 and B.6"** as having reference to this special provision may also be used for a multiple residential structure containing two apartment dwelling units.
- Nant 14** **DELETED (County By-law 616-HC-09).**⁷⁵

⁷⁵ Ministry Modification – June 8, 2009

Nant 15 In addition to the uses permitted in the Agricultural designation, on lands having reference to this subsection and shown on **Schedule “A.2”** and Schedule “D.2”, a leasehold community consisting of no more than 389 modular home sites, a community recreation complex (including meeting rooms, kitchen, whirlpool, fitness room, workshop, games room and auditorium), swimming pool, boating facilities and associated outbuildings shall be permitted. Development on the lands having reference to this subsection shall be permitted to be serviced by communal systems, the approval of which will be in accordance with the communal servicing policies of the County Official Plan.

Prior to initiating the development of the subject lands, the developer will be required to enter into a communal servicing agreement with the County.

If development has not proceeded by December 31 2007, County Council may consider revoking the site specific amendment.

Nant 16 The lands on Con 7, Part Lot 4 & 5, Jarvis; Con 13, Part Lot 22, Townsend and Con 3 Lot 1, Walpole are subject to special policy Nant 18 and identified by the star symbol on **Schedules “B.5 and B.6”** contain existing sewage treatment facilities and may be used for sewage treatment purposes and related uses. New development adjacent to these areas shall be subject to the policies of Section 5 F.1.3 for sewage treatment facilities.

Nant 17 Marine commercial, existing permanent residential and existing seasonal residential dwellings may be permitted within Hickory Beach Area which is identified as having reference to this subsection as on **Schedules “A.2” and “C.14”**. The recreational importance of the area is recognized and consideration shall be given for the future development of recreational uses.

Nant 18 A water treatment plant and accessory uses are permitted on lands identified as having reference to this subsection on **Schedules “A.2” and “C.14”**. As well, these uses may be permitted to expand in the future as appropriate provided the relevant requirements are met.

Nant 19 Quarry operations and an aggregate supply business may be permitted on the lands identified on **Schedule “A.2”** on Part Lots 10, 11 and 12, Concession 12 in Walpole subject to the issuance of a license from the Ministry of Natural Resources.

Nant 20 A single detached dwelling may be permitted on an interim basis on the lands identified on **Schedule “A.2”** on Part Lots 22, 23 and 24, Concession 4 in Woodhouse. This policy excludes portions of land located within the Hazard Land designation.

D. Site - Specific Policies (Haldimand County)

NOTE: Official Plan Amendments that are General in Nature or Apply County-Wide are not included in this section.

HCOP-1 That in addition to the range of permitted uses in the “Agricultural” designation, the lands identified on Schedule “A”, as having reference to this special provision may also be used for day care operation ancillary to the main residential use of the property. (County By-law 329-HC-06)⁷⁶

HCOP-2 a) Permitted uses on the lands having reference to this Site Specific Policy Area are limited to:

i) One (1) department store having a gross useable floor area of no more than 8,361 sq. m. (90,000 sq. ft.);

ii) Up to three (3) buildings with a total gross floor area of 3,251.5 sq. m. (35,000 sq. ft.) within which the following uses will be permitted:

- up to a total of 1,858 sq. m. (20,000 sq. ft.) of retail stores for Department Store Type Merchandise (DSTM);
- Service Commercial Uses

b) No more than 745 sq. m. (8,000 sq.ft.) of the floor area of the one department store may be devoted to the sale and display of food items.

c) Notwithstanding the policies of 4.B) 3)9. Of this Plan, there shall be no limitation on the minimum gross leasable floor area of any permitted use.

d) Phase 1 Development shall consist of the 8,361 sq.m. (90,000 sq.ft.) General Merchandise Store and up to 1,858 sq.m.(20,000 sq.ft.) of ancillary commercial space.

e) Phase 2 Development shall consist of the building of up to 1,393.5 sq.m. (15,000 sq.ft.) of ancillary commercial space. Such commercial space shall not open for business in Phase 2 prior to April 1, 2009.

f) Floodproofing measures, including but not limited to having all building openings and first floor areas situated above the Regional Storm elevation of 176.42m. CGM, are to be completed to the satisfaction of the Grand River Conservation Authority prior to development occurring on the lands having reference to this special policy.(County By-law 443-HC-06)

HCOP-3 Commercial uses shall be limited to service commercial uses that are destination-oriented and/or that cater to the traveling public, including a vehicle sales, service and rental establishment, on those lands identified as having reference to this subsection on Schedule “B.2”. (County By-law 338-HC-06)⁷⁷

⁷⁶ Ministry Modification – June 8, 2009

⁷⁷ Ministry Modification – June 8, 2009

HCOP-4 On the lands having reference to this policy, as identified on Schedules A.2 and B.4 (Part Lot 13, Concession 12, Part 1 on Reference Plan 18R-4999, Walpole) limited industrial may be permitted, provided that the permitted industrial uses are limited to only those industrial uses which do not require high usage of water and sewage treatment, and that in addition to any industrial zone provision, the minimum setback from Kings Highway No. 6 right-of-way shall be 14 metres (45.9 feet).(County By-law 661-HC-09)

HCOP-5 REPEALED (BY-LAW 1007-HC-17)

HCOP-6 On the lands having reference to this policy, as identified on Schedules A.3 and D.11 (Part Lot 23, Concession 2, Geographic Township of Rainham) that in addition to the range of permitted uses in the ‘Lakeshore Hazard Lands’ designation, the replacement of an existing seasonal dwelling with the construction of a new single-storey seasonal dwelling, and renovations to a second seasonal dwelling located on the same lot are permitted. (County By-law 688-HC-10)

HCOP-8A That Section 5.H.2(c) requiring proposed severed and retained lots to front onto an existing public road that is of reasonable standard of construction shall not apply and new lots are permitted to be accessed from a private road. (County By-law 704-HC-10)

HCOP-9 REPEALED (BY-LAW 555-HC-08)

HCOP-10 A place of worship and accessory uses shall be permitted on those lands identified as having reference to this subsection on Schedules A.3 and B.3 as an additional permitted use to the existing residential dwelling. (County By-law 563-HC-08)⁷⁸

HCOP-12 In addition to the uses permitted in the ‘Hazard Lands’ designation, the replacement of the existing seasonal dwelling with the construction of a two-storey seasonal dwelling with an attached garage may also be permitted. (County By-law 535-HC-08)⁷⁹

HCOP-13 In addition to the range permitted uses in the Agricultural designation, the subject lands identified on Schedule ‘A’ of the site specific amendment and as shown generally on Schedule “A.2” of this Plan as having reference to this special provision may also be used for:

1. An electrical generating station fueled by natural gas.

Any such development shall be subject to the following:

1. Site Plan Control in accordance with Policy 8 H of this Plan;

⁷⁸ Ministry Modification – June 8, 2009

⁷⁹ Ministry Modification – June 8, 2009

2. Compliance with the noise and air emission requirements of the Ministry of Environment. (County By-law 605-HC-08)⁸⁰

HCOP-16 In addition to those use permitted in the residential designation on land having reference to this policy on Schedule “B.2”, the following uses shall be permitted: a restaurant/café with seating for 56 patrons; a catering business; a classroom for food related workshops and cooking courses; retail sales of food related produce, and a small scale greenhouse. The additional commercial uses may only be permitted in conjunction with a residence on the property. (County By-law 610-HC-08).⁸¹

HCOP-17 In addition to those uses permitted in the Agricultural designation on lands having reference to the policy on Schedule “A.3” and “C.3” the following uses shall also be permitted: retail sales of arts, crafts, groceries, and eco-friendly products; commercial office and meeting space; and personal service shop. The additional uses may only be permitted in conjunction with a residence on the property (County By-law 625-HC-09)⁸²

HCOP-19 In addition to those uses permitted in the floodway designation on lands having reference to this policy on Schedule “B1” the following uses shall be permitted: a seasonal farmers’ market. (County By-law 654-HC-09)⁸¹

HCOP-20 Notwithstanding any policies in this Plan which are to the contrary, the following policies shall apply to the development of the subject lands and the uses permitted on those lands:

- a) In addition to the provisions outlined in Section 4.C.1)7 – *Permitted Uses of the Urban Business Park* designation, permitted uses on the lands having reference to this Site Specific Policy Area shall also include:
 - i. one (1) supermarket having a gross useable floor area of 4180 square metres;
 - ii. one (1) home improvement/ building supply store with a maximum gross useable floor area of 5574 square metres;
 - iii. one (1) department store having a gross useable floor area of 8361 square metres which may consist of a maximum gross useable floor area of 6503 square metres for non-food uses and a maximum gross useable floor area of 1858 square metres for food uses;
 - iv. retail establishments offering Specialty GAFO (the retail sale of general merchandise; apparel & accessories; furniture & home furnishings; electronics & appliances; sporting goods, hobby, music & books; or other miscellaneous retail) having a maximum gross useable floor area of 5806 square metres. Of the Specialty GAFO

⁸⁰ Ministry Modification – June 8, 2009

⁸¹ Ministry Modification – June 8, 2009

⁸² Ministry Modification – June 8, 2009

⁸⁰ 653-HC/09

⁸¹ 654-HC/09

⁸² 698-HC-10

gross floor area permitted, a maximum of 1858 square metres of gross useable floor area may consist of Specialty GAFO stores of less than 465 square metres in individual size. Department stores, supermarkets, home & auto stores and warehouse membership clubs are not included in this category;

- v. Service Commercial Uses including personal service store(s); restaurant(s); personal service – office(s); financial institutions; and other similar uses.
- b) The development of the commercial uses on the subject lands, as outlined in Subsection a) above, shall take place in multiple phases as follows:

1. Phase 1 Development shall be limited to:
 - i. A maximum gross useable floor area of 15445 square metres;
 - ii. A maximum gross useable floor area of 2787 square metres for Specialty GAFO (General Merchandise, Apparel & Accessory, Furniture, and Other Sales)
 - a. A maximum of 929 square metres of the total 2787 square metres of Specialty GAFO in this phase may consist of stores of less than 465 square metres in individual size;
 - iii. The first development in the phase is to be an anchor tenant (i.e. supermarket, department store, or home improvement/ building supply store);
 - iv. An anchor tenant (supermarket, home improvement/ building supply store, or department store) must be operational prior to the balance of retail uses in this phase being established.
2. Phase 2 Development shall not be initiated any earlier than 36 months after the opening of a Phase 1 anchor tenant (supermarket, home improvement/ building supply store, or department store).

Phase 2 Development shall be limited to:

- i. A maximum gross useable floor area of 14283 square metres;
- ii. A maximum gross useable floor area of 3019 square metres for Specialty GAFO (General Merchandise, Apparel & Accessory, Furniture, and Other Sales)
 - a. A maximum of 929 square metres of the total 3019 square metres of Specialty GAFO in this phase may consist of stores of less than 465 square metres in individual size;
- iii. Holding – ‘H’ provision will be placed on the zoning of the second phase. Removal of the Holding provision is dependant upon confirmation that

market and population growth assumptions in the supporting market studies have come to fruition.

- c) The development of Phases 1 and 2 shall be subject to urban design guidelines which will assist in promoting design function, order, identity and appeal that is appropriate to this gateway location. The guidelines are intended to provide direction, rather than prescriptive requirements and therefore individual guidelines can be waived by Haldimand County if it would better achieve the design policy objectives. The development will be subject to the following urban design guidelines which are to be implemented through the site plan approval process:

i. Built Form

- a. Building design and architectural styles shall reinforce the built form character and architectural styles of Caledonia.
- b. Tree planting, soft landscaping, and surface material changes should be used to define, improve and reinforce pedestrian routes within and around the perimeter of the site.
- c. Building facades along the public streets shall be articulated with colour, material variations, windows and other treatments of the wall plane to provide a high quality of design, detail and variety. Elevation drawings shall be provided as part of any site plan approval package to demonstrate general conformity with these feature requirements.
- d. Windows shall be encouraged on all facades that overlook streets and open spaces; reflective mirror glass shall not be used for windows at grade.
- e. Entrances to buildings shall be prominent and visible with entrance canopies, awnings or other architectural elements.
- f. Rooftop mechanical equipment shall be screened with materials that are complementary to the building.

ii. Access and Parking

- a. Main parking areas should be located within the interior of the site.
- b. Parking areas shall be designed in small sections where feasible and include lighting, substantial landscaping, and special paving to break up expanses of parking and to provide places for pedestrian connections.
- c. Parking areas along the road frontage should be screened from view with appropriate landscape buffers or fencing.

- d. The number of entrances along Haldimand Road #66 should be limited to create stronger street presence with buildings and landscaping.
- e. Buildings should frame the streets with setbacks of buildings along the property frontages being minimized.
- f. Servicing and loading areas should be screened from view with fencing or landscaping buffers.

iii. Landscaping

- a. New street trees shall be required to be planted on private property along the road frontages.
- b. Formal gateway features shall be incorporated at all site access points and shall include decorative signage with extensive planting beds and other elements such as lighting.
- c. Pedestrian circulation through parking lots, and from the street to building entrances shall be clearly defined with special paving, lighting and landscape treatment.
- d. Planting shall visually enhance individual sites, screen parking and loading areas – while enabling views of buildings – and create a consistent landscape treatment along streets.
- e. The front yard setback shall be landscaped to define pedestrian walks, the main building entrance and to screen parking areas as applicable.
- f. Plant material should be chosen for seasonal variety, drought tolerance and salt tolerance.
- g. A variety of plant material should be provided including perennials, shrubs, coniferous and deciduous trees, and groundcovers.
- h. Exotic or non-species, which are considered invasive, should not be used.
- i. Stormwater management pond(s) should incorporate appropriate landscaping features to enhance the aesthetics and appeal. Such features shall be in line with the above landscaping guidelines.

- d) Notwithstanding subsections 4.C.3)10. And 5.B.1).2. of the Official Plan, all new commercial development shall proceed on the basis that the development is fully serviced by municipal water, sanitary sewers, adequate drainage and stormwater management facilities.⁸³

⁸³ 791-HC-12

⁸³ 698-HC-10

HCOP-22 Notwithstanding section 5 B 1) 2. Of this Plan, development of single detached dwellings and residential lot creation is permitted on the subject lands identified on Schedule “A” of this amendment and as shown generally on Schedule B.2 of this Plan, on private services (i.e. private water and private sewage system) subject to the following criteria:

1. Site conditions are suitable for the long-term provision of such services and where it can be demonstrated that installation of a private on-site sanitary system and private water supply would not adversely affect existing private services.
2. Minimum development density shall be 3 dwellings per gross hectare.
3. Development will only be permitted if there is adequate frontage on an open and maintained municipal road.
4. Servicing exceptions will require an amendment to the zoning by-law, and shall only be permitted in accordance with the requirements of the Ontario Building Code.
5. An agreement is entered into by the owner and County which sets out the servicing requirements and requisite submission of securities for infrastructure works such as roads.⁸³

HCOP-25 The following policies shall apply only to those lands on Schedule ‘B.3’ as having reference to this special provision:

- a) Notwithstanding Section 4.C.2.6.d) of the Business Park/Commercial designation, retail commercial uses on these lands are not required to have an outdoor display of goods;
- b) Notwithstanding Section 4.C.2.6.e) of the Business Park/Commercial designation, retail uses with a minimum of 465 square metres of gross useable floor area are permitted;
- c) A liquor/beer retail use is specifically prohibited on these lands;
- d) Service commercial uses are permitted up to a combined maximum gross useable floor area of 465 square metres.
- e) Notwithstanding Section 4.C.2.6.e) of the Business Park/Commercial designation, free standing restaurants with a minimum gross useable floor area of 280 square metres are permitted;
- f) A financial institution is specifically prohibited on these lands;
- g) A pharmacy and personal care store is permitted up to a maximum gross useable floor area of 557 square metres;
- h) A convenience store is permitted up to a maximum gross useable floor area of 93 square metres.⁸⁴

HCOP-29B The following policies shall apply only to those lands on Schedule shall apply only to those lands on lands on Schedule “A.1” as having reference o this special provision:

- a) Notwithstanding Section 3.A.5. of the Agriculture designation, a wood working manufacturing facility shall also be permitted.⁸⁵

⁸⁴ 809-HC-13

⁸⁵ 855-HC-14

HCOP-32 Notwithstanding any policies in this Plan which are to the contrary, the following policies shall apply to the development of the subject lands and the uses permitted on those lands:

1. Parts A.1, A.2, A.3 and A.4 on Schedule “A” to HC-OP-32

- a) The lands identified as Parts A.1, A.2, A.3 and A.4 are designated ‘Residential’. The following special policy will apply to these lands:
 - i. Notwithstanding the maximum density of 20 units per gross residential hectare for low density development (single and semi-detached housing) set out in Section 4.B.2) 5., a maximum density of 25 units per gross residential hectare for low density development is permitted.

All other policies of the ‘Residential’ designation within the Official Plan apply to these lands.

2. Parts A.2 and A.3 on Schedule “A” to HC-OP-32

- a) The lands identified as Parts A.2 and A.3 are designated as ‘Residential’ as set out in paragraph 1 above. These lands are part of a larger land assembly referred to as the McClung Community, which has been draft approved for a master planned community including residential, neighbourhood commercial, institutional and recreational uses. The ‘Residential’ designation placed on these lands reflects the County’s general support of residential development at these locations. However, the lands are considered to be beyond the County’s 20 year residential land supply and development of such would exceed the population forecasts set out in the Official Plan. Until such time as the County verifies that the lands are within the 20 year supply and population forecasts, they are to remain in a holding category that restricts final subdivision approvals and the initiation of residential development. Upon such verification, the lands can be used for residential purposes without further amendment to the Official Plan subject to the necessary zoning amendment / holding removal and final subdivision approvals.

3. Part A.4 on Schedule “A” to HC-OP-32

- a) The lands identified as Part A.4 are designated as ‘Residential’ as set out in paragraph 1 above. These lands are part of a larger land assembly referred to as the McClung Community, which has been draft approved for a master planned community including residential, neighbourhood commercial, institutional and recreational uses. The ‘Residential’ designation placed on these lands reflects the County’s general support to include these lands as part of the larger community development at this location. However, the land uses are to be limited to road crossings, servicing corridors, park and recreational trail due to the previous use of

underground mining. As these lands are part of a closed mine, they will require rehabilitation prior to being used as part of the master planned community. The Ministry of Northern Development & Mines must authorize any rehabilitation work and approve an amendment to the previous mine closure plan (2006). Until the Ministry has provided final approval of the proposed land use and rehabilitation plan, the lands cannot be used for any development. Upon approvals being received from the Ministry, the lands can be used for the intended development purposes without further amendment to the Official Plan subject to the necessary zoning amendment / holding removal and final subdivision approvals.

4. Part B on Schedule “A” to HC-OP-32

- a) The lands identified as Part B are designated ‘Riverine Hazard Lands’. Additional permitted uses within the ‘Riverine Hazard Lands’ designation shall include:
 - i. Stormwater management facilities subject to the approval of the Grand River Conservation Authority
 - ii. Recreational trails and appurtenances subject to the approval of the Grand River Conservation Authority
 - iii. Parks and appurtenances subject to the approval of the Grand River Conservation Authority
 - iv. Municipal roadways, servicing infrastructure and utilities subject to the approval of the Grand River Conservation Authority
 - v. Pumping stations subject to the approval of the Grand River Conservation Authority.⁸⁶

HCOP-34 The following policies shall apply only to those lands on Schedule ‘A.1’ as having reference to this site specific provision:

- a) In addition to the uses permitted in the Agriculture designation on land having reference to this policy on Schedule ‘A.1’, a ‘waste disposal site’ shall also be permitted.
- b) The permitted uses under the ‘waste disposal site’ on these lands shall be limited only to the stockpiling of clean clay, location of ground water monitoring wells, and a general naturalized buffer area. No waste material handling, processing, disposal or landfilling shall be permitted within the subject lands.⁸⁷

HCOP-35 The following policies shall apply only to those lands on Schedule “A.3” as having reference to this site specific provision:

- a) In addition to the uses permitted in the ‘Rural Industrial’, Mineral Aggregate Resource Areas, and Agriculture designations on lands having reference to this policy on Schedule “A.3”, an ‘emergency tactical driver training facility’ shall also be permitted.

⁸⁶ 877-HC-14

⁸⁷ 864-HC-14

- b) The proposed driver training activities will only be located at the specific locations assigned in the site plan prepared in accordance with the recommendations of the Environmental Noise Assessment done in January, 2014 and the addendum of August 2015, and approved by County.⁸⁸

HCOP-36 The following policies shall apply only to those lands on Schedule “B.1” as having reference to this special provision:

- a) In addition to the uses permitted in the ‘Urban Business Park’ designation, one (1) supermarket no larger than 30 100 square feet is permitted.⁸⁹

HCOP-37 The following policies shall apply only to those lands on Schedule “A.2” as having reference to this special provision:

- a) Notwithstanding Section 3.A.5. of the Agriculture designation, a contractor’s shop containing a plumbing, heating and electrical sales and services establishment shall also be permitted; and
- b) In addition to the uses permitted in the Agricultural designation, small scale ornamental concrete product manufacturing operation of up to 46.5 square metres (500 square feet) may be permitted on the same lot as a Garden Centre and Tree and Plant Nursery.⁹⁰

HCOP-38 The following policies shall apply only to those lands on Schedule “A.1” as having reference to this special provision:

- a) Notwithstanding Section 3.A.5. of the Agriculture designation, a lawn care and landscape contractor’s business shall also be permitted.⁹¹

HCOP-40 The following policies shall apply only to those lands on Schedule ‘B.1’ as having reference to this special provision:

- a) In addition to the uses permitted in the ‘Floodway’ designation, professional offices are permitted on Part 1 and a parking lot is permitted on both Part 2 and Part 3.⁹²

HCOP-41 The following policies shall apply only to those lands on Schedule ‘B.1’ as having reference to this special provision:

- a) In addition to the uses permitted in the ‘Residential’ designation, the following uses are permitted:
 - i) one (1) restaurant;

⁸⁸ 950-HC-16

⁸⁹ 958-HC-16

⁹⁰ 952-HC-16

⁹¹ 972-HC-16

⁹² 983-HC-16 as amended by OMB Decision PL170056

- ii) restaurant, take out;
- iii) dry cleaning distribution station;
- iv) laundromat;
- v) day nursery;
- vi) art gallery;
- vii) merchandise service shop;
- viii) craft and souvenir shop;
- ix) florist's shop;
- x) retail; and
- xi) professional offices.⁹³

HCOP-42 The following policies shall apply only to those lands on 'Schedule A.1' as having reference to this special provision;

- a) Notwithstanding Section 3.A.5 of the Agriculture designation, a landscape contractor's business shall also be permitted.⁹⁴

HCOP-43 The following policies shall apply only to those lands on Schedule 'B.3' as having reference to this special provision:

- a) In addition to the permitted uses of the 'Community Commercial' designation, a single detached dwelling is permitted on the subject lands subject to the provisions of the applicable Zoning By-law. For the purposes of this special provision, the lands as depicted on Schedule A of HCOP-43 may be subdivided to create one additional building lot from the current parcel.⁹⁵

HCOP-44

- a. Notwithstanding the permitted uses within the 'Urban Business Park', the uses on Part 1 shall be limited to a stormwater management pond and associated infrastructure;
- b. Notwithstanding the permitted uses in the 'Urban Business Park' designation, the following uses are permitted on Part 2, 3 & 4:
 - i. offices, including ancillary retail and service uses and restaurants, where internally integrated as a component of an office building;
 - ii. institutional uses including government services, research and training facilities and including ancillary retail and service uses and restaurants, where internally integrated as a component of an institutional building;
 - iii. prestige industrial uses, including enclosed warehousing, limited product distribution services, research and development facilities, communications facilities, and manufacturing and processing operations deemed not to be obnoxious by reason of dust, odour,

⁹³ 988-HC-17

⁹⁴ 1065-HC-18

⁹⁵ 1048-HC-18

- fumes, particulate matter, excessive water use/effluent discharge, noise and/or excessive vibrations;
- iv. retail commercial uses including: automobile sales, rental and service establishments; other retail commercial uses that require the outdoor display and/or storage of goods; and, industrial merchandise sales and services for the nearby office/industrial uses;
 - v. small scale retail uses requiring less than 3,160 square metres of gross floor area, plaza format retail/commercial uses and free standing restaurants are specifically prohibited;
 - vi. sports, health and fitness recreational uses including ancillary retail and service uses and restaurants, where internally integrated as a component of the health/recreational building;
 - vii. private sector commercial or trade schools;
 - viii. community facilities including public parks and open space linkages, day nurseries and places of worship; and,
 - ix. public or private sector utilities and storm water management and transportation facilities.
- c. Where exterior lot lines abut a public road, and/or public open space, special landscaping/building treatments shall be required to ensure that the rear and/or exterior side building façades are attractive and/or appropriately screened from view.
 - d. Class I Industrial uses shall be setback a minimum of 20 metres from the property line.
 - e. Where any development within this designation is adjacent to and within 70 metres of an existing residential dwelling or residential zone, enhanced landscaping/building treatments shall be required along with review of the proposed building's orientation, location of loading docks, on-site truck traffic routes, etc. to ensure that activities associated with the use are appropriately screened from view, improve aesthetic quality, and that any undue adverse impacts are appropriately mitigated. In these locations, a minimum 5 metre landscaped buffer strip shall be included on the non-residential property, and shall be landscaped to the satisfaction of the County. In addition, the County will carefully consider the uses that are permitted on any lands within this designation that are within 70 metres of an existing residential dwelling or residential zone to ensure that the activities associated with the permitted employment use do not create any undue adverse impact on the existing or future residential use.
 - f. All permitted uses shall be carried out entirely within wholly enclosed buildings. The exception to this policy includes automobile sales and

rental establishments, as well as other permitted uses that include the outdoor display of goods. For those uses permitted to have an outdoor display of goods for sale to the general public, the display areas shall be subject to adequate landscaping that reflects the prestige location of this area, to the satisfaction of the County.

- g. Where possible, all utilities and services shall be provided below grade.⁹⁶

HCOP-46

- a) Notwithstanding the Agricultural uses permitted on the lands, a mini storage, climate controlled warehouse and office shall also be permitted on those lands identified as having reference to this subsection on Schedule 'A.2' and Schedule 'B.5'. In addition, notwithstanding the servicing policies outlined in this Plan for non-urban areas, a building constructed for the uses noted above may be connected to municipal water services provided the design standards are acceptable to the County.⁹⁷

HCOP-47

That Section 5.H.2(c) requiring the proposed severed and retained lots to front onto an existing public road that is of a reasonable standard of construction shall not apply and a new seasonal residential lot is permitted to be accessed from a private road.⁹⁸

HCOP-48

The following policies shall apply only to those lands on Schedule 'A.2' as having reference to this special provision:

- a) Notwithstanding Section 3A.5 of the Agriculture designation, a millwork and carpentry business employing no more than 6 staff, and associated management office shall also be permitted within the structures existing at the time this amendment was passed.⁹⁹

⁹⁶ 1061-HC-18

⁹⁷ 1105-HC-19

⁹⁸ 1115-HC-19

⁹⁹ 1139-HC-19

10. 9.1. SECONDARY PLANS

A. Dunnville Secondary Plan Area

The Dunnville Secondary Plan area generally extends from Cedar Street to include Lot 7, east of Taylor Side Road, and from the former CNR Line south to the Grand River and Regional Road No. 3, as illustrated on Schedule B.3 (Dunnville Urban Area Land Use Plan) and “J.1” (Dunnville Secondary Plan – Site Specific Policy Areas) to the Official Plan.

The Dunnville Secondary Plan provides more detailed guidance to direct growth and development within the Secondary Plan Area and shall be read in conjunction with the policies of the Official Plan, in its entirety. The Secondary Plan has been prepared in accordance with the policies of Section 8.F (Secondary Plans) of this Official Plan and provides more detailed land use policies with respect to:

- a) The redevelopment and revitalization of the County-Owned Waterfront lands, including the expansion of the historic commercial core of Dunnville and the improvement and expansion of Garfield Disher Park;
- b) The establishment of linkages, both physical and economic between the emerging large format retail node at Broad Street and Taylor Road and Dunnville’s historic commercial core area, and urban design guidance for the emerging large format retail node;
- c) The implications of the emerging large format retail node and the historic commercial core on the intervening lands, including considerations for brownfield/greyfield redevelopment. These lands are referred to as the Broad Street Transition Area;
- d) The establishment of urban design guidelines for Broad Street (Highway No. 3) and Main Street Corridors; and
- e) Undertaking an update to the Special Policy Area to update the special flood plain area policies.

The Dunnville Secondary Plan is supported by the Dunnville Secondary Plan Area Urban Design Guidelines which provide detailed urban design and built form guidelines for the planning area. The County will review development applications and make land use decisions which are consistent with and implement the Dunnville Secondary Plan Area Urban Design Guidelines.

1. County-Owned Waterfront Lands (Site Specific Policy Area Dun 9.1.1)

The County-owned waterfront lands, consisting of the former Dunnville Memorial Arena Recreation Centre site, outdoor farmers market, Garfield Disher Park, and the Main Street parking area, are located within the Community Commercial designation and the repositioning of these lands to accommodate new development and improved community uses are encouraged to strengthen the relationship between the waterfront and Dunnville’s historic commercial core.

The County-owned waterfront lands are delineated as Site Specific Policy Area Dun 9.1.1, on Schedule “J.1” (Dunnville Secondary Plan – Site Specific Policy Areas) and subject to the following site specific policies:

- a) The County shall support the redevelopment and revitalization of the County-owned waterfront lands in accordance with the policies of this Plan and the Dunnville Secondary Plan Area Urban Design Guidelines.
- b) Haldimand County is committed to the redevelopment and revitalization of the County-owned waterfront lands through public, private and/or public-private partnership initiatives. The County will:
 - i. Support the expansion of the historic commercial core and enhance the physical connection of the historic downtown core area to the waterfront by encouraging new mixed use buildings and/or a new farmers market, to create a more urban street edge and facilitate pedestrian movement and connections to the waterfront. Where new buildings may be contemplated, they should be of an appropriate scale and character to the historic commercial core and may consist of two to four-storey residential uses, including townhouses and low-rise apartments, or mixed use buildings with grade related retail/commercial uses, and office and/or residential uses above grade. Buildings above the third floor should provide a stepback, to provide a maximum streetwall height of 3 storeys. Parking should be accommodated at the rear of the building to promote an active pedestrian environment along the street edge.
 - ii. Support the relocation and development of a new and improved farmers market which may accommodate year-round use. The farmers market should be located close to Main Street, to enhance the streetscape and provide improved accessibility and visibility. The farmers market should be of a high architectural and design quality to provide a community focus for the downtown and waterfront and signify a key entrance feature and amenity to the waterfront.
 - iii. Undertake improvements to Garfield Disher Park and expand the park towards the downtown to provide an extension of the existing park and open space areas, as well as facilitate access to the water’s edge, where appropriate.
 - iv. Support the development of a continuous pedestrian walkway/boardwalk along the water’s edge to improve public access to the waterfront, where feasible and appropriate. The County may seek to acquire such land through the development approvals process, land purchases, long-term lease agreements, easements, land dedication, and/or land exchange.
 - v. Improve access and connectivity from the historic commercial core to the waterfront through establishing additional streets, pedestrian connections and open spaces, where appropriate, and consistent with the Dunnville Secondary Plan Area Urban Design Guidelines.
 - vi. Improve and enhance visual connections to the waterfront from the historic commercial core and Main Street through the positioning of new buildings to preserve views and vistas, and through the

- development of landmark features, pedestrian connections and appropriate landscaping and plantings.
- vii. Support the potential enhancement of the Dunnville Boathouse and redevelopment of the waterfront to provide for improved marina and commercial/retail space.

2. Main Street Corridor (Site Specific Policy Area Dun 9.1.2)

The Main Street Corridor represents a significant component of Dunnville's waterfront, and provides opportunities to enhance the connection and integration of Main Street with the historic commercial core and the County-owned waterfront lands. The Dunnville Secondary Plan Urban Design Guidelines augments the Haldimand County Streetscape Plan and Urban Design Guidelines, and identifies streetscape improvements and provides more detailed urban design and built form guidance for Main Street. The Dunnville Secondary Plan Urban Design Guidelines provide for the creation of an improved pedestrian and streetscape environment, making Main Street safer, more aesthetically pleasing and improving driving and walking conditions along this important corridor in Dunnville. New development is encouraged to contribute to the creation of an attractive and cohesive streetscape through enhanced urban design and built form guidelines.

The Main Street Corridor is delineated as Site Specific Policy Area Dun 9.1.2, on Schedule "J.1" (Dunnville Secondary Plan – Site Specific Policy Areas) and subject to the following site specific policies.

- a) Haldimand County is committed to the improvement and revitalization of Main Street to enhance connectivity between the historic core area and the waterfront. The County will:
 - i. Establish build-to lines to ensure development relates to the street edge to create a vibrant and pedestrian oriented environment and facilitate pedestrian movement and connections to the County-owned waterfront lands and the waterfront, as identified in the Dunnville Secondary Plan Urban Design Guidelines. Provisions for build-to lines will be enacted through the implementing Zoning By-law.
 - ii. Promote the redevelopment and revitalization of former industrial uses and properties and encourage development in accordance with the Community Commercial designation, as applicable.
 - iii. Encourage infill and redevelopment along Main Street, and the redevelopment of parking areas that will assist in creating a defined street edge.
 - iv. Restrict main parking areas in the front yard, in favour of accommodating main parking areas at the rear and or side yards to promote an active pedestrian environment along the street edge.
 - v. Encourage development on the south side of Main Street to not only address the street but also address the waterfront through enhanced building design and articulation, site planning and the orientation of entrances, windows, and outdoor amenity areas and the provision of active commercial/retail uses that face the waterfront and provide outdoor pedestrian animation.

- b) The Community Commercial designation, which applies to the majority of lands within the Main Street Corridor, provides for a full range of commercial uses, institutional uses and community facilities. Residential uses, primarily in the form of apartments may be permitted, and generally are not permitted in the street level portion of the building. Within the Main Street Corridor Site Specific Policy Area, all existing permitted uses will continue to be supported, however, the County will encourage mixed use developments consisting of commercial/retail and community or institutional uses at grade with residential/office uses located above the street level portion of the building. New mixed use buildings shall be of an appropriate scale and character to the historic commercial core and shall consist of two to four-storey buildings, and in accordance with the policies of Section 4.B 3). Buildings above the third floor should provide a setback, to provide a maximum streetwall height of 3 storeys.
- c) The Residential designation, which applies to a small area at the east end of the Main Street Corridor, provides for a range of residential and neighbourhood scale commercial uses. Within the Main Street Corridor Site Specific Policy Area, residential uses will be comprised of medium density residential uses and may include street level neighbourhood scale commercial uses as a component of a mixed use building. New buildings shall be of an appropriate scale and character to the historic commercial core and shall consist of two to four-storey buildings, and in accordance with the policies of Section 4.B 2).

3. Broad Street and Taylor Road Retail Node (Site Specific Policy Area Dun 9.1.3)

The Broad Street and Taylor Road Retail Node is located in the eastern portion of the Secondary Planning Area and accommodates a mix of large format retail, service commercial, employment uses and large vacant land parcels. The policies of the Secondary Plan support this area as an important retail node, while establishing linkages with Dunnville's historic commercial core area, through the Broad Street Transition Area. The extent and type of commercial and retail uses should be carefully considered to ensure the Broad Street and Taylor Road Retail Node does not detract from Dunnville's historic commercial core area, and positively contributes to Dunnville's commercial structure. Furthermore, the policies of this Secondary Plan and the Dunnville Secondary Plan Urban Design Guidelines establish urban design and built form guidelines for large format retail uses which promotes the development of more attractive, street-related and pedestrian oriented development.

The Broad Street and Taylor Road Retail Node is delineated as Site Specific Policy Area Dun 9.1.3, on Schedule "J.1" (Dunnville Secondary Plan – Site Specific Policy Areas), and subject to the following site specific policies.

- a) Haldimand County will continue to encourage the establishment of a retail node at the Broad Street and Taylor Road intersection, in accordance with the following:
 - i. New development shall be consistent with and implement the Dunnville Secondary Plan Urban Design Guidelines to encourage large format retail development that achieves the built form and urban

design objectives of the County. New commercial and retail development should provide for:

- building design and architectural styles which reinforce the character and architectural styles of Dunnville;
 - buildings should be oriented close to the street with primary entrances facing Broad Street and/or Taylor Road;
 - primary parking areas should be minimized in the front yard or flankage yards in favour of parking areas located to the rear or interior side yards; and
 - service areas should be located at the side or rear of buildings and adequately screened from public view through appropriate plantings or fencing.
- ii. The entire Broad Street and Taylor Road retail node provides an important gateway to the community of Dunnville and should provide an enhanced level of built form and urban design treatment.
- b) The following additional policies shall apply to lands within the Broad Street and Taylor Road Retail Node to provide for development opportunities within the node, while protecting the commercial/retail viability of the historic commercial core:
- i. For the specific lands identified as 937 Broad Street East and 1027 Broad Street East, and located on the north side of Broad Street East near the intersection of Broad Street and Ramsey Drive, and designated Business Park /Commercial, the following policies shall apply:
- Notwithstanding the policies of Section 4.C.2)6.e), small scale retail uses may be permitted with a minimum gross floor area of 465 square metres.
 - Notwithstanding the policies of Section 4.C.2)6.e), free-standing restaurants may be permitted with a minimum gross floor area of 278 square metres.
 - Pharmacies, financial institutions and liquor/beer stores shall be prohibited.
- ii. For all lands within the Broad Street and Taylor Road retail node, the following policies shall apply:
- Subject to the policies of Section 4.B.3) 9. and 10. a market impact analysis will be required to address the impact of any new or expanded Large Format Retail use on the viability and vitality of the planned function of the historic commercial core Community Commercial designation.
 - It is recognized that Site Specific Policy Areas No. 42 and 43 permit a range of Large Format Retail uses and must be considered in the market impact analysis for additional commercial development within the Broad Street and Taylor Road retail node, and the cumulative impact on these potential developments on the Community Commercial designation.

4. Broad Street Transition Area (Site Specific Policy Area Dun 9.1.4)

Broad Street (Highway 3) is the primary corridor in Dunnville which links the historic commercial core to the Broad Street and Taylor Road Retail Node. Broad Street is anticipated to transition as the community grows and to establish physical linkages with the emerging retail node. The Broad Street transition area is characterized by a mix of residential and commercial uses and employment uses. It is recognized that a consistent planning and urban design framework is required for the future growth/transition of the corridor to achieve a more urban and mixed use corridor.

The Broad Street Transition Area is delineated as Site Specific Policy Area Dun 9.1.4, on Schedule "J.1" (Dunnville Secondary Plan – Site Specific Policy Areas), and subject to the following site specific policies.

- a) Haldimand County will encourage the transition of the Broad Street Corridor to promote a more urban streetscape comprised of a mix of commercial, retail and residential uses, in accordance with the following:
 - i. New development shall be consistent with and implement the Dunnville Secondary Plan Urban Design Guidelines to encourage a more urban and consistent streetscape and a range of residential and mixed commercial/residential uses that are supportive of a medium to higher density main street corridor, with a maximum building height of 3 storeys.
 - ii. The County will encourage infill, intensification and the redevelopment of vacant/underutilized lands within the corridor in accordance with the policies of Section 5.I.
 - iii. Land uses within this corridor should comprise medium density residential and mixed commercial/residential uses, and permitted uses consistent with the Residential designation [Section 4.B 2)] and Urban Business Park designation [Section 4.C 1)].
 - iv. Neighbourhood scale commercial uses, including local convenience stores, personal service shops and professional services are encouraged in accordance with Section 4.B.2)
 - v. Home-based businesses are encouraged to locate within existing residential dwellings provided the character of the residential buildings are not substantially altered, and in accordance with the policies of Section 5.J.
 - vi. Redevelopment of existing properties should provide for main parking areas in the rear or side yards, and restrict main parking areas in the front yard.
 - vii. Broad Street should provide for an attractive and consistent streetscape through the planting of trees, pavement materials, street lighting and furniture, well-marked pedestrian crossings at controlled intersections, and the provision of continuous sidewalks on both sides of the streets, which provides for a consistent and pedestrian oriented streetscape.
 - viii. The provision of on-street parking and cycling lanes will be considered where feasible and appropriate.
- b) The potential redevelopment and/or reuse of the former Smucker's plant should have consideration for the comprehensive redevelopment and/or

reuse of the property to ensure compatibility with the character of the surrounding area through appropriate street and block patterns, and land use and built form transitions with the residential neighbourhood cluster to the east (Brant Street and Brace Street) and adjacent employment areas.

5. Flood Plain Special Policy Area Update

Riverine hazards exist within the Dunnville Secondary Plan area as illustrated as Riverine Hazard Lands on Schedule B.3. Flooding originates from the Grand River under extreme flow events, and is in part currently recognized in existing flood plain mapping studies and within the existing Special Policy Area (SPA) that includes a large portion of the lands within the Secondary Plan Area. It is recognized that the existing SPA does not extend to all regulatory flood inundated portions of the Secondary Planning Area and a SPA Update is required.

- a) In accordance with the policies of Section 2.C 1) 11, the County will undertake a Special Policy Area (SPA) update in consultation with the Province and the Grand River Conservation Authority to revise and update the SPA and associated floodplain mapping and policies. The updated modelling and hydraulic information prepared as part of the Dunnville Secondary Plan and & Special Flood Plain Policy Update will provide a basis for undertaking the SPA Update.
- b) The SPA Update shall address and review the following matters:
 - i. The SPA Update shall expand the SPA to encompass all flood prone lands within and outside the Secondary Plan Area, as the existing SPA does not extend to all regulatory flood inundated lands, particularly lands located east of Area 3 and north of Area 2; and
 - ii. The SPA Update shall provide specific guidance to address the convergence areas of Areas 1, 2 and 3 to determine the appropriate flood protection levels.
- c) Until such time as the SPA Update is approved, the policies of Section 2.C 1) 11 shall continue to apply. Development within flood inundated areas that are not included within an SPA shall be restricted, in accordance with the policies of this Plan.

6) Implementation

- a) The Dunnville Secondary Plan policies should be read in conjunction with the policies of the Official Plan in its entirety.
- b) Development applications and land use decisions within the Secondary Plan area will be consistent with the Dunnville Secondary Plan Urban Design Guidelines and the Haldimand County Streetscape Plan where applicable, and in accordance with the policies of this Section.
- c) In accordance with Section 9.1, 5, a Special Policy Area Update shall be undertaken in consultation with the Province and the Grand River Conservation Authority to address flood constraints within the Secondary Plan Area.¹⁰⁰

¹⁰⁰ 798-HC/12

MAPPING

Schedule A – Land Use Plan

Schedule A – Overall Reference Plan
Schedule A.1 – North
Schedule A.2 – South West
Schedule A.3 – South East

Schedule B – Urban Area Land Use Plans

Schedule B.1 – Caledonia
Schedule B.2 – Cayuga
Schedule B.3 – Dunnville
Schedule B.4 – Hagersville
Schedule B.5 – Jarvis
Schedule B.6 – Townsend

Schedule C.1 – C.25 – Hamlet Land Use Plans

Schedule D.1 – D.21 – Lakeshore Node Land Use Plans

Schedule E – Natural Environment Areas

Schedule E.1 – North
Schedule E.2 – South West
Schedule E.3 – South East

Schedule F – Transportation Plan

Schedule F.1 – North
Schedule F.2 – South West
Schedule F.3 – South East
Schedule F.4 – Caledonia
Schedule F.5 – Dunnville

Schedule G – Natural Gas Resource Areas

Schedule H – Criteria for determining significance of Woodlands
Schedule H.2 – Haldimand County Geographic Townships

Schedule I – Employment Areas

Schedule I.1 – Caledonia
Schedule I.2 – Cayuga
Schedule I.3 – Dunnville
Schedule I.4 – Hagersville
Schedule I.5 – Jarvis

Schedule J – Secondary Plans

Schedule J.1 – Dunnville Secondary Plan



OFFICIAL PLAN

Schedule H

Criteria for Determining 'Significance' of Woodlands

Woodlands meeting two or more criteria will be considered significant.

Criteria	Standard	
1. Size <ul style="list-style-type: none"> □ Size refers to the area extent of the woodland □ Woodland areas are considered to be generally continuous even if intersected by standard roads. 	Forest Cover by Planning Unit (see note)	Minimum catch size for significance
	All Urban areas	2 ha.
	Less than 10% (Walpole & Townsend)	2 ha.
	Between 10% to 15% (Sherbrooke, Rainham, Oneida and Dunn)	4 ha.
	More than 15% to 20% (Seneca, North and South Cayuga and Woodhouse)	10 ha.
	Greater than 20% (Moulton and Canborough)	15 ha.
2. Connectivity	Woodlands located within 50 metres of a Natural Environment Area as designated on Schedules E1 – E3.	
3. Proximity to Water	Woodlands located within 30 metres of any hydrological feature, including all creeks, streams, rivers, wetlands and lakes.	
4. Uncommon Characteristics	The woodland contains threatened, endangered, special concern, provincially or locally uncommon plant or wildlife species.	
5. Woodland Diversity	Woodland complexes contain several vegetation community types and compositions. Please refer to the Ecological Land Classification guidelines.*	
6. Woodland Shape	Woodlands contain interior forest habitat (defined as 100 metres from edge).	
7. Managed Woodlands	Woodlands that are subject to long term forest management agreements with the Ministry of Natural Resources, the Ontario Forestry Association or the Haldimand Woodlot Association.	

Note: Percent Forest Coverage was calculated by the Haldimand County Planning and Economic Development based on Solaris data provided by the Ministry of Natural Resources, September 2005.

* The Ecological Land Classification Guidelines are available through Ontario Nature's website at http://www.ontarionature.org/Merchant2/merchant.mvc?Screen=PROD&Store_Code=shopon1&Product_Code=CONS-016&Category_Code=Conservation



APPENDIX

1. GLOSSARY
2. NATURAL ENVIRONMENT
AREAS



12. 11. GLOSSARY

Accessibility Advisory Committee: A committee established by Council under the *Ontarians with Disability Act*.

Access standards: means methods or procedures to ensure safe vehicular and pedestrian movement, and access for the maintenance and repair of protection works, during times of *flooding hazards, erosion hazards* and/ or other *water-related hazards* (Source: *Provincial Policy Statement 2005*).

Adjacent Housing means the existing houses along the street, or where a new street is created, the existing houses within the blocks surrounding the new street.

Adjacent lands: means

- a) those lands contiguous to a specific natural environment or area where it is likely that development or site alteration would have a negative impact on the feature or area. The extent of the adjacent lands may be recommended by the Province; and
- b) those lands contiguous to a protected heritage property. Protected heritage property refers to property that is the subject of a covenant or agreement between the owner of a property and a conservation body or level government, registered on title and executed with the primary purpose of preserving, conserving and maintaining a cultural heritage feature or resource, or preventing its destruction, demolition or loss.

Adverse effects: means one or more of the following:

- a) impairment of the quality of the natural environment for any use that can be made of it;
- b) injury or damage to property or plant or animal life;
- c) harm or material discomfort to any person;
- d) an adverse effect on the health of any person;
- e) impairment of the safety of any person;
- f) rendering any property or plant or animal life unfit for human use;
- g) loss of enjoyment of normal use of property; and

h) interference with normal conduct of business
(Source: *Provincial Policy Statement 2005*).

Affordable: means

- a) In the case of ownership housing, the least expensive of:
 - i) housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent gross annual household income for low and moderate income households; or
 - ii) housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the regional market area;

- b) In the case of rental housing, the least expensive of:
 - i) a unit for which the rent does not exceed 30 percent of gross annual household income for low and moderate income households; or
 - ii) a unit for which the rent is at or below the average market rent of a unit in the regional market area

(Source: *Provincial Policy Statement 2005*).

Agricultural uses: means the growing of crops, including nursery and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish: aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures including accommodation for full-time labour when the size and nature of the operation requires additional employment (Source: *Provincial Policy Statement 2005*).

Agriculture related uses: means those farm-related commercial and farm-related industrial uses that are small scale and directly related to a farm operation and are required in proximity to a farm operation (Source: *Provincial Policy Statement 2005*).

Alternative energy systems: means sources of energy or energy conversion processes that significantly reduce the amount of harmful emissions to the environment (air, earth and water) when compared to conventional energy systems (Source: *Provincial Policy Statement 2005*).

Archaeological resources: includes artifacts, archaeological sites and marine archaeological sites. The identification and evaluation of such resources are based upon archaeological fieldwork undertaken in accordance with the *Ontario Heritage Act* (Source: *Provincial Policy Statement 2005*).

Areas of natural and scientific interest (ANSI): means distinctive areas of land or water containing natural landscapes or features which have been identified by the Ministry of Natural Resources as having values related to natural heritage protection, appreciation, scientific study, or education. Depending on the features of particular areas, they may be referred to as life science or earth science sites. These areas vary in their level of significance and their vulnerability to environmental impacts.

(Source: Haldimand-Norfolk Regional Official Plan).

Assisted Living Group Home: means a single housekeeping unit supervised by staff on a daily basis where special care is provided to persons for physical or mental deficiency, physical handicap or other such cause. An assisted group home shall be funded, licensed, approved, or supervised by the Province under a general or specific Act, for the accommodation of three to ten residents exclusive of staff.

(Source: Municipal Act).

Bed and breakfast establishment: means establishments primarily engaged in providing short-term lodging in facilities known as bed-and-breakfast inns. These establishments provide short-term lodging in private homes. Bed-and-breakfasts are characterized by personalized service and inclusion of a full breakfast at a room rate.

Brownfield sites: means undeveloped or previously developed properties that may be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant

(Source: Provincial Policy Statement 2005).

Built Boundary means the limits of the developed urban area as defined by the Minister of Energy and Infrastructure and consists of delineated and undelineated built-up areas *(Source: Growth Plan, 2006).*

Built heritage resources: means one or more significant buildings, structures, monuments, installations or remains associated with architectural, cultural, social, political, economic or military history and identified as being important to a community. These resources may be identified through designation or heritage conservation easement under the *Ontario Heritage Act*, or listed by local, provincial or federal jurisdictions *(Source: Provincial Policy Statement 2005).*

Built-up Area means all land within the built boundary *(Source: Growth Plan, 2006).*

Communication / telecommunication facilities: means the provision of telephone and other telecommunication services to the public and may include satellite communications services, telephone communication services, telephoto services or broadband services (*Source: Bell Canada*).

Communal servicing system (public/private): means those sewage works, sewage systems or water works that provide for the distribution, collection or treatment of sewage or water but which: are not connected to full municipal sewerage and water services; are for the common use of more than 5 residential units/lots; and are owned, operated and managed by a condominium corporation or single owner through a responsibility agreement with the municipality or public body, which requires municipal/public body assumption of the communal services in the event of default.

Comprehensive Review: means an official plan review which is initiated by a planning amendment which is or adopted by a planning authority, which:

1. is based on a review of population and growth projections which reflect the County's projections and allocations and *provincial plans* as defined by the Provincial Policy Statement; considers alternative directions for growth; and determines how best to accommodate this growth while protecting provincial interests;
2. utilizes opportunities to accommodate project growth through *intensification* and *redevelopment* as defined in the Provincial Policy Statement;
3. confirms that the lands to be developed do not compromise *specialty crops areas* as defined by the Provincial Policy Statement;
4. is integrated with *infrastructure and public service facilities* as defined by the Provincial Policy Statement; and
5. considers cross-jurisdictional issues.¹

Connecting link: means

- a) A section of municipal highway that connects two ends of a provincial highway that extends through an urban municipality, where the connection serves mainly the through traffic movement;

¹ Ministry Modification – June 8, 2009

- b) A municipal highway that extends the provincial highway system to a significant international or inter-provincial crossing: or
- c) A municipal highway that extends the King's Highway
(Source: Ministry of Transportation, June 2005).

Correctional Group Home: means a single housekeeping unit supervised by staff on a daily basis for persons who have been placed on probation, released on parole or admitted for correctional purposes. A correctional group home shall be funded, licensed, approved or supervised by the Province, Corrections Canada or any other federal Government Agency for the accommodation of three to ten residents, exclusive of staff.

Cultural heritage landscape: means a defined geographic area of heritage significance which has been modified by human activities and is valued by a community. It involves a grouping(s) of individual heritage features such as structures, spaces, archaeological sites and natural elements, which together form a significant type of heritage form, distinctive from that of its constituent elements or parts. Examples may include, but are not limited to, heritage conservation districts designated under the *Ontario Heritage Act*, and villages, parks, gardens, battlefields, main streets and neighborhoods, cemeteries, trailways and industrial complexes of cultural heritage value (Source: *Provincial Policy Statement 2005*).

Cultural tourism: means travelling outside the community for purposes of participating in or experiencing a cultural activity.

Daylight Triangle: means the triangular space formed by the intersecting street lines of a corner lot and a line drawn from a point on one of the street lines to a point on the other street line. Daylight triangles are also referred to as sight triangles. Such triangles may be regulated or acquired at the discretion of the County.

Designated Greenfield Area means the area within a settlement area that is not a built-up area (Source: *Growth Plan, 2006*).

Development: means the creation of a new lot, a change in land use, or the construction of buildings and structures, requiring approval under the *Planning Act*, but does not include:

- a) activities that create or maintain infrastructure authorized under an environmental assessment process;
 - b) works subject to the *Drainage Act*; or
 - c) underground or surface mining of minerals in significant areas of mineral potential where advanced exploration has the same meaning as under the *Mining Act*.
- (Source: *Provincial Policy Statement, 2005*).

Dry Commercial: means commercial activities in which water consumption is used only for employee purposes and is not part of a commercial process.

Dry industry: means an industry in which water consumption is used only for employee purposes and is not part of an industrial process.

Dynamic beach hazard: means areas of inherently unstable accumulations of shoreline sediments along Lake Erie, as identified by provincial standards, as amended from time to time. The dynamic beach hazard limit consists of the flooding hazard limit plus a dynamic beach allowance
(Source: *Provincial Policy Statement 2005*).

Ecological integrity: refers to variation in biodiversity and different natural processes that are critical to the functioning of a natural area.

Ecological function: means the natural processes, products or services that living and non-living environments provide or perform within or between species, ecosystems and landscapes. These may include biological, physical and socio-economic interactions. (Source: *Provincial Policy Statement, 2005*).

Ecosystem planning: refers to the use of ecological, economic and social principles in managing ecosystems to produce, restore, or sustain ecosystem integrity and desired conditions, uses, products, values, and services over the long term.

Employment Area means areas designated in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities
(Source: *Provincial Policy Statement, 2005*).

Exclusionary zoning: means the exclusion or restriction of a specified use(s) that would generally be permitted within the zone.

Flood fringe: for river, stream and small inland lake systems, means the outer portion of the flood plain between the floodway and the flooding hazard limit. Depths and velocities of flooding are generally less severe in the flood fringe than those experienced in the floodway (*Source: Provincial Policy Statement 2005*).

Flood plain: for river stream, and small inland lake systems, means the area, usually low lands adjoining a watercourse, which has been or may be subject to flooding hazards (*Source: Provincial Policy Statement 2005*).

Flooding hazard: means the overflow, under the conditions specified below, of areas adjacent to a shoreline or a river or stream system and not ordinarily covered by water:

- a) Along the shoreline of Lake Erie the flooding hazard limit is based on the one hundred flood year flood level plus an allowance for wave uprush and other water-related hazards;
- b) Along the Grand River and other stream systems, the flooding hazard limit is the greater of:
 - i) the flood resulting from the rainfall actually experienced during a major storm such as the Hurricane Hazel storm (1954) transposed over a specific watershed and combined with the local conditions, where evidence suggests that the storm event could have potentially occurred over watersheds in the general area;
 - ii) the one hundred year flood;
 - iii) a flood which is greater than i or ii which was actually experienced in a particular watershed or portion thereof as a result of ice jams and which has been approved as the standard for that specific area by the Minister of Natural Resources; and except where the use of the one hundred year flood or the actually experienced event has been approved by the Minister of Natural resources as the standard for a specific watershed (where the past history of a flooding supports the lowering of the standard) (*Source: Provincial Policy Statement 2005*).

Floodway: for river, stream and small inland lake systems, means the portion of the flood plain where development and site alteration would cause a danger to public health and safety or property damage (*Source: Provincial Policy Statement 2005*).

- a) Where the **one zone concept** is applied, the floodway is the entire contiguous flood plain.
- b) Where the **two zone concept** is applied, the floodway is the contiguous inner portion of the flood plain, representing that area required for the safe passage of flood depths and/ or velocities are considered to be such that they pose a potential threat to life and/or property damage. Where the **two-zone concept** applies, the outer portion of the **flood plain** is called the **flood fringe** (*Source: Provincial Policy Statement 2005*).

Greater Golden Horseshoe: is defined as the Cities of Toronto, Hamilton and Kawartha Lakes; the Regional Municipalities of Halton, Peel, York, Durham, Waterloo, and Niagara; and the counties of Haldimand, Brant, Wellington, Dufferin, Simcoe, Northumberland and Peterborough (Source: Places to Grow. A Discussion Paper: Summer 2004. Ontario Ministry of Public Infrastructure and Renewal).

Garden suite: A one unit detached residential structure, containing a bathroom and kitchen facilities, that is ancillary to an existing residential structure and that is designed to be portable and used for temporary accommodation
(Source: *Planning Act*).

Greyfields: means former and underused commercial developments characterized by large empty asphalt parking lots. Greyfields are good candidates for intensification as they are often located along key transportation routes and have existing infrastructure (Source: Places to Grow for the Golden Horseshoe: Draft Growth Plan Feb 2005 Ontario Ministry of Public Infrastructure Renewal).

Gross residential hectare: refers to the area of land to be developed for residential use including roads, parkland, schools and public storm water management facilities.

Hazardous lands: means property or lands that could be unsafe for development due to naturally occurring processes. Along the shoreline of Lake Erie, this means the land, including that covered by water, between a defined offshore distance or depth and the furthest landward limit if the **flooding hazard**, erosion hazard, **dynamic beach** hazard limits. Along rivers and streams, this means the land, including that covered by water, to the furthest landward limit of the flooding hazard or erosion hazard limits (Source: *Provincial Policy Statement 2005*).

Hazardous sites: means property or lands that could be unsafe for development or site alteration due to naturally occurring hazards. These may include unstable soils (sensitive marine clays, organic soils) or unstable bedrock (karst topography) (Source: *Provincial Policy Statement 2005*).

Hazardous substances: means substances which, individually, or in combination with other substances, are normally considered to pose a danger to public health, safety and the environment. These substances generally include a wide array of materials that are toxic, ignitable, corrosive, reactive, radioactive or pathological (Source: *Provincial Policy Statement 2005*).

Headwaters: means upstream of the point on the river or stream at which the average annual flow is less than five cubic feet per second.

Heritage attributes: means the principal features, characteristics, context and appearance that contribute to the cultural heritage significance of a protected heritage property (*Source: Provincial Policy Statement 2005*).

Individual on-site sewage services: means individual, autonomous sewage disposal systems within the meaning of the s.8.1.2, O. Reg. 403/97, under the *Building Code Act*, that are owned, operated and managed by the owner of the property upon which the system is located (*Source: Provincial Policy Statement 2005*).

Individual on-site water services: means individual, autonomous water supply systems that are owned, operated and managed by the owner of the property on which the system is located (*Source: Provincial Policy Statement 2005*).

Infrastructure: means physical structures (facilities and corridors) that form the foundation for development. Infrastructure includes: sewage and water systems, septage treatment systems, waste management systems, electric power generation and transmission, communications/telecommunications, transit and transportation corridors and facilities, oil and gas pipelines and associated facilities (*Source: Provincial Policy Statement 2005*).

In-migration: means to move into a different part of the same region, country or territory.

Intensification: means the development of a property, site or area at a higher density than currently exists through:

- a) redevelopment, including the reuse of brownfield sites;
- b) the development of vacant and/or underutilized lots within previously developed areas;
- c) infill development; and
- d) the expansion or conversion of existing buildings

(*Source: Provincial Policy Statement 2005*).

Legal or technical reasons: means severances for purposes such as easements, correction of deeds, quit claims, minor boundary adjustments, which do not result in the creation of a new lot (*Source: Provincial Policy Statement 2005*).

Lifestyle communities: Planned communities offering leisure living, often focusing on recreation activities such as boating, golfing and tennis.

Low and moderate income households: means

- a) In the case of ownership housing households with incomes in the lowest 60 percent of the income distribution for the regional market area; or
- b) In the case of rental housing, households with incomes in the lowest 60 percent of the income distribution for renter households for the regional market area (*Source: Provincial Policy Statement 2005*).

Minimum distance separation formulae: means formulae developed by the Province to separate uses so as to reduce incompatibility concerns about odour from livestock facilities (*Source: Provincial Policy Statement 2005*).

Mobile home unit: means any dwelling that is designed to be mobile, and constructed or manufactured to provide permanent residence for one or more persons, but does not include a travel trailer or tent trailer or trailer otherwise designed.

Municipal Comprehensive Review: means an official plan review, or an official plan amendment, initiated by a municipality that comprehensively applies the policies and schedules of the Growth Plan for the Greater Golden Horseshoe.²

Natural environment features and areas: include significant wetlands, significant coastal wetlands; fish habitat; significant woodlands south and east of the Canadian Shield; significant valleylands south and east of the Canadian Shield; significant habitat of endangered species and threatened species; significant wildlife habitat; and significant areas of natural and scientific interest, which are important for their environmental and social values as a legacy for the natural landscapes of an area (*Source: Provincial Policy Statement 2005*).

Negative impacts: means

- a) in regard to water resources, degradation to the quality and quantity of water, sensitive surface water features and sensitive ground water features, and their related hydrologic functions, due to single, multiple or successive development or site alteration activities;

² Ministry Modification – June 8, 2009

- b) in regard to fish habitat, the harmful alteration, disruption or destruction of fish habitat, except where, in conjunction with the appropriate authorities, it has been authorized under the *Fisheries Act*, using the guiding principle of no net loss of productive capacity; and
- c) in regard to other natural environment features and areas, degradation that threatens the health and integrity of the natural features or ecological functions for which an area is identified due to single, multiple or successive development or site alteration activities (*Source: Provincial Policy Statement 2005*).

No net loss: A working principle related to fish habitat by which the Federal Department of Fisheries and Oceans and the Ministry of Natural Resources strives to balance unavoidable habitat losses with habitat replacement on a project-by-project basis so further reductions to Ontario's fisheries resources due to habitat loss or damage may be prevented.

(*Source: The former Regional Municipality of Haldimand-Norfolk Official Plan*).

Obnoxious: means very annoying, offensive, odious or objectionable and deserving of or liable to censure.

One Zone Concept: refers to the delineation of the flooding hazards limit, or flood plain, based on the calculation of the governing flood level e.g. storm centered event (Hurricane Hazel, Timmins), 100 year flood, or observed flood event. The entire flood plain defines the floodway

(*Source: Natural Hazards Training Manual. Version 1.0 Ontario Ministry of Natural Resources, January 1997*).

Partial services: means

- a) municipal sewage services or private communal sewage services and individual on-site water services; or
- b) municipal water services or private communal water services and individual on-site sewage services (*Source: Provincial Policy Statement 2005*).

Prime agricultural area: means areas where prime agricultural lands predominate. This includes: areas of prime agricultural lands and associated Canada Land Inventory Class 4-7 soils; and additional areas where there is a local concentration of farms which exhibit characteristics of ongoing agriculture. Prime agricultural areas may be defined by the Ontario Ministry of Agriculture, Food and Rural Affairs using evaluation procedures established by the Province as amended from time to time, or may also be identified through an alternative agricultural land evaluation system approved by the Province (*Source: Provincial Policy Statement 2005*).

Prime agricultural land: means an area where prime agricultural land predominates and includes Canada Land Inventory Class 1 to 3 agricultural soils. Prime agricultural areas may also be identified through an alternative land evaluation system approved by the Ministry of Agriculture, Food and Rural Affairs.

Provincially significant wetlands: means wetlands identified as provincially significant by the Ministry of Natural Resources using evaluation procedures established by the Province, as amended from time to time (Source: *Natural Heritage Reference Manual. Ontario Ministry of Natural Resources, June 1999*).

Recharge area: refers to an area(s) where there is no confining layer and water is able to seep into the ground and refill a water body or an aquifer.

Regional market area means an area, generally broader than a lower-tier municipality, that has a high degree of social and economic interaction. In southern Ontario, the upper or single-tier municipality will normally serve as the *regional market area*. Where a *regional market area* extends significantly beyond upper or single-tier boundaries, it may include a combination of upper, single and/or lower-tier municipalities. (Source: *Provincial Policy Statement, 2005*).

Regional storm: refers to the flood standard formulation based on Hurricane Hazel, for the Grand River watershed.

Regulatory dynamic beach: means the zone of un-consolidated sediment that extends landward to the historic limit of the beach. Commonly there is an abrupt change in slope and/ or composition at the landward limit (*Shoreline Management Plan: Long Point Region Conservation Authority, December 1989*).

Regulatory erosion standard: means the approved standard(s) used to define shore land erosion limits, based on recession rates, for regulatory purposes (*Shoreline Management Plan: Long Point Region Conservation Authority, December 1989*).

Regulatory flood standard: means the approved standard(s) used to define shore land erosion limits, based on recession rates, for regulatory purposes (*Shoreline Management Plan: Long Point Region Conservation Authority, December 1989*).

Regulatory shoreline zone: refers to the land, including that covered by water, between the international boundary and the furthest landward limit of the regulatory flood standard and/ or the regulatory erosion standard and/or the dynamic beach zone (*Shoreline Management Plan: Long Point Region Conservation Authority, December 1989*).

Resort residential nodes: means areas with concentrated existing developments which are predominantly recreational residences, and may include related commercial, institutional and recreational facilities serving the area. The nodes are characterized by nodal or linear form of development in lakeshore locations.

Reserve sewage system capacity: means design or planned capacity in a centralized waste water treatment facility which is not yet committed to existing or approved development. Reserve capacity for private communal sewage services and individual on-site sewage services is considered sufficient if the hauled sewage from the development can be treated or disposed of at sites approved under the *Environmental Protection Act* or the *Ontario Water Resources Act*, but not by land-applying untreated, hauled sewage (Source: *Provincial Policy Statement 2005*).

Residential intensification: means intensification of a property, site or area which results in a net increase in residential units or accommodation and includes:

- a) redevelopment, including the redevelopment of brownfield sites;
- b) the development of vacant or underutilized lots within previously developed areas;
- c) infill development;
- d) the conversion or expansion of existing industrial, commercial and institutional buildings for residential use; and
- e) the conversion or expansion of existing residential buildings to create new residential units or accommodation, including accessory apartments secondary suites and rooming houses

(Source: *Provincial Policy Statement 2005*).

Safe Access: means there is no threat or danger posed to vehicles or people entering and exiting the building and or area during times of flooding hazards, erosion hazards, dynamic beach hazards or other natural emergencies.

Secondary uses: means uses secondary to the principal use of the property, including but not limited to, home occupations, home industries, and uses that produce value-added agricultural products from the farm operation on the property (Source: *Provincial Policy Statement 2005*).

Seiche episodes: In certain storm conditions, wind blowing down Lake Erie push the lake water toward one end of the lake creating unnaturally high lake levels at that end (Source: *The Regional Municipality of Haldimand-Norfolk Official Plan*).

Self contained portable dwelling unit: means a movable housing structure constructed to be towed on its own chassis and designed to be installed with or without a permanent foundation for human occupancy, as a residence, and which may include one or more components that can be retracted for towing purposes and subsequently expanded for additional capacity or may be two or more units separately towed but designed to be joined into one integral unit, as well as a single unit.

Sensitive land uses: means buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges such as noise, odour and vibration generated by a nearby major facility. Sensitive land uses may be a part of the natural or built environment. Examples may include, but are not limited to: residences, day care centers, and educational and health facilities

(Source: Provincial Policy Statement 2005).

Significant means:

- a) In regard to wetlands, and areas of natural and scientific interest, an area identified as Provincially significant by the Ontario Ministry of Natural Resources using evaluation procedures established by the Province, as amended time to time;
- b) in regard to the habitat of endangered species and threatened species, means the habitat, as approved by the Ontario Ministry of Natural Resources that is necessary for the maintenance, survival, and/or the recovery of naturally occurring or reintroduced populations of endangered species or threatened species, and where those areas of occurrence are occupied or habitually occupied by the species during all or any part(s) of its life cycle;
- c) in regard to woodlands, an area which is ecologically important in terms of features such as species composition, age of trees and stand history; functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; or economically important due to its site quality, species composition, or past management history;
- d) in regard to other features and areas ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or natural heritage system;
- e) in regard to mineral potential, means an area identified as Provincially significant through comprehensive studies prepared using evaluation procedures established by the Province, as amended from time to time, as the Provincially Significant Mineral Potential Index;
- f) in regard to potential for petroleum resources, means an area identified as Provincially significant through comprehensive studies prepared using evaluation procedures established by the Province, as amended from time to time; and

g) in regard to cultural heritage and archaeology, resources that are valued for the important contribution they make to our understanding of the history of a place, an event, or a people
(Source: *Provincial Policy Statement 2005*).

Significant natural corridors and links: means linear natural areas which provide linkage between Natural Environment Areas. Natural corridors may follow biophysical features such as streams, lakeshores or ravines.

Site alteration: means activities, such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site (Source: *Provincial Policy Statement 2005*).

Small – scale individual wind turbine: means a **wind energy system** generating less than 500 kW of electrical wind energy.

Special needs housing: means accommodation, including dedicated facilities, in whole or in part, that is used by people who have specific needs beyond economic needs, including but not limited to, needs such as mobility requirements or support functions required for daily living. Examples of special needs housing may include, but are not limited to, housing for persons with disabilities such as physical, sensory or mental health disabilities.
(Source: *Provincial Policy Statement 2005*).

Special policy area: means an area within a community that has historically existed in the flood plain and where site specific policies, approved by both the Ministries of Natural Resources and Municipal Affairs and Housing, are intended to provide for the continued viability of existing uses (which are generally on a small scale) and address the significant social land economic hardships to the community that would result from strict adherence to Provincial policies concerning development. The Province establishes the criteria and procedures for approval. A special policy area is not intended to allow for new or intensified development and site alteration, if a community has feasible opportunities for development outside the flood plain (Source: *Provincial Policy Statement 2005*).

Stable Residential Neighbourhood means the residential designated portions of the built-up area but excluding the “Intensification Areas” and “Intensification Corridors” delineated on Schedules B.1 to B.6.

Type 1 Fish Habitat: means habitats which are rare, or highly sensitive to development, or limit fish productivity. Examples include spawning and nursery areas for some species, and ground water discharge areas (e.g., springs)

(Source: Natural Heritage Training Manual for Policy 2.3 of the Provincial Policy Statement. Ministry of Natural Resources. February 1997).

Type 2 Fish Habitat: habitats are moderately sensitive to development and, though important to the fish population, do not limit fish productivity. Examples include some feeding areas and open water habitats of lakes. (Source: *Natural Heritage Training Manual for Policy 2.3 of the Provincial Policy Statement. Ministry of Natural Resources. February 1997.*)

Type 3 Fish Habitat: habitats are marginal or highly degraded, and do not currently contribute to fish productivity. They can often be improved significantly. Examples are portions of a waterbody that have been highly altered physically (e.g. channelized streams) and many drainage swales that have been artificially created. (Source: *Natural Heritage Training Manual for Policy 2.3 of the Provincial Policy Statement. Ministry of Natural Resources. February 1997.*)

Two Zone Concept: refers to the identification of the floodway and floodfringe and the definition of those portions of the floodplain where development could be safely located subject to certain established standards and procedures being fulfilled. (Source: *Natural Hazards Training Manual. Version 1.0 Ontario Ministry of Natural Resources. January 1997.*)

Undelineated Built-up Area means settlement areas that have limited capacity to accommodate significant future growth. These are recognized as built-up areas in this Plan.

Waste: For the purpose of this Plan, refers to municipal waste and includes ashes, garbage, refuse, domestic waste, industrial non-hazardous waste and such other wastes as designated under the *Environmental Protection Act*. Waste disposal means landfill sites, recycling facilities, transfer stations, processing sites and hazardous waste depots in which municipal waste is deposited or processed and any machinery, equipment or operation required for the treatment or disposal of such waste.

Water Resources: means systems made up of both ground and surface water features and their associated functions, which provide the water resources necessary to sustain healthy aquatic and terrestrial ecosystems and human water consumption

Watershed/ subwatershed: a watershed is the total area drained by a river or lake and its tributaries. Subwatersheds are areas drained by a tributary of the main watercourse, or urban development areas drained by 2 or 3 small tributaries.

Wave uprush: means the rush of water up onto a shoreline or structure following the breaking of a wave; the limit of wave uprush is the point of furthest landward rush of water onto the shoreline (*Source: Provincial Policy Statement, 2005*).

Wayside pits or quarries: means a temporary pit or quarry opened and used by a public road authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way (*Source: Provincial Policy Statement 2005*).

Wetlands: means lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favored the dominance of either hydrophytic plants or water tolerant plants. The four major types are swamps, marshes, bogs and fens. (*Source: Provincial Policy Statement, 2005*).

Wetland Complex: means two or more individual wetland areas along with their adjacent lands that are related in a functional manner, and are grouped within a common wetland boundary. The whole complex is evaluated and classified, not its individual wetland area components.

Wind Energy Systems: refers to a series of large blades mounted on tall towers called turbines designed to capture kinetic energy in moving air and converting it to a sustainable form of useful energy such as mechanical or electrical energy.

Woodlands: means treed areas that provide environmental and economic benefits to both the private landowner and the general public, such as erosion prevention, hydrological and nutrient cycling, provision of clean air and the long term storage of carbon, provision of wildlife habitat, outdoor recreational opportunities, and the sustainable harvest of a wide range of woodland products. Woodlands include treed areas, woodlots or forested areas and vary in their level of significance at the local, regional and provincial levels (*Source: Provincial Policy Statement, 2005*).¹¹.

APPENDIX "2"

NATURAL ENVIRONMENT AREAS- NANTICOKE

#	NATURAL ENVIRONMENT AREA	Provincially Significant Wetland	Area of Natural & Scientific Interest ³	Environmentally Sensitive Area ⁴	Carolinian Canada	National Wildlife Area	Environmentally Significant Site ⁵	Cold Water Stream
1	Salem-Rockford Rockland			✓				
2	Shoups Farm Quarry		E.S.					
3	Sandusk Creek Floodplain Woods			✓				
4	Sandusk Falls		E.S.					
5	Nanticoke Hemlock Slough Forest	✓		✓				
6	Varency Woods	✓		✓				
7	Nanticoke Heronry Woods	✓		✓				
8	Dogs Nest Slough Forest	✓						
9	Marburg Swamp	✓						
10	Sandusk/Spring Creek	✓						
11	Jarvis Northeast Woods						✓	
12	Hemlock Creek		E.S.					
13	Sandusk Creek Woods						✓	
14	Sundusk Creek Fossil Beds						✓	
15	Stoney Creek Fossil Beds						✓	
46	Hickory Beach	✓						

³ There are two types of areas of natural and scientific interest: life science (L.S.) and earth science (E.S.).

⁴ Environmentally Sensitive Areas are sites designated for protection by the Region of Haldimand-Norfolk which contain unusual or special features as well as features which are representative of certain biological or landform phenomena. To qualify for designation, these features met at least two of the criteria outlined in the Natural Areas and Wetlands Background Paper (1993).

⁵ Environmentally Significant site means a natural area designated for protection by the Region of Haldimand-Norfolk which contains unusual feature(s) as well as a feature(s) which is representative of certain biological or landform phenomena. To qualify for designation, the site met only one of the criteria outlined in the Natural Areas and Wetlands Background Paper (1993).

47	Nanticoke Creek Mouth	✓						
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NATURAL ENVIRONMENT AREAS- HALDIMAND

#	NATURAL ENVIRONMENT AREA	Provincially Significant Wetland	Area of Natural & Scientific Interest ¹⁰⁶	Environmentally Sensitive Area ¹⁰⁷	Carolinian Canada	National Wildlife Area	Cold Water Stream
16	Hagersville Raised Beaches		E.S.				
17	Clanbrasil Raised Beaches		E.S.				
18	Oriskany Sandstone and Woodlands	✓ Dry Lake	E.S. L.S.	✓	✓		
19	Taquanyah Conservation Area	✓					✓ Mill Creek
20	Mount Healy Woods			✓			
21	Mount Healy Riparian Islands		L.S.				
22	Nelles Tract Woodlots	✓					
23	Fish Carrier Tract Wetlands	✓					
24	North Cayuga Slough Forest	✓	L.S.	✓	alternate		
25	Caistor - Canborough Slough Forest (including portion referred to as Upper Oswego Creek in the Town of Haldimand Official Plan)	✓	L.S.	✓	✓		
26	Grand River Marshes	✓	L.S.	✓			
27	Fradenburg Tract Wetlands	✓					
28	Upper Quarry		E.S.				
29	Sweets Corners		E.S.				
44	Wardell's Creek Mouth	✓					
45	Gates Creek Mouth	✓					
49	Clanbrasil Woodlot	✓	L.S.				

¹⁰⁶ There are two types of areas of natural and scientific interest: life science (L.S.) and earth science (E.S.).

¹⁰⁷ Environmentally Sensitive Areas are sites designated for protection by the Region of Haldimand-Norfolk which contain unusual or special features as well as features which are representative of certain biological or landform phenomena. To qualify for designation, these features met at least two of the criteria outlined in the Natural Areas and Wetlands Background Paper (1993).

NATURAL ENVIRONMENT AREAS- DUNNVILLE

#	NATURAL ENVIRONMENT AREA	Provincially Significant Wetland	Area of Natural & Scientific Interest ¹⁰⁸	Environmentally Sensitive Area ¹⁰⁹	Carolinian Canada	National Wildlife Area	Cold Water Stream
30	Low Point	✓					
31	Rock Point	✓	L.S.				
32	Mohawk Island			✓		✓	
33	Moulton East/West Wetlands	✓					
34	Old Welland Canal Feeder	✓					
35	Winger Raised Beaches		E.S.				
36	Dunnville East Forest	✓		✓			
37	Dunnville Northwest Forest	✓		✓			
38	Clement Tract Wetlands	✓					
39	Ellsworth Drain Woodlots Wetland	✓					
40	Attercliffe Station Slough Forest	✓	L.S.	✓	alternate		
41	Lower Oswego Creek Wetlands	✓					
42	Chippawa Creek Wetland	✓					
43	Erco Wetland	✓					
48	Sinclairville Meander Basin Swamp	✓					

SOURCES: 1) Natural Areas and Wetlands Background Paper, Regional Municipality of Haldimand-Norfolk, Department of Planning and Development, February 1993.
2) Ministry of Natural Resources Wetlands Mapping

¹⁰⁸ There are two types of areas of natural and scientific interest: life science (L.S.) and earth science (E.S.).

¹⁰⁹ Environmentally Sensitive Areas are sites designated for protection by the Region of Haldimand-Norfolk which contain unusual or special features as well as features which are representative of certain biological or landform phenomena. To qualify for designation, these features met at least two of the criteria outlined in the Natural Areas and Wetlands Background Paper (1993).