

# DECISION

**With respect to Official Plan Amendment 69  
to the Official Plan for Haldimand County  
Subsection 17(34) and Section 26 of the *Planning Act***

---

I hereby approve, as modified, all of Official Plan Amendment 69 to the Haldimand County Official Plan adopted by By-law 1320-HC-22, subject to the following modifications, with additions in **bold underline** and deletions in **~~bold strikethrough~~**:

1. By-law 1320-HC-22 is modified by creating new Item 171 as follows:

**171. That all references in Official Plan Amendment 69 and the Haldimand County Official Plan to "First Nations" are replaced with "Indigenous communities".**

2. By-law 1320-HC-22 is modified by creating new Item 172 as follows:

**172. That all references in Official Plan Amendment 69 and the Haldimand County Official Plan to the various Ministries of the Province of Ontario are replaced with "the Province".**

3. Section 1.A, Item 3, Policy 2.1, Bullet e), under the heading "First Nations Engagement and Reconciliation", is modified so that it reads:

e) The County will work collaboratively with Six Nations of the Grand River and Mississaugas of the Credit First Nation to ~~preserve cultural and built heritage and archaeological resources~~ **conserve cultural heritage resources** that are significant to First Nations communities;

4. Section 3.A.5, Item 32, Policy 3, Bullet a), under the heading "Location of Wind Turbines and Solar Farms" is modified so that it reads:

a) The impact of the proposal on the viewsapes, vistas and any cultural heritage ~~landscapes and~~ resources in the vicinity;

5. Section 4.1, Item 40, Policy 1, under the heading "Caledonia" is modified so that it reads:

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~~ **built heritage resources** and is home to Caledonia's industrial areas adjacent to Highway No. 6. Caledonia's location near the City of Hamilton, the John C. Munro International Airport and Highway 6 provides a locational advantage for significant residential,

commercial and industrial growth. The north side of Caledonia will be the focus of much of the future growth anticipated to 2051.

6. Section 4.B.3, Item 42, Policy 9, under the heading "Maintain Pedestrian Scale" is modified so that it reads:

9. The historic patterns of downtown developments has been characterized by ground floor commercial uses with narrow street frontages, frequent pedestrian entrances and windows that create pedestrian appeal. The design of new buildings and the redevelopment or re-use of existing buildings shall enhance the quality of the pedestrian environment by including transparent frontages, the articulation of facades and the use of quality materials at street level. Council shall **conserve and** consider the ~~protection and~~ integration of **built cultural heritage buildings and structures resources** in accordance with the policies on Section 6.F of this Plan.

7. Section 4.B.4, Item 42, Policy 13, under the heading "Additional Community Commercial Lands" is modified so that it reads:

13. Prior to permitting intensification and/or new commercial developments, Council shall **conserve and** consider the ~~protection and~~ integration of **built cultural heritage buildings and structures resources** as per Section 6.F of this Plan.

8. Section 5.D, Item 68, Policy 4, Bullet b), under the heading "Telecommunications Towers" is modified so that it reads:

b) Ensure that tower placement does not negatively impact any natural environment area, built heritage **resource**, or cultural heritage landscape, and minimizes the amount of land taken out of agricultural production;

9. Section 5.G, Item 75, Policy 1, Bullet d), under the heading "Design Principals/Community Design Guidelines" is modified so that it reads:

d) **conserve preservation of** cultural heritage resources ~~and scenic values~~;

10. Section 6.F, Item 104, regarding the title of Policy F is modified so that it reads:

**F. ~~CULTURE/HERITAGE~~ CULTURAL HERITAGE RESOURCES**

11. Section 6.F, Item 104, Policy 2, under the heading "First Nations Communities" is modified so that it reads:

2. The County will engage with the local Indigenous communities (Six Nations of the Grand River and the Mississaugas of the Credit First Nation) which have an interest in Haldimand County, and will consider their interests when identifying,

protecting and managing cultural heritage ~~and archeological~~ resources of interest to these communities.

12. Section 6.F, Item 104, Policy 3, under the heading “Heritage and Culture Strategic Plan” is modified so that it reads:

3. Haldimand County values its local heritage and will continue to preserve to the greatest extent possible the cultural ~~and physical heritage assets~~ heritage resources. A Strategic Plan will be prepared that will establish standards and guidelines for ~~identifying, designating, conserving and enhancing~~ cultural heritage resources. As well, the Strategic 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 *Ontario Heritage Act* and the Strategic Plan

13. Section 6.F, Item 104, regarding the title of Policy 7 is modified so that it reads:

**CONSERVING BUILT ~~AND CULTURAL~~ HERITAGE RESOURCES AND SIGNIFICANT CULTURAL HERITAGE LANDSCAPES**

14. Section 6.F, Item 104, Policy 8, Bullet f), under the heading “Conserving Built and Cultural Heritage Resources” is modified so that it reads:

f) Offer of incentives to encourage and/or assist with the conservation, restoration and reuse of built heritage resources, in accordance with the *Ontario Heritage Act*, the *Municipal Act*, or a Community Improvement Plan under the *Planning Act*;

15. Section 6.F, Item 104, regarding the title of Policy 10 is modified so that it reads:

**NEW DEVELOPMENT EFFECT ON CULTURAL HERITAGE **FEATURES RESOURCES****

16. Section 6.F, Item 104, Policy 18, under the heading “Heritage Conservation Districts or Landscapes” is modified so that it reads:

18. 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 built 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.

17. Section 6.F, Item 104, Policy 19, under the heading “County Properties” is modified so that it reads:

19. The County shall ensure that each County-owned cultural heritage resource which is sold, transferred or leased to another owner or lessee is subject to a heritage conservation easement agreement or covenant which will guarantee its **preservation, maintenance, conservation** and use in a manner which respects its cultural heritage value or interest and, when appropriate, is subject to a heritage restoration agreement which shall require that certain restoration works be carried out by the new owner or lessee to a standard acceptable to Heritage Haldimand and Council.

18. Section 8.E, Item 119, Policy 8, under the heading “Community Planning Permit System” is modified so that it reads:

8. The County may, through a by-law in accordance with the *Planning Act*, adopt or establish a Community Planning Permit System to control land use development within an identified area of the County. The Community Planning Permit System may be used to support economic development in targeted areas such as brownfields and greyfields, to facilitate the development of affordable housing and to implement Community Improvement Plans by providing a flexible planning tool which combines zoning, site plan control, minor variance processes, urban design and **heritage preservation conservation of cultural heritage resources** into a single process allowing for quicker approvals. The establishment of a community planning permit system for any area of the County shall be through an amendment to this Plan.

19. Section 8.I, Item 123, Policy 1.1, Bullet d), under the heading “Introduction to Community Improvement” is modified so that it reads:

d) encourage the preservation, rehabilitation, renewal and reuse of **built** heritage resources.

20. Section 8.I, Item 123, Policy 2.1, Bullet c), under the heading “Standards for Maintenance and Occupancy of Property” is modified so that it reads:

c) the application of this by-law should not be detrimental to the conservation of identified **built** heritage resources.

21. Schedule “A.9”, “Supporting Natural Heritage Features: Unevaluated Wetlands”, is modified so that the map title reads:

**Supporting Significant** Natural Heritage Features: Unevaluated Wetlands

22. Schedule “B.3”, “Urban Area of Dunnville” to By-law 1320-HC-22 is replaced with an updated map shown in Appendix A.

23. Schedule A.7 "Rural Lands" to By-law 1320-HC-22 is removed in its entirety.
24. Map Amendment 9 to By-law 1320-HC-22 is removed in its entirety.
25. Section 4.G, Item 46, regarding "Rural Lands" is removed in its entirety.
26. Section 9 C. Nant 1 of the Haldimand County Official Plan is modified so that it reads:

Nant 1 In addition to the specified uses under the Agricultural designation, a flea market, auction and bingo hall, and accessory/incidental uses, as well as the existing residential community known as White Oaks Village 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).

27. Section 9 D. HCOP-35 of the Haldimand County Official Plan is modified so that it reads:

~~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.~~

In addition to the range of permitted uses in the Rural Industrial designation, the following applies to the lands identified on Schedule "A.3" as having reference to this special provision:

- i. Short term shows and events shall also be permitted.
- ii. 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. 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.

28. Section 9 C. Nant 5 of the Haldimand County Official Plan is deleted in its entirety. Subsequent Nant site-specific policies are renumbered accordingly.
29. Schedule A.2 of the Haldimand County Official Plan is modified by deleting the reference to Nant 5.
30. Schedule B.4 of the Haldimand County Official Plan is modified by deleting the reference to Nant 5.

31. Schedule A.6 to By-law 1320-HC-22 is replaced with an updated map shown in Appendix B.

32. Map Amendment 13 to By-law 1320-HC-22 is removed in its entirety. Schedule "C.4" – Hamlet of Fisherville to By-law 1320-HC-22 is removed in its entirety.

33. Map Amendment 29 to By-law 1320-HC-22 is removed in its entirety. Schedule "G.1" – Resort Residential to By-law 1320-HC-22 is removed in its entirety.

34. Map Amendment 30 to By-law 1320-HC-22 is removed in its entirety. Schedule "G.2" – Resort Residential to By-law 1320-HC-22 is removed in its entirety.

35. Map Amendment 45 to By-law 1320-HC-22 is modified so that it reads:

Schedule "B.3" of the Official Plan, for the Urban Area of Dunnville, is hereby further amended by designating the lands shown as Parts 7 Urban Business Park to **Urban Business Park Community Commercial**.

36. Map Amendment 73 to By-law 1320-HC-22 is modified so that it reads:

That Schedule "M" be added to the Official Plan, to include **Natural Environment Areas and** Natural Heritage Systems as shown on Schedules "A8 – A11" **and "E1 – E4"**, attached hereto.

37. Map Amendment 75 to By-law 1320-HC-22 is added as follows:

**That Schedules "A, B, C, D, and E" be amended to include Significant Natural Environment Areas as shown on Schedules "A8- A9", attached hereto.**

38. Map Amendment 76 to By-law 1320-HC-22 is added as follows:

**That Schedule "E" be amended to include Supporting Natural Environment Areas as shown on Schedule "A10-A11", attached hereto.**

39. Section 1.A, Item 2, Policy 2, Bullet J), under the heading "Purpose, Basis and Context of the Plan" is modified so that it reads:

j) In conjunction with adjacent municipalities and other authorities, assist in coordinating and integrating planning activities with cross-jurisdictional implications, such as ecosystem, shoreline and watershed planning; natural heritage planning; **agricultural system planning**; management of resources; transportation and infrastructure planning; regional economic development; cultural heritage planning, air and water quality monitoring; and waste management.

40. Section 2.A, Item 21, Policy 2, under the heading “Natural Environment Policies” is modified so that it reads:

Natural Environment Areas are divided into two categories – Significant Natural Environment Areas (Significant NEAs) and Supporting Natural Environment Areas (Supporting NEAs).

Significant NEA Features	Supporting NEA Features
<ul style="list-style-type: none"> <li>- Provincially Significant Wetlands</li> <li>- Locally significant or unevaluated wetlands <b>within a Natural Heritage System</b></li> <li>- Significant Woodlands</li> <li>- Significant Valleyland</li> <li>- Significant Wildlife Habitat</li> <li>- Areas of Natural and Scientific Interest (both earth and life science)</li> <li>- Fish Habitat</li> <li>- Carolinian Canada sites</li> <li>- Habitat of Endangered and Threatened species</li> <li>- Sand barrens, savannahs and tallgrass prairies</li> <li>- Alvars</li> <li>- Permanent and intermittent streams</li> <li>- Inland lakes and their littoral zones</li> <li>- Seepage areas and springs</li> <li>- <b><u>Significant coastal wetlands</u></b></li> <li>- <b><u>Coastal wetlands</u></b></li> </ul>	<ul style="list-style-type: none"> <li><del>- Locally significant and unevaluated wetlands outside of a Natural Heritage System</del></li> <li>- Other woodlands greater than 1 ha</li> <li>- Other treed areas</li> <li>- Shoreline Habitats</li> </ul>

41. Section 2.A, Item 21, Policy 2, Third Paragraph, under the heading “Natural Environment Policies” is modified so that it reads:

Policies for Significant NEAs are outlined in section 2.A.1 below but, in general, development and site alteration will not be permitted in these areas. Existing development within significant valleylands will be recognized within Urban Areas, Hamlets and Lakeshore Nodes, and expansions to existing uses that are located outside of the floodplain may be permitted subject to the provision of an EIS identifying how impacts will be avoided, ~~minimized~~ or mitigated.

42. Section 2.A, Item 21, Policy 8, under the heading “Natural Environment Policies” is modified so that it reads:

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, a Vegetation Management Plan and/or a Tree Protection Plan to the satisfaction of the County, who may consult with the conservation authority. **Outside of provincially significant wetlands and significant coastal wetlands where no development or site alteration can occur, D**development will only be approved where an EIS has demonstrated that there will be no negative impacts on the hydrologic and ecological features or their functions.

**Development and site alteration within or adjacent to a Natural Environment Area within the Growth Plan Natural Heritage System and any Key Hydrologic Features outside of settlement areas are subject to the policies in 2.A.3).**

Appendix 1. Glossary, Item 168, is modified to include the following definition:

**Key Hydrologic Features: means permanent streams, *intermittent streams*, inland lakes and their littoral zones, seepage areas and springs, and wetlands.**

43. Section 2.A, Item 21, Policy 10, under the heading “Natural Environment Policies” is removed in its entirety. Subsequent policies are renumbered accordingly.

44. Section 2.A, Item 21, Policy 1.1, under the heading “Significant Natural Environment Areas” is modified so that it reads:

1. Permitted uses for Significant Natural Environment Areas **outside of the Growth Plan Natural Heritage System** that are not Provincially Significant Wetlands, Significant Coastal Wetlands, Significant Woodlands, **Key Hydrologic Features**, Fish Habitat or Habitat of Endangered and Threatened Species, shall be limited to the following:

45. Section 2.A, Item 21, Policy 1.2, under the heading “Significant Natural Environment Areas” is modified so that it reads:

2. **Outside of the Growth Plan Natural Heritage System, D**development and site alteration shall not be permitted in:

- a) significant valleylands;
- b) significant wildlife habitat;
- c) significant areas of natural and scientific interest; **and**
- d) coastal wetlands **within settlement areas**;
- e) sand barrens, savannahs and tallgrass prairies;
- f) alvars;
- g) seepage areas and springs **within settlement areas**; and
- h) locally significant and unevaluated wetlands outside of the Natural Heritage System **within settlement areas**

unless it has been demonstrated through an EIS that there will be no negative impacts on the natural features or their ecological functions, taking into account existing or approved development within Urban Areas, Hamlets and Lakeshore Nodes.

46. Section 2.A, Item 21, Policy 1.3, under the heading “Significant Natural Environment Areas” is modified so that it reads:

Development and site alteration shall not be permitted on adjacent lands to Significant Natural Environment Areas **outside of Growth Plan Natural**



**Heritage System and not a Key Hydrologic Feature outside of a settlement area** unless the ecological function of the adjacent lands have been evaluated and it has been demonstrated that there will be no negative impacts on the significant natural features or their ecological functions.

47. Section 2.A, Item 21, Policy 1.8, under the heading “Provincially Significant Woodlands” is modified so that it reads:

No new development or site alteration shall be permitted within a significant woodland, **outside of the Growth Plan Natural Heritage System, unless except in the case of a mineral aggregate operation, where** it has been demonstrated that there will be no negative impacts on the significant woodland or its ecological functions. A new mineral aggregate operation, inside the Growth Plan Natural Heritage System or Haldimand Natural Heritage System is not permitted within a significant woodland unless the woodland is occupied by young plantation or early successional habitat **as defined by the Province, in which case, the application must demonstrate that policies 3.A.2).14 b) and c) and 3.A.2).15 c) have been addressed and that they will be met by the operation.** A woodland is deemed significant in Haldimand County if it is at least 1 hectare in size and meets at least two of the following criteria, or if it is within 5 kilometres of Lake Erie and is at least 2 hectares in size.

Section 3.A.2, Item 29, the second instance of Policy 14, under the heading “New Pits and Quarries in or Adjacent to Natural Environment Areas” is renumbered Policy 15. Subsequent sections are renumbered accordingly.

48. Section 2.A, Item 21, Policy 3.10, under the heading “Natural Heritage System” is modified so that it reads:

10. Development or site alteration is not permitted in Significant Natural Environment Areas that are part of **a the Growth Plan Natural Heritage System or are Key Hydrologic Features outside of a settlement area,** except for:

- a) Forest, fish, and wildlife management;
- b) Conservation and flood or erosion control projects, but only if they have been demonstrated to be necessary in the public interest and after all alternatives have been considered;
- c) Activities that create or maintain infrastructure authorized under an environmental assessment process;
- d) **New mineral aggregate operations and wayside pits and quarries located outside of provincially significant wetlands and significant coastal wetlands, habitat of endangered species and threatened species, and significant woodland, unless the woodland is occupied by young plantation or early successional habitat, subject to the requirements of Section 3.A.2) of this plan in accordance with Section 3.A.2) of this plan;**
- e) **Expansions to existing mineral aggregate operations, subject to the requirements of Section 3.A.2) of this plan;**

**f)e)** Expansions to existing buildings and structures, accessory structures and uses, and conversions of legally existing uses which bring the use more into conformity with this Plan, subject to demonstration that the use does not expand into the Significant Natural Environment Area, **or are Key Hydrologic Features** or vegetative management zone unless there is no other alternative, in which case any expansion will be limited in scope and kept within close geographical proximity to the existing structure;

**g)f)** Expansions or alterations to existing buildings and structures for agricultural uses, agriculture-related uses, or on-farm diversified uses and expansions to existing residential dwellings if it is demonstrated that:

- i. there is no alternative, and the expansion or alteration in the feature is minimized and, in the vegetation management zone,
- ii. the impact of the expansion or alteration on the feature and its functions is minimized and mitigated to the maximum extent possible; and

**h)g)** Small-scale structures for recreational uses, including boardwalks, footbridges, fences, docks, and picnic facilities, if measures are taken to minimize the number of such structures and their negative impacts.

49. Section 2.A, Item 21, Policy 3, under the heading "Natural Heritage System" is modified to add a new policy 12 as follows:

**12. 1. Outside settlement areas, a proposal for new development or site alteration within 120 metres of a Significant Natural Heritage Area within the Growth Plan Natural Heritage System or any Key Hydrologic Feature will require a natural heritage evaluation or hydrologic evaluation that identifies a vegetation management zone, which:**

**a) is of sufficient width to protect feature and its functions from the impacts of the proposed change;**

**b) is established to achieve and be maintained as natural self-sustaining vegetation; and**

**c) for key hydrologic features, fish habitat, and significant woodlands, is no less than 30 metres measured from the outside boundary of the key natural heritage feature or key hydrologic feature.**

**2. Evaluations undertaken in accordance with policy 2.A.3).12.1 will identify any additional restrictions to be applied before, during, and after development to protect the hydrologic functions and ecological functions of the feature.**

**3. Development or site alteration is not permitted in the vegetation management zone, with the exception of that described in policy 2.A.3).10.**

**4. Notwithstanding policies 2.A.3).12.1 , 2.A.3).12.2 and 2.A.3).12.3:**

**a) a natural heritage or hydrologic evaluation will not be required for a proposal for development or site alteration on a site where the only**

feature is the habitat of endangered species and threatened species;  
b) new buildings and structures for agricultural uses, agriculture-  
related uses, or on-farm diversified uses will not be required to  
undertake a natural heritage or hydrologic evaluation if a minimum  
30 metre vegetation management zone is provided from a feature;  
and  
c) uses permitted in accordance with policy 2.A.3).12.4 b):  
i. are exempt from the requirement of establishing a condition  
of natural self-sustaining vegetation if the land is, and will  
continue to be, used for agricultural purposes; and  
ii. will pursue best management practices to protect and  
restore features, and their functions.

50. Section 2.C, Item 26, Policy 2.1, under the heading "Riverine Hazard Lands" is modified so that it reads:

1. For Riverine Hazard Lands, which are comprised of all lands within the regulatory flood plain established by the conservation authorities in accordance with provincial guidelines and methodologies, the County will generally utilize a one-zone concept. The Two-Zone Floodway/Flood Fringe and Special Policy Area concepts may be applied where development, redevelopment and rehabilitation of buildings and structures are considered vital to the continued economic and social viability of the community. A two-zone (floodway/flood fringe) concept may be utilized in specific portions of urban areas or hamlets in consultation with the Province and appropriate conservation authority. ~~In unique cases, where the application of the two-zone concept is not feasible, Special Policy Areas may be created following the completion of the required technical studies and with the approval of the conservation authority having jurisdiction and the Province.~~ In unique cases, Special Policy Areas may be developed in consultation with the Province and the conservation authority, and approved by the Province.

51. Section 2.C, Item 26, Policy 2.17, under the heading "Riverine Hazard Lands" is modified as follows. Subsequent policies are renumbered accordingly.

17. A Special Policy Area was approved by the Province in conjunction with the former Town of Dunnville, former Region of Haldimand-Norfolk, and the GRCA for the Dunnville urban area. This Plan delineates those lands included as a Special Flood Plain Policy Area on Schedule "B.3" and Schedule "J.1" Dunnville Secondary Plan - Site-Specific Policy Area. 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:

a) All new buildings, structures and major additions (i.e. more than 50 percent 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 metres 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 cubic metres per second;

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 metres C.G.D. and describes the flood level in a storm where flood waters would flow at a rate of 2,690 cubic metres per second; 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 metres C.G.D. and describes the flood level in a storm where flood waters would flow at a rate of 1,996 cubic metres per second. 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 percent of the floor area of existing buildings and structures may be permitted below the elevations identified above but not lower than existing elevations, where **it can be proven not to be economically or socially acceptable to flood proof to a higher elevation 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 the 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, hospitals, 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)g)** 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:

i) Flood depths and velocities;

ii) Adverse hydraulic effects;

iii) Adjacent land uses and properties; and

iv) The economic, social and environmental costs required to overcome the flood hazard.

**f)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 Flood Plain Studies in Dunnville”, to reduce the risk of flooding; and

**g)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 Grand River Conservation Authority and the Province, **in accordance with PPS policy 3.1.4 a).**

## **IMPLEMENTATION**

**18. It is essential that some form of public notification be given to signify the potential flood risks and flood proofing methods which may be necessary for any new development or redevelopment proposed on these flood prone lands. Implementation of the flood protection policies provided above shall include the following methods:**

**a) Establishment in Comprehensive Zoning By-Law HC 1-2020 of Haldimand County of flood proofing measures for buildings and structures when this zoning by-law is being reviewed, or as amendments to this zoning by-law are proposed. These flood proofing measures may include, but not be restricted to minimum opening elevations, minimum building or structure setbacks, maximum lot coverage and such other measures as determined by Council.**

**b) Notification in Comprehensive Zoning By-Law HC 1-2020 of Haldimand County that the lands within the Special Policy Area located below the Regulatory Flood Line and any construction, reconstruction, addition, extension or major rehabilitation or renovation requires the appropriate approvals from the Grand River Conservation Authority pursuant to the Conservation Authorities Act R.S.O. 1990 and Regulations adopted thereto and site plan approval under Section 41 of the Planning Act, where applicable, prior to the issuance of a building permit.**

**c) Consideration will be given by Council during the review of Comprehensive Zoning By-Law HC 1-2020 of Haldimand County, or as amendments are proposed to this zoning by-law, to the addition of the symbol “F” as a prefix or as a suffix to the zone symbols applied to the lands located within the flood prone areas of the County as well as the establishment of minimum opening elevations for buildings and structures.**

**d) Application of the site plan control provisions of Section 41 of the Planning Act, where applicable, to ensure compliance with policies**

of this Plan and for the purpose of setting minimum elevation levels, grading and other landscaping features.

e) Distribution of information indicating the potential flood risks and possible flood proofing methods which may be necessary prior to the issuance of a building permit.

f) Consideration will be given by council and the Grand River Conservation Authority to a program of structural flood control methods as a potential means of reducing flood risks in the Special Policy Area.

g) Cooperation shall be afforded between Haldimand County Emergency Services, the Grand River Conservation Authority, and Haldimand County Police Services to provide adequate notice of an impending flood event to those people located within the Special Policy Area who might be affected.

52. Section 3.A.1, Item 28, Policy 5, Bullet e), under the heading “Protection of Prime Agricultural Lands” is modified so that it reads:

e) encourage the development of value-retaining facilities and compatible agriculture-related uses **and on-farm diversified uses** that store, distribute, process, mill or sell farm produce or which repair farm machinery or directly supply machinery or supplies to farmers in a manner that minimize the use of prime agricultural lands;

53. Section 3.A, Item 28, Policy 6, Bullet m), under the heading “Protection of Prime Agricultural Lands” is modified so that it reads:

m) 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. Separation distances may be set out in the implementing Zoning By-law with respect to the creation of noise, odour and/or dust **with compliance to Ontario Ministry of Agriculture, Food, and Rural Affairs’ Minimum Distance Separation (MDS) Document as amended from time to time.**

54. Section 3.A, Item 28, Policy 10, Bullets g) and h), under the heading “Consents in the Agricultural Designation” are deleted in their entirety. Subsequent bullets are renumbered accordingly.

55. Section 3.A.2, Item 29, Policy 2, under the heading “Location of Mineral Aggregate Resources” is modified so that it reads:

2. The approximate location of deposits of mineral aggregate resources are identified on Schedule “N” of this Plan. These resources are protected for future use and extraction can occur without amendment to this Plan after a 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 **based on an aggregate resource constraints mapping exercise, or similar study, undertaken by** ~~through consultation with a qualified professional the Ministry of Northern Development, Mines, Natural Resources and Forestry.~~ 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.

56. Section 3.A.2, Item 29, Policy 9, under the heading “Applications for New Pits and Quarries in Mineral Aggregate Resources Areas” is modified so that it reads:

Where new pits and quarries, **new wayside pits and quarries, or any ancillary or accessory use thereto** and expansions to existing licensed areas are proposed in or adjacent to Natural Environment Areas, the policies of Section 2.A. Natural Environment Policies shall apply. As such, it must be demonstrated through an Environment Impact Statement that the impact on the Natural Environment feature(s) must be mitigated. Within the Growth Plan ~~and Haldimand~~ Natural Heritage System, new mineral aggregate operations shall not be permitted in Provincially Significant Wetlands, ~~Significant Woodlands and~~ the Habitat of Threatened and Endangered Species, **and within a Significant Woodlands unless the woodland is occupied by young plantation or early successional habitat as defined by the Province, in which case, the application must demonstrate that policies 3.A.2).14 b) and c) and 3.A.2).15 c) have been addressed and that they will be met by the operation.**

57. Section 3.A.2, Item 29, Policy 11, under the heading “New Pits and Quarries in or Adjacent to Natural Environment Areas” is modified so that it reads:

11. Where new pits and quarries are proposed in or adjacent to Natural Environment Areas, the policies in Section 2.~~GA~~ Natural Environment Policies shall apply. As such, it must be demonstrated through an Environment Impact Statement that the impact on the Natural Environment feature(s) and functions will be minimized. Within the Growth Plan ~~and Haldimand~~ Natural Heritage System, new mineral aggregate operations, **new wayside pits and quarries, or any ancillary or accessory use thereto** shall not be permitted in Provincially Significant Wetlands, ~~Significant Woodlands~~ and the Habitat of Threatened and Endangered Species; **and within a Significant Woodlands unless the woodland is occupied by young plantation or early successional habitat as defined by the Province, in which case, the application must demonstrate that policies 3.A.2).14 b) and c) and 3.A.2).15 c) have been addressed and that they will be met by the operation.**

58. Section 3.A.2, Item 29, Policy 13, under the heading “New Pits and Quarries in or Adjacent to Natural Environment Areas” is modified so that it reads:

13. An application requiring a new approval under the Aggregate Resources Act to expand an existing mineral aggregate operation may be permitted in a Natural Heritage System, including in Significant Natural Environment Area features and any associated vegetation protection zones, only if the related decision is consistent with the PPS and satisfies the rehabilitation requirements of this Plan.

**In prime agricultural areas, applications for new mineral aggregate operations will be supported by an agricultural impact assessment and, where possible, will seek to maintain or improve connectivity of the Agricultural System.**

59. Section 3.A.2, Item 29, Policy 14, under the heading “New Pits and Quarries in or Adjacent to Natural Environment Areas” is modified so that it reads:

14. For rehabilitation of new mineral aggregate operation sites, the following apply:

- a) the disturbed area of a site will be rehabilitated to a state of equal or greater ecological value and, for the entire site, long-term ecological integrity will be maintained or enhanced;
- b) if there are **Key Hydrologic Features or, where the proposal is within the Growth Plan Natural Heritage System,** Significant Natural Environment Area features on the site, or if such features existed on the site at the time of the application:
  - i. the health, diversity, and size of these **Significant Natural Environment Area** features will be maintained or enhanced; and
  - ii. any permitted extraction of mineral aggregate resources that occurs in a feature will be completed, and the area will be rehabilitated, as early as possible in the life of the operation;
- c) aquatic areas remaining after extraction are to be rehabilitated to aquatic enhancement, which will be representative of the natural ecosystem in that particular setting or ecodistrict, and the combined terrestrial and aquatic rehabilitation will meet the intent of policy 3.A 2)14 b); and
- d) outside the Growth Plan Natural Heritage System, and except as provided in policies 3.A 2)14 a), b) and c), final rehabilitation will appropriately reflect the long-term land use of the general area, taking into account applicable policies of this Plan and provincial policies. In prime agricultural areas, the site will be rehabilitated in accordance with policy 2.5.4 of the PPS, 2020.

60. Section 3.A.2, Item 29, Policy 13, under the heading “Wayside Pits and Quarries and Portable Asphalt Concrete Plats” is modified so that it reads:

13. 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 (e.g. urban areas, hamlets, resort residential nodes) or in a Significant or Supporting Natural Environmental Feature identified in this Plan. Utilization of inactive pits and quarries for wayside pits and quarries will be encouraged.

61. Section 3.A.3, Item 30, Policy 6, under the heading “Development in Vicinity of Historical Mining Activity” is modified so that it reads:

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. Prior to any development proposal being considered, ~~the Province clearance from the Ministry of Northern Development, Mines, Natural Resources and Forestry is required~~ must be consulted to determine whether geotechnical studies are required to demonstrate 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 ~~Province Ministry of Northern Development, Mines, Natural Resources and Forestry~~, may establish specific design standards for development within these mined out areas.

62. Section 3.A.5 Item 31, under the heading “Petroleum Resources” is modified by adding the following policies to the end of the section:

#### REHABILITATION REQUIREMENTS

8. Rehabilitation to accommodate future land uses shall be required after extraction and other related activities have ceased. Progressive rehabilitation should be undertaken wherever feasible.

#### HUMAN-MADE HAZARDS

9. Development on, abutting or adjacent to lands affected by mine hazards; oil, gas and salt hazards; or former mineral mining operations, mineral aggregate operations or petroleum resource operations may be permitted only if rehabilitation or other measures to address and mitigate known or suspected hazards are under way or have been completed.

63. Section 3.A.5, Item 32, Policy 3, under the heading “Location of Wind Turbines and Solar Farms” is modified as follows:

3. For any proposed wind turbine or solar farm, the County shall require the proponent to proceed through ~~an Environmental Assessment~~ the Renewable Energy Approval process under the ~~Environmental Assessment Act~~ Environmental Protection Act, or at a minimum, through a land use planning approval process under the *Planning Act*, or both. The ~~approvals process~~ proponent will evaluate and assess and provide to the County:

- a) The impact of the proposal on the viewsapes, vistas and any cultural heritage landscapes and resources in the vicinity;
- b) The impact on agricultural operations, forestry, natural environmental features and the habitat of endangered and threatened species;
- c) Whether the nature and scale of the proposal is appropriate, and how any identified impacts on sensitive land uses can be mitigated; and,
- d) How the site will be accessed from an improved public road for construction and maintenance.

64. Section 4.E.1, Item 44, Policy 3, under the heading “Permitted Uses (Hamlets)” is modified so that it reads:

~~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. Haldimand County will plan for a diverse range and mix of housing options, densities, and unit sizes appropriate for private or communal sewage and water services within the Hamlet designation.~~ Limited, appropriately scaled commercial, industrial, parks, institutional and agriculturally related uses are also permitted.

65. Section 6.F, Item 104, Policy 4, under the heading “Heritage Haldimand” is modified so that it reads:

~~4. In accordance with Pursuant to Section 28 of the Ontario Heritage Act,~~ Heritage Haldimand will identify **cultural** heritage resources, advise **and assist Council on matters related to Parts IV and V of the Act the County on heritage matters, and assist with the and the** conservation of cultural heritage resources. ~~The County may document heritage features, Heritage Haldimand will~~ encourage the development of heritage sites, trails, interpretive plaques, public archives, awards, educational programs and other appropriate measures to promote and conserve **cultural** heritage resources.

66. Section 6.F, Item 104, Policy 5, under the “Heritage Haldimand” is modified so that it reads:

5. Haldimand County shall not permit development and site alteration on **adjacent adjacent** lands to a protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.

67. Section 6.F, Item 104, Policy 6, under the heading “Heritage Districts” is removed in its entirety. Subsequent sections are renumbered as appropriate.

68. Section 6.F, Item 104, Policy 17, Heritage Conservation Districts or Landscapes is modified so that it reads:

~~HERITAGE CONSERVATION DISTRICTS OR LANDSCAPES~~

~~17. The County, in the designation of Heritage Conservation Districts or~~

~~Landscapes under Part V of the *Ontario Heritage Act*, shall:~~

- ~~a) Identify by By-law a Heritage Conservation District Study Area for up to one year, and require the submission of a Heritage Impact Assessment as part of a complete development application within the Study Area during that time.~~
- ~~b) Complete a Heritage Conservation District Study that meets the requirements of the *Ontario Heritage Act* and is prepared by a qualified professional with demonstrated experience in cultural heritage resource evaluation and conservation.~~
- ~~c) Consult with property owners who may be impacted by the proposed designation and with the public and other stakeholders.~~

#### HERITAGE CONSERVATION DISTRICTS

16. Council may designate, under the Ontario Heritage Act, one or more heritage conservation districts within the municipality. Prior to the designation of a heritage conservation district(s), Council should:

- a) have provisions and policies in an official plan pertaining to the establishment of a heritage conservation district;
- b) pass a by-law defining an area or areas to be examined for future designation as a heritage conservation district(s);
- c) prepare a study for the area or areas to determine the feasibility of designation, the delineation of the district boundaries, an evaluation of the area's heritage character, and guidelines for future conservation and planning.

69. Section 6.F, Item 104, Policy 9, under the heading "Conserving Built and Cultural Heritage Resources" is modified so that it reads:

9. The County will encourage the conservation of the heritage attributes that contribute to a protected heritage property's cultural heritage value or interest ~~preservation of features on designated heritage buildings, and structures including scale, form, colour, texture, material and the relationship between structures, open spaces and landforms.~~

70. Section 6.F, Item 104, Policy 11, under the heading "New Development Effect on Heritage Features" is modified so that it reads:

11 The County, in reviewing applications for new development or redevelopment in areas of cultural heritage value or interest that may affect defined heritage features, may consider the following:

- a) The profile and character of adjacent **built** heritage **resources**;
- b) The effect of shadows on adjacent **protected** heritage properties, particularly on landscaped open spaces and outdoor amenity areas;
- c) Encouraging residential infill ~~in heritage areas to be~~ **that is** 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 **cultural** 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 heritage attributes of cultural heritage resources visual character of heritage resources, and which do not have a negative impact on the architectural integrity of those resources.

71. Section 6.G, Item 105, Policy 2, under the heading "Archaeological Management Plan" is modified so that it reads:

2. Haldimand County will prepare an Archaeological Management Plan to identify archaeological resources and areas of ~~potential~~ archaeological potential resources. The Archaeological Management Plan will include policies for the protection conservation of archaeological resources including requirements for archaeological assessments ~~and conservation plans~~, where development or site alteration is proposed on or adjacent to lands containing archaeological resources or areas of archaeological potential. The County will work closely with the local Indigenous nations (Six Nations of the Grand River and the Mississaugas of the Credit First Nations) throughout the development of the Archaeological Management Plan, including the review and inclusion of local knowledge and historical information.

72. Section 6.G, Item 105, Policies 3-7, Archaeological Reviews are modified as follows. Subsequent policies are renumbered accordingly.

3. ~~Areas of potential archaeological significance shall be identified prior to new development or site alteration.~~ Until such time as an archaeological management plan has been completed, the County will ~~utilize the Province's checklist~~ apply the criteria established by the Province to determine if an area is of archaeological assessment potential is required for each planning application. ~~Where an archaeological assessment is required, the area shall be studied and significant archaeological resources shall be preserved or removed, prior to development, or site alteration.~~ Development and site alteration will be permitted in areas of archaeological potential or on lands containing archaeological resources where the archaeological resources have been assessed, documented, and conserved. The County will require the preparation of an archaeological assessment to be carried out by an archaeologist licensed under the *Ontario Heritage Act* who shall engage with the County, to the satisfaction of the County, the Province and the Six Nations of the Grand River and the Mississaugas of the Credit First Nations.

4. Site alteration and development shall be permitted only in accordance with the recommendations of an archaeological assessment, where applicable.

5. ~~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.~~ Council

recognises that, within the boundaries of the County, there may be marine archaeological remains from the pre-contact period through the modern era up to the last 50 years. These marine archaeological resources may include the remains of ships, boats, vessels, artifacts from the contents of boats and belongings of crew or passengers, weaponry, parts of ship construction, old piers, docks, wharfs, fords, fishing traps, dwellings, aircraft and other items of cultural heritage value. The remains may currently be under water or were, at one time, under water but are no longer submerged.

Council shall require a marine archaeological assessment when water impacts are anticipated within an area of marine archaeological potential, as part of a development proposal conducted by a licensed marine archaeologist to the satisfaction of the County and the Province, pursuant to the Ontario Heritage Act.

~~6. Removal of significant archaeological resources from a construction site shall be undertaken in accordance with provincial guidelines. Any alterations to known archaeological sites will only be performed by licensed archaeologists.~~

~~7. All archaeological assessments shall be provided to both the Province in accordance with Provincial requirements and to the County, along with any subsequent correspondence or documentation regarding provincial review and acceptance.~~

73. Section 6.G, Item 105, Policy 9, under the heading "New Archaeological Discoveries" is modified so that it reads:

9. If archaeological resources are discovered during the course of construction, the site shall be protected from further disturbance until a licensed consultant archaeologist has carried out an archaeological assessment ~~the Province has been notified. Provincial approval will be required for development to proceed.~~

74. Section 6.G, Item 105, Policy 10, under the heading "Heritage Cemeteries" is modified so that it reads:

10. Cemeteries and burial grounds are an important record of our past. 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.~~

75. Section 6.G, Item 105, Policy 11, under the heading "First Nations and Early Settler Marked and Unmarked Burial Grounds or Cemeteries" is modified so that it reads:

~~11. Discovery of unmarked burial grounds of Indigenous and early settlers will require that Haldimand County staff contact the Registrar of Cemeteries of the Province and seek the guidance of a licensed archaeologist. The Funeral, Burial and Cremation Services Act, 2002, S.O. 2002, c.33 requires that discovery of human remains will require the cessation of all activities and the notification of the police or coroner. If the coroner does not suspect foul play in the disposition of the remains, in accordance with Ontario Regulation 30/11 the coroner shall notify the Province, which administers provisions of that Act related to burial sites.~~

In situations where human remains are associated with archaeological resources, the Province should also be notified to ensure that the archaeological site is not subject to unlicensed alterations which would be a contravention of the *Ontario Heritage Act*.

Regarding First Nations' burial grounds, the County will work with the appropriate First Nations community, provincial ministries and the landowner to ensure that the identified burial site is suitably conserved subject to the provisions of the *Funeral, Burial and Cremation Services Act* and relevant legislation or policies.

76. Section 8.E, Item 119, Policy 5, Bullet c), under the heading "Use of Holding Symbol" is modified so that it reads:

~~c) archaeological assessment and clearance technical cultural heritage studies (e.g., archaeological assessment, heritage impact assessment, and conservation plan);~~

77. Section 8.F, Item 120, Policy 2, Bullet e), under the heading "Site Plan Control Area" is modified as follows:

~~e) waste disposal sites which remain subject to a Provisional Certificate of Approval issued permissions in accordance with the provisions of the *Environmental Protection Act*.~~

78. Schedule E.2 to By-law 1320-HC-22, regarding the "Growth Plan Natural Heritage System", is modified by replacing the "Growth Plan Natural Heritage System" layer with the layer found in Appendix C.

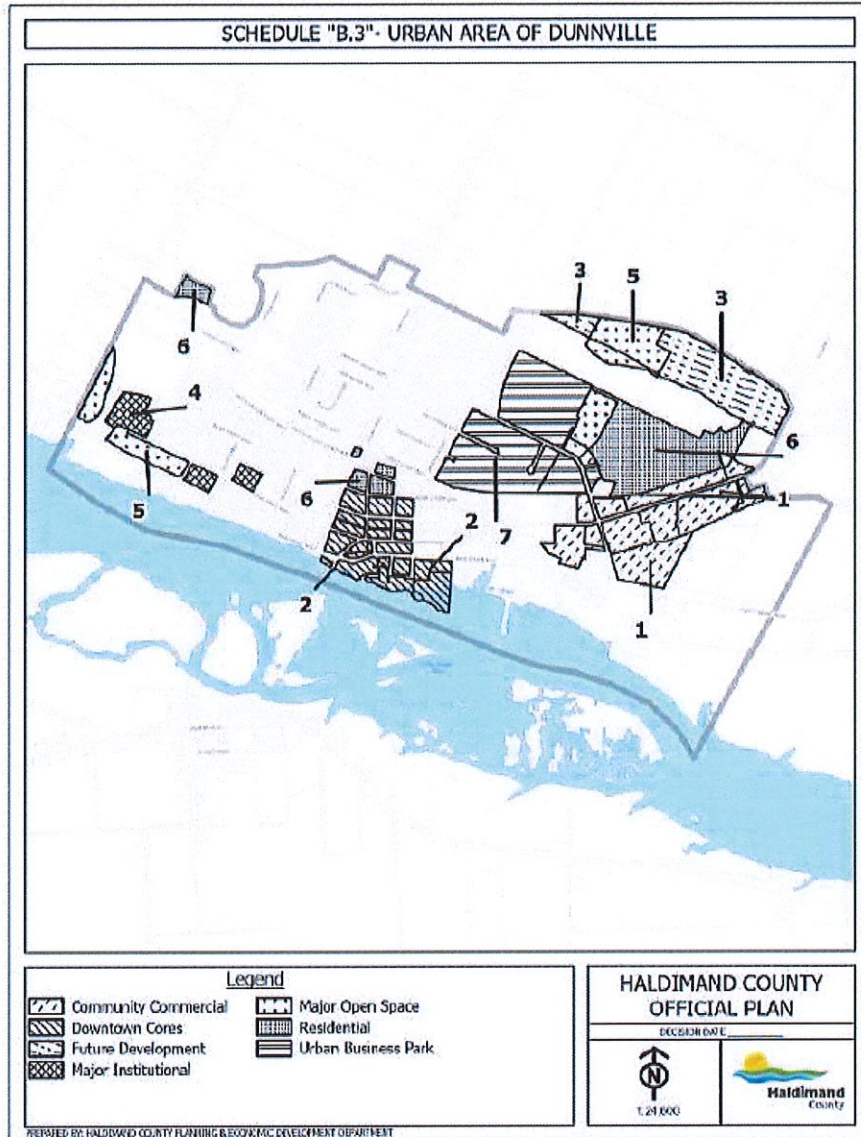
Dated at Toronto this 13<sup>th</sup> day of May, 2024



---

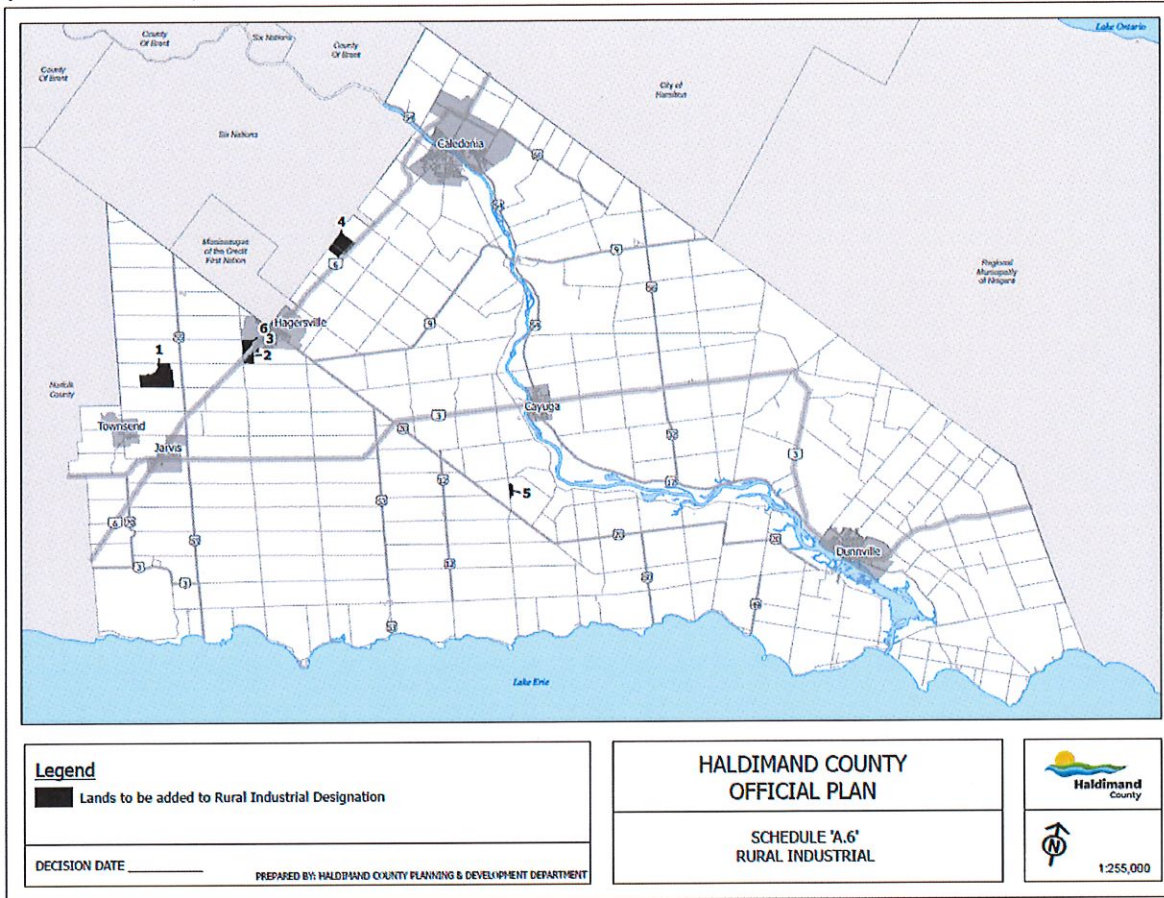
Hannah Evans, Assistant Deputy Minister  
Municipal Services Division  
Ministry of Municipal Affairs and Housing

Appendix A: Replacement Schedule B.3 to By-law 1320-HC-22 for Modification # 22:





Appendix B: Replacement Schedule A.6 to By-law 1320-HC-22 for Modification #31



Appendix C: Replacement "Growth Plan Natural Heritage System" layer on Schedule E.2 to By-law 1320-HC-22 for Modification #78

