

**The Official Plan
of
The City of Brantford**

NOTE TO USERS

The following document is an office consolidation of the Official Plan of the City of Brantford. The Official Plan was originally approved by the Minister of Municipal Affairs on November 4, 1987. The consolidation incorporates all amendments that have since been approved and which are in effect as of October 2011. All modifications to the text and maps are identified by a note in the right hand margin. All deferrals and referrals are noted in the right hand margin. As deferred or referred sections are dealt with, the appropriate changes will be included and noted in the text and/or maps.

The consolidation has been prepared for convenience purposes only. For interpretation or accurate reference, please refer to the original Official Plan and specific amendments thereto.

LIST OF REVISIONS INCLUDED

	<u>REVISION REFERENCE</u>	<u>DATE APPROVED</u>
1.	Amendment No. 1	January 18, 1988
2.	Further Approval of Deferred Area (Schedule 1)	February 29, 1988
3.	Amendment No. 2	April 14, 1988
4.	Amendment No. 3	April 14, 1988
5.	Approval of Referred Area (Schedule 6)	April 26, 1988
6.	Amendment No. 4	May 9, 1988
7.	Further Approval of Deferred Area and Modifications (Various Sections)	June 21, 1988
8.	Amendment No. 5	July 4, 1988
9.	Amendment No. 7	July 15, 1988
10.	Amendment No. 8	September 6, 1988
11.	Amendment No. 9	October 24, 1988
12.	Amendment No. 10	November 7, 1988
13.	Amendment No. 11	August 1, 1989
14.	Amendment No. 12	March 16, 1989
15.	Amendment No. 13	May 11, 1990
16.	Amendment No. 16	May 5, 1989
17.	Amendment No. 17	June 7, 1989
18.	Amendment No. 18	September 22, 1989
19.	Amendment No. 20	January 18, 1990
20.	Amendment No. 21	March 7, 1990
21.	Amendment No. 22	April 2, 1990

<u>REVISION REFERENCE</u>	<u>DATE APPROVED</u>
22. Amendment No. 23	July 27, 1990
23. Amendment No. 25	December 14, 1990
24. Amendment No. 28	December 24, 1990
25. Amendment No. 27	April 4, 1991
26. Amendment No. 26	August 2, 1991
27. Further Approval of Deferred Areas and Modifications (Various Sections)	August 2, 1991
28. Amendment No. 30	October 4, 1991
29. Amendment No. 31	October 4, 1991
30. Further Approval of Referred Areas to Amendment No. 27	December 11, 1991
31. Amendment No. 29	January 10, 1992
32. Amendment No. 32	April 21, 1992
33. Amendment No. 36	May 7, 1992
34. Amendment No. 37	May 7, 1992
35. Amendment No. 34	May 8, 1992
36. Amendment No. 33	June 4, 1992
37. Amendment No. 19	June 10, 1992
38. Amendment No. 35	June 19, 1992
39. Amendment No. 40	August 28, 1992
40. Amendment No. 41	September 25, 1992
41. Amendment No. 38	January 12, 1993
42. Amendment No. 42	February 16, 1993
43. Amendment No. 43	June 4, 1993

REVISION REFERENCEDATE APPROVED

44.	Amendment No. 44	June 4, 1993
45.	Amendment No. 45	June 11, 1993
46.	Amendment No. 46	September 28, 1993
47.	Amendment No. 39	October 8, 1993
48.	Amendment No. 47	December 2, 1993
49.	Amendment No. 48	May 5, 1995
50.	Amendment No. 49	June 1, 1995
51.	Amendment No. 50	December 22, 1994
52.	Amendment No. 51	March 3, 1995
53.	Amendment No. 52	September 1, 1995
54.	Amendment No. 53	January 19, 1996
55.	Amendment No. 54	April 2, 1996
56.	Amendment No. 55	July 3, 1996
57.	Amendment No. 56	October 28, 1996
58.	Amendment No. 57	March 11, 1997
59.	Amendment No. 58	June 13, 1997
60.	Amendment No. 59	November 19, 1997
61.	Amendment No. 60	July 15, 1997
62.	Amendment No. 61	November 25, 1997
63.	Amendment No. 62	August 17, 1997
64.	Amendment No. 63	January 12, 1998
65.	Amendment No. 64	April 22, 1998
66.	Amendment No. 65	April 8, 1998
67.	Amendment No. 66	April 2, 1998

<u>REVISION REFERENCE</u>	<u>DATE APPROVED</u>
68. Amendment No. 67	June 8, 1998
69. Amendment No. 69	June 22, 1998
70. Amendment No. 70	August 18, 1998
71. Amendment No. 71	March 3, 1999
72. Amendment No. 72	April 22, 1999
73. Amendment No. 73	May 6, 1999
74. Amendment No. 74	May 6, 1999
75. Amendment No. 75	May 6, 1999
76. Amendment No. 76	May 27, 1999
77. Amendment No. 77	September 10, 1999
78. Amendment No. 78	September 10, 1999
79. Amendment No. 79	October 15, 1999
80. Amendment No. 80	October 15, 1999
81. Amendment No. 81	October 15, 1999
82. Amendment No. 82	January 14, 2000
83. Amendment No. 83	March 31, 2000
84. Amendment No. 84	July 14, 2000
85. Amendment No. 85	September 11, 2000
86. Amendment No. 86	January 14, 2000
87. Amendment No. 87	June 11, 2001
88. Amendment No. 88	August 24, 2001
89. Amendment No. 89	January 10, 2002
90. Amendment No. 90	January 3, 2002
91. Amendment No. 91	January 10, 2002
92. Amendment No. 92	May 1, 2002

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93	Amendment No. 93	May 1, 2002
94	Amendment No. 94	June 7, 2002
95	Amendment No. 95	June 7, 2002
96	Amendment No. 96	June 7, 2002
97	Amendment No. 97	July 4, 2002
98	Amendment No. 98	July 4, 2002
99	Amendment No. 99	November 8, 2002
100	Amendment No. 100	November 28, 2002
101	Amendment No. 101	April 2, 2003
102	Amendment No. 102	June 4, 2003
103	Amendment No. 103	August 13, 2003
104	Amendment No. 104	January 9, 2004
105	Amendment No. 105	May 11, 2004
106	Amendment No. 106	July 9, 2004
107	Amendment No. 107	May 4, 2005
108	Amendment No. 108	September 9, 2004
109	Amendment No. 109	November 15, 2004
110	Amendment No. 110	November 15, 2004
111	Amendment No. 111	December 8, 2004
112	Amendment No. 112	December 8, 2004
113	Amendment No. 113	April 12, 2005
114	Amendment No. 114	May 6, 2005
115	Amendment No. 115	May 5, 2005
116	Amendment No. 116	July 15, 2005
117	Amendment No. 117	July 15, 2005
118	Amendment No. 118	October 20, 2005

<u>REVISION REFERENCE</u>		<u>DATE APPROVED</u>
119	Amendment No. 119	November 9, 2005
120	Amendment No. 120	March 31, 2006
121	Amendment No. 121	April 20, 2006
122	Amendment No. 122	January 18, 2007
123	Amendment No. 123	June 1, 2006
124	Amendment No. 124	July 20, 2006
125	Amendment No. 125	Official Plan Review (Subject to OMB Appeal)
126	Amendment No. 126	February 5, 2007
127	Amendment No. 127	March 20, 2007
128	Amendment No. 128	Bylaw 104-2007 Repealed
129	Amendment No. 129	September 7, 2007
130	Amendment No. 130	September 6, 2007
131	Amendment No. 131	September 7, 2007
132	Amendment No. 132	December 5, 2007
133	Amendment No. 133	December 5, 2007
134	Amendment No. 134	December 5, 2007
135	Amendment No. 135	December 5, 2007
136	Amendment No. 136	OMB Order April 13, 2007
137	Amendment No. 137	January 10, 2008
138	Amendment No. 138	March 26, 2008
139	Amendment No. 139	WITHDRAWN
140	Amendment No. 140	April 4, 2008
141	Amendment No. 141	WITHDRAWN
142	Amendment No. 142	April 30, 2008
143	Amendment No. 143	July 4, 2008

<u>REVISION REFERENCE</u>		<u>DATE APPROVED</u>
144	Amendment No. 144	June 20, 2008
145	Amendment No. 145	April 30, 2008
146	Amendment No. 146	UNASSIGNED
147	Amendment No. 147	May 21, 2008
148	Amendment No. 148	July 16, 2008
149	Amendment No. 149	WITHDRAWN
150	Amendment No. 150	WITHDRAWN
151	Amendment No. 151	November 5, 2008
152	Amendment No. 152	November 5, 2008
153	Amendment No. 153	December 17, 2008
154	Amendment No. 154	December 17, 2008
155	Amendment No. 155	December 17, 2008
156	Amendment No. 156	January 8, 2009
157	Amendment No. 157	May 28, 2009
158	Amendment No. 158	June 19, 2009
159	Amendment No. 159	June 19, 2009
160	Amendment No. 160	November 6, 2009
161	Amendment No. 161	November 6, 2009
162	Amendment No. 162	February 19, 2010
163	Amendment No. 163	March 5, 2010
164	Amendment No. 164	March 25, 2010
165	Amendment No. 165	September 24, 2010
166	Amendment No. 166	Under Appeal
167	Amendment No. 167	May 6, 2011
168	Amendment No. 168	July 7, 2011
169	Amendment No. 169	September 16, 2011

(viii)

REVISION REFERENCE

DATE APPROVED

170 Amendment No. 170

October 14, 2011

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PART I

The Preamble to The Official Plan

1. CONSTITUTIONAL STATEMENT

1.1 This Official Plan has two major components:

- Part I - The Preamble to the Official Plan
- Part II - The Official Plan

1.2 Part I - The Preamble to the Official Plan comprises Sections 1-5 inclusive, and establishes the context within which the Official Plan has been prepared.

1.3 Part II - The Official Plan comprises Sections 6 - 20 and **Schedules 1 - 7.4** inclusive, and establishes the land use designations and policies which will apply to the municipality.

OPA #84
July 14/00
OPA #160
Nov. 6/09

1.4 The Appendices indicate general background information to, but do not constitute part of, the Official Plan.

2. INTRODUCTION

2.1 The first Official Plan for the City of Brantford was approved in 1951, and consisted primarily of a land use map designating four categories of land use. In 1986, a comprehensive review was completed resulting in the approval of a new Official Plan document to guide the growth and development of the City. There have been various amendments to this new Official Plan with the most significant amendments resulting from secondary plan exercises relating to the development of major areas of the City. A review of specific elements of this Official Plan commenced in 1993 which led to the updating of the Official Plan through Amendment No. 49. A further scoped review, commenced in 1999, led to additional updates and revisions to the Plan through Amendment No. 84. In 2006 a scoped review was commenced which led to additional updates and revisions to the Plan through Amendment No. 125.

OPA #49
June 1/95

OPA #84
July 14/00
OPA #125
Dec. 3/08

2.2 The City has, since 1951, expanded its corporate boundaries through a number of annexations from the former Township of Brantford. The most recent of these annexations occurred in 1996. This was the last annexation scheduled under the Brantford-Brant Annexation Act, 1980.

OPA #84
July 14/00

3. PURPOSE OF THE OFFICIAL PLAN

- | | | |
|-----|---|------------------------------|
| 3.1 | The Official Plan is a comprehensive framework of goals and objectives statements, land use designations and policies which will guide the future development of the City of Brantford. This planning framework will also assist Council and other public agencies in their consideration of public and private development proposals. | OPA #49
June 1/95 |
| 3.2 | Guidance is also provided in the Official Plan for the provision of public works and the establishment of implementing Zoning Bylaws. | OPA #49
June 1/95 |
| 3.3 | The Official Plan also establishes the policies which will assist the City in fulfilling the municipality's goals and objectives, as set out in Section 6. The goals and objectives form a framework for the policies and schedules of the Official Plan. Where there is uncertainty in policy interpretation, regard shall be given to the intent of the goals and objectives. | |
| 3.4 | The Official Plan includes the following: | |
| | .1 Goals and objectives for the City; | |
| | .2 A land use plan designating major land use areas; | |
| | .3 Detailed policies to achieve the City's goals and objectives, and guide development in accordance with its land use designation; | |
| | .4 An overall transportation plan for the City's road and rail network; | |
| | .5 A general plan for the establishment of public services such as storm and sanitary sewers, water supply, and parks; | |
| | .6 Community improvement policies for the maintenance, rehabilitation and re-development of residential, industrial and commercial areas; and | |
| | .7 A statement of the means by which the City shall implement the Official Plan. | |

4. BASIS OF THE OFFICIAL PLAN

4.1 Local Context

4.1.1 Physical Considerations

- | | | |
|---------|---|-----------------------|
| 4.1.1.1 | The City of Brantford is located 40 kilometres from the City of Hamilton and 120 kilometres from the City of Toronto, and is well situated with respect to both the heavily industrialized portions of Southern Ontario, and the large agricultural industry. | OPA #84
July 14/00 |
| 4.1.1.2 | Physical constraints to development within the City are generally limited, with certain portions of the City exhibiting rolling topography which will require careful consideration as to placement of roads, services and land uses. | |
| 4.1.1.3 | The Grand River, which traverses the western portion of the City, represents a significant constraint by virtue of the potential flooding and erosion hazards associated with this watercourse. | |

4.1.2 Social Considerations

- | | | |
|---------|---|--|
| 4.1.2.1 | The City of Brantford reached a census population level of 86,417 persons in 2001. | OPA #49
June 1/95

OPA #84
July 14/00
OPA #125
Dec. 3/08 |
| 4.1.2.2 | The City of Brantford is expected to grow to a population of 126,000 persons by the year 2031. This population can reasonably be expected to be reached in the future and serves as a benchmark against which decisions on growth, land requirements, and the extension of municipal services and the provision of soft services can be judged. | OPA #49
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OPA #84
July 14/00

OPA #125
Min. Mod. #1
Dec. 3/08 |
| 4.1.2.3 | Brantford's population will continue to reflect the trend towards an aging population, the increase in non-family households, and the decline in average household sizes. | OPA #84
July 14/00 |
| 4.1.2.4 | Brantford presently contains a large proportion of major institutional facilities that serve the municipality and surrounding area and, in some instances, serve the entire Province. It is anticipated that the City will continue to serve as a focal point for these facilities. | OPA #49
June 1/95

OPA #84
July 14/00
OPA #125
Min. Mod #2
Dec. 3/08 |

4.1.3 Economic Considerations

- 4.1.3.1 Brantford presently exhibits a strong regional role within the County of Brant and is an important service centre to the surrounding rural municipalities. The City plays a significant role in the municipality's industrial development by acquiring, servicing, and marketing lands in the industrial marketplace at competitive prices.
- 4.1.3.2 In 2001, according to the Census of Canada, the number of persons employed in the City of Brantford stood at 37,200. By 2031, total employment in Brantford is expected to grow to 53,000, an increase of 15,800 jobs. The employment sector with the largest amount of jobs is the industrial sector and this sector is expected to continue to be the most important provider of jobs in 2031. The commercial, population related and the institutional sectors are expected to grow at a rate that is commensurate with population growth. According to the Census data, approximately 1700 jobs in 2001 were at home. The number of at home jobs is expected to more than double by 2031 to about 4,000 jobs.
- 4.1.3.3 Large-scale industrial development commenced in Brantford in the 1950's with the establishment of the Braneida industrial park, and this area satisfied the largest proportion of the City's industrial land demands, and will continue to satisfy a portion of the City's future industrial land demands. The Northwest Industrial Area will satisfy the major portion of the City's future industrial and business park land supply needs.
- 4.1.3.4 Excellent accessibility via highway, rail and air ensures a continuing competitive position for Brantford in attracting industrial and commercial development.
- 4.1.3.5 The City recently designated 178 ha of land in the Northwest for industrial and business park land development. This area will serve an important role in meeting the industrial and business park land requirements.
- 4.1.3.6 In order for the City to maintain a progressive and competitive position in the industrial land market, the City needs to provide a range of industrial lot sizes and high quality industrial development opportunities in addition to large tracts of industrial land. An adequate supply of land is also required to accommodate new types of industrial enterprises, business park developments and service based industries. This varied supply of industrial land should enable the City to maintain and expand its employment base.

OPA #49
June 1/95

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July 14/00

OPA #125
Min. Mod. #3
Dec. 3/08

OPA #49
June 1/95

OPA #49
June 1/95

OPA #84
July 14/00

OPA #49
June 1/95

- 4.1.3.7 The City of Brantford recognizes the importance of tourism to the community, and its contribution to the City's economic base. Brantford has a number of entertainment, cultural, retail and recreational facilities which provide opportunities for tourism. The City's strategic location on the Grand River and the Trans-Canada Trail System, the city-wide multipurpose trail system, and nationally-significant built, cultural and natural heritage resources also provide many opportunities for tourism.
- OPA #49
June 1/95
- OPA #84
July 14/00
- The City, in consultation with the Tourism Advisory Board and appropriate groups and agencies, may pursue a tourism strategy for the City.
- OPA #84
July 14/00
- 4.1.3.8 Brantford has a wide range of commercial facilities which serve the City and, to a certain extent, the surrounding area. These facilities include the downtown, various shopping centres and strip commercial developments. The City will recognize existing commercial developments and provide direction for the establishment of new commercial development in various sectors of the City.

4.2 Provincial Context

- 4.2.1 There are several components of the Provincial and county highway systems, including Highway 403 and Highway 24, that traverse the City and provide important inter-regional transportation connections between the City and other areas of the Province.
- OPA #84
July 14/00
- 4.2.2 The Province has provided financial assistance to the City for the redevelopment and revitalization of several older areas of the municipality, including the downtown core.
- 4.2.3 Financial assistance has been provided to the City by the Province and the Grand River Conservation Authority for the establishment of significant flood control measures to ameliorate potential impacts to life and property within the flood-prone areas of the City.
- 4.2.4 In the preparation of this Official Plan, the City of Brantford has had regard to relevant provincial legislation and to policy statements that have been approved in accordance with The Planning Act and the Places to Grow Act. The policies contained with this Plan are consistent with these provincial policies.
- OPA #49
June 1/95
- OPA #84
July 14/00
- OPA #125
Dec. 3/08

5. THE OFFICIAL PLAN CONCEPT

5.1 Introduction

- 5.1.1 This section establishes the conceptual framework for the ultimate development of the City of Brantford and, therefore, the framework within which the Official Plan has been developed.

5.2 Residential Areas

OPA #84
July 14/00

- 5.2.1 Residential Areas include those lands presently containing residential land uses and additional residential lands necessary to satisfy the long-term residential land requirements of the City.

- 5.2.2 Conservation of the City's older housing stock will be encouraged as these stable residential areas represent a viable element of the City's structure.

- 5.2.3 The "infilling" of existing residential areas through development of vacant lands and redevelopment of existing residences will be an important component of the City's future housing stock.

- 5.2.4 The residential area in the southwest portion of the municipality will be required to meet the City's residential land needs.

OPA #49
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July 14/00

- 5.2.5 Specific dwelling unit types have been designated throughout the City with a view towards providing a range of housing types in all areas of the City. The highest density of residential development would be encouraged to locate within the core area.

- 5.2.6 Deleted

OPA #49
June 1/95

- 5.2.7 At the present, the single-detached dwelling in various price ranges comprises the largest proportion of the housing demand, and therefore the largest proportion of the City's residential areas will contain low density residential units, such as single-detached and semi-detached dwellings. A continuing decline in household sizes, increase in non-family households, as well as an overall aging of the population, will gradually increase the demand for a wider range of housing types, forms and tenure. The demand for smaller dwelling units will be met by a supply of multiple-attached housing stock in areas designated for medium and high-density residential development.

OPA #49
June 1/95

OPA #84
July 14/00

- 5.2.8 Housing for senior citizens, and low-to-moderate-income groups can be provided through a number of means, including: the conversion of large single-detached dwellings into two or more units, the development of mixed-use developments incorporating both residential and non-residential uses, mobile home parks as well as traditional apartment and townhouse projects.
- 5.2.9 The strengthening of residential uses within and around the core area will contribute to its revitalization, as well as address the demand for specific housing types. The core area itself may include high density residential uses, whereas the area immediately adjacent will focus on the stabilization and enhancement of the existing housing stock through redevelopment and infilling.
- 5.2.10 The Official Plan provides for the redevelopment of certain existing non-residential uses for residential purposes in appropriate locations in order to ameliorate land use conflicts.
- 5.2.11 Portions of the City subject to flooding are being protected by the construction of flood control measures, such as major dykes. Vacant developable lands within these areas are considered for future residential use, particularly multiple-attached developments where lower storeys can be utilized for other than habitable space.

OPA #49
June 1/95
OPA #84
July 14/00

5.3 Commercial Areas

OPA #84
July 14/00

- 5.3.1 The City of Brantford's retail, office and service commercial demands will generally be satisfied by a series of shopping areas well distributed throughout the municipality. These shopping areas need to be flexible enough to respond to changing trends in retailing.
- 5.3.2 The downtown core will be recognized as an important component of the City's commercial development, and opportunities to expand upon its role as a result of existing and proposed developments will be encouraged. The core area will also expand its role within the City through the provision of other uses such as housing and tourism development. In this regard, high density residential development will be provided within the core, together with a broad range of retail, service and office commercial uses, government administrative facilities, tourist, cultural and educational facilities.
- 5.3.3 Shopping areas of various sizes are located throughout the City to serve the daily, weekly and major shopping needs of the City and, to a certain extent, the shopping needs of surrounding municipalities.
- 5.3.4 Existing strip commercial development within the City will be recognized but strictly controlled with respect to expansion or development of new strip commercial uses. In this regard, new commercial operations can then be directed to appropriate locations within the City where they best serve the demands of the residents.

OPA #49
June 1/95

5.4 Industrial AreasOPA #84
July 14/00

- 5.4.1 Industrial Areas include those lands presently containing industrial uses and additional industrial lands necessary to satisfy the long term industrial requirements of the City. Industrial areas should provide a broad range of individual lot sizes which satisfy the industrial requirements of various industrial operations. The Official Plan must also recognize changing economic conditions and the changing needs of business and service sector industries. OPA #49
June 1/95
- 5.4.2 Wherever appropriate, the City's older industrial areas will be preserved as viable industrial areas. Other older industrial areas will be encouraged over the long-term to redevelop for other uses as these areas are considered inappropriate for continued industrial development of the present type.
- 5.4.3 The large existing industrial area along Highway 403 in the eastern portion of the municipality and a new industrial area along Highway #403 in the northwest will be important to satisfying the City's industrial land requirements, and municipal services can readily be made available to vacant lands within these areas within the short-term. OPA #49
June 1/95
OPA #84
July 14/00
- 5.4.4 Development of the new industrial area in the northwest will be enhanced by the provision of a major intra-municipal transportation connection to Highway 403, thereby facilitating direct access through the City. OPA #49
June 1/95
- 5.4.5 The provision of a high quality of industrial development is important where it abuts highways and/or residential areas. At these areas, development will be subject to higher development standards with respect to site design, access connections, landscaping, and outdoor storage. OPA #125
Dec. 3/08
- 5.4.6 Deleted OPA #49
June 1/95
- 5.4.7 The City will encourage the development, particularly by the private sector, of industrial malls or condominiums as a means of providing small industrial buildings to industrial operations looking for available floorspace to buy/lease, instead of acquiring and developing property.

5.5 Institutional Areas

OPA #84
July 14/00

- 5.5.1 Existing major institutional facilities within the City, such as the high schools and the John Noble Home, have been recognized and designated as an important component of the City's land uses.
- 5.5.2 New major institutional uses shall only be permitted by amendment to the Official Plan.

5.6 Open Space Areas

OPA #84
July 14/00

- 5.6.1 A connected system of public and private parks and open spaces is an integral element of the City's urban structure and will be encouraged wherever possible
- 5.6.2 The provision of an interconnected open space system, with a view to creating a barrier free corridor, will be enhanced by further development of the area abutting the Grand River. Further studies may be needed to determine in detail how a connected open space system can be achieved.

OPA #49
June 1/95

OPA #49
June 1/95

PART II

The Official Plan

6. THE OFFICIAL PLAN

6.1 General

- 6.1.1 The general purpose of this Official Plan is to establish land use designations and policies for the physical development and redevelopment of the City of Brantford, having regard to social, economic and environmental matters. The Official Plan is also the planning framework within which Council considers development proposals.
- 6.1.2 The Official Plan is applicable to all lands within the corporate municipal boundaries of the City of Brantford.
- 6.1.3 Sections 6 to 20 inclusive constitute the Official Plan of the City of Brantford.
- 6.1.4 **Schedule 1-1 - Land Use Plan; Schedule 1-2 – Growth Management Plan; Schedule 2- Modified Policy Areas; Schedule 3-1 – Natural Heritage: Environmental Areas; Schedule 3-2 – Natural Heritage: Mineral Resources; Schedule 3-3 – Natural Heritage: Wetland Areas; Schedule 4-1 - Community Health and Safety: Floodplain; Schedule 4-2 - Community Health and Safety: Floodplain Breach Zone; Schedule 4-3 – Community Health and Safety: Steep Slope Erosion Hazard; Schedule 4-4 - Community Health and Safety: Slope Setback; Schedule 4-5 – Community Health and Safety: Abandoned Landfill Sites; Schedule 5-1 - Transportation: Transportation Plan; Schedule 5-2 - Transportation: Road Widening; Schedule 5-3 – Transportation: Bikeway and Trails Network Plan Schedule 6 – Implementation; Schedule 7-1 – West of Conklin Secondary Plan: Community Structure, Schedule 7-2 - West of Conklin Secondary Plan: Land Use Plan, Schedule 7-3 - West of Conklin Secondary Plan: Transportation Plan and Schedule 7-4 - West of Conklin Secondary Plan: Greenlands Plan** constitute part of the Official Plan of the City of Brantford and must be read in conjunction with Section 6-20 inclusive.
- 6.1.5 This Official Plan is intended to promote an overall framework of goals and objectives for the long term planning and development of the City of Brantford. Goals and objectives shall be considered collectively and individual statements should not be interpreted singly, but in the context of all statements.

OPA #49
June 1/95
OPA #160
Nov. 6/09

OPA #84
July 14/00

OPA #160
Nov. 6/09

Min. Mod.
#1 & #41
Nov. 4/87
June 21/88

OPA #49
June 1/95

OPA #49
July 14/00
OPA #160
Nov. 6/09

OPA #125
Dec. 3/08

6.2 Goals and Objectives of the Official Plan

6.2.1 Preamble

OPA #49
June 1/95

The kind of community we live and work in is influenced by many factors, some of which are:

- a) the desires and aspirations of the residents expressed either directly or through their elected representatives;
- b) policies established by senior levels of government;
- c) changes in the commercial sector of the economy based on shifts in consumer demands;
- d) changes in the industrial sector of the economy resulting from much larger changes taking place throughout Ontario and across North America;
- e) the financial capability of the City;
- f) the past and anticipated changes to the community's population in terms of both size and composition; and
- g) the locational characteristics of the City and its physical and environmental setting.

These factors often compete with each other as well as contributing to the quality of life experienced by the community. The intent of the Official Plan is to ensure a balance among these factors which results in a community providing a sustainable environment which is safe, healthy and diverse.

The balance to be achieved is summarized in the following statements:

To promote and build on the distinctive character and locational advantages of Brantford through the responsible utilization of our natural, cultural and economic opportunities.

To provide quality municipal services by responding to the priorities of the community based on its evolving needs and resources in an efficient and sensitive manner.

6.2.2 Principle Goal

To promote and build on the distinctive character and locational advantages of Brantford through the responsible utilization of our natural, cultural and economic resources to meet the evolving needs of the community in an efficient and sensitive manner.

6.2.3 Housing Goal

Ensure that a wide range of housing types and location opportunities are available to accommodate the anticipated population.

6.2.3.1 Housing Objectives

- a) Promote the rehabilitation of housing stock.
- b) Provide for intensification in existing residential neighbourhoods which enhances the positive characteristics of those neighbourhoods.
- c) Ensure affordable housing is available to a population with diverse social, physical and economic needs.
- d) Ensure the provision of a supply of housing opportunities that meet the needs and aspirations of the community.
- e) Ensure that new residential areas develop in a cohesive and efficient manner without adverse impact on the natural environment.

6.2.4 Natural Environment Goal

Sustain and enhance significant natural environments in the community.

OPA #125
Dec. 3/08

6.2.4.1 Natural Environment Objectives

- a) Identify, catalogue and protect significant natural resources within the community recognizing linkages between and among natural heritage features and areas, surface water features and groundwater features.
- b) Sustain and enhance both visual and physical access to the Grand River including increased opportunities for appropriate public use and work towards improved quality of the river.
- c) Direct development away from lands containing significant natural heritage features such as wetlands, habitat of endangered and threatened species, oak savannahs, tallgrass prairie remnants, woodlots, ravines with watercourses, and forested areas.
- d) Ensure that development of land adjacent to the Grand River is compatible with the Grand River's status as a Canadian Heritage River.
- e) Recognize the portion of the Grand River identified as "exceptional waters" and maintain the ecological integrity and other unique features of the river corridor.

OPA #125
Dec. 3/08

6.2.5 Economic Goal

Provide opportunities for a viable economic base for the community.

OPA #125
OMB Approved
Dec. 17/10

6.2.5.1 Economic Objectives

- a) Ensure that new commercial development has regard for current and future market demands and existing commercial facilities.
- b) Ensure that new development does not have an adverse impact on the natural environment.
- c) Promote the development of a four season tourism industry including both private and public facilities.
- d) Provide opportunities for the diversification of the commercial and industrial base through the full use of both existing land use structures and new areas.
- e) Provide for an appropriate mix and range of employment (including industrial, commercial, office and institutional uses) to meet long-term needs.
- f) Provide opportunities for a diversified economic base including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses.
- g) Plan to protect and preserve employment areas for current and future uses, while acknowledging the need for renewed investment and redevelopment, and recognizing that the use of older industrial brownfield sites and/or regeneration areas, should reflect priorities related to neighbourhood renewal, land use, compatibility, and intensification.
- h) Promote economic development and competitiveness by ensuring a viable and diverse economic base for the community.

6.2.6 Municipal Servicing Goal

Ensure that the community has safe and adequate water supply, sewage disposal, stormwater management, solid waste handling and other public utility facilities.

OPA #125
Dec. 3/08

6.2.6.1 Municipal Servicing Objectives

- a) Ensure that solid waste handling facilities are operated in a manner which protects the environment and public health now and in the future.
- b) Ensure that extension of the municipal piped services facilitates orderly, contiguous growth.
- c) Ensure the maximum use of existing servicing systems.

- d) Planning for sewage and water services shall direct and accommodate expected growth in a manner that promotes the efficient use of existing municipal sewage services and municipal water services.
- e) Municipal sewer and water service systems shall be provided in a sustainable, financially viable, and safe manner.

6.2.7 Transportation Goal

Provide a comprehensive, integrated, accessible transportation network for the safe movement of people and goods.

6.2.7.1 Transportation Objectives

- a) Maintain an appropriate road network to accommodate commercial, industrial and private vehicular traffic, incorporating where possible and desirable provision for alternative modes of transportation.
- b) Make provisions for linkages in new development areas and where possible, provide similar linkages in developed areas and areas to be redeveloped.
- c) Provide for a public transit service which is a viable alternative to private vehicular transportation.
- d) Encourage and promote rail, and other intercity transportation.
- e) Promote a land use pattern, density and mix of uses that minimize the length and number of vehicle trips and support the development of viable choices and plans for public transit and other alternative transportation modes.
- f) Planning for all modes of transportation shall accommodate expected growth in a manner that promotes the efficient use of existing municipal and provincial transportation networks.
- g) Municipal transportation networks shall be provided in a sustainable, financially viable, and safe manner.

OPA #125
Dec. 3/08

6.2.8 Open Planning Process Goal

Provide an open planning process.

6.2.8.1 Open Planning Process Objectives

- a) Promote timely decision making by informing the public early through studies, reports and information on specific and general planning issues affecting the community.
- b) Ensure the public, representing a balance of interests, has ample opportunity to express their views on planning issues.
- c) Provide opportunities for public participation in establishing goals and developing and implementing policy.

6.2.9 Barrier Free Community Goal

Improve accessibility for persons with disabilities and the elderly to remove barriers to their full participation in the community.

OPA #125
Dec. 3/08

6.2.9.1 Barrier Free Community Objectives

- a) Provide a transportation network that recognizes the needs of a physically diverse population.
- b) Ensure that all development accommodates a population with diverse physical needs.

6.2.10 Cultural Heritage and Archaeology Goal

Sustain, conserve and enhance significant built environments.

OPA #125
Dec. 3/08

6.2.10.1 Cultural Heritage and Archaeology Objectives

- a) Identify, inventory and conserve lands, cultural heritage landscapes, buildings, structures and sites of historic, architectural and archaeological values.

6.2.11 Natural Resources Goal

Ensure the orderly extraction of mineral aggregate resources and the appropriate rehabilitation and re-use of active sites.

OPA #125
Min. Mod. #4
Dec. 3/08

6.2.12 Public Health & Safety Goal

Direct development away from areas of natural or human-made hazards where there is an unacceptable risk to public health and safety or of property damage.

OPA #125
Dec. 3/08

6.2.12.1 Public Health & Safety Objectives

- a) Promote the rehabilitation of contaminated sites and encourage appropriate re-use opportunities.
- b) Permit new development only on lands that can physically accommodate such development in an environmentally sound manner.
- c) Provide for reasonable and safe use of lands within the Grand River flood plain in accordance with the protection afforded by flood control works.
- d) Prohibit development within a flood way.

6.2.13 Growth Management GoalOPA #125
Dec. 3/08

Provide for the efficient use of urban land resources through the planning of appropriate greenfield development, intensification and redevelopment opportunities and provision of adequate densities and mix of land uses that promote a compact urban form.

6.2.13.1 Growth Management ObjectivesOPA #125
OMB Approved
Dec. 17/10

- a) Establish appropriate minimum densities for greenfield areas and the urban growth centre.
- b) Encourage intensification of people and jobs in the urban growth centre, within existing neighbourhoods, and along intensification corridors and nodes within the existing built up areas.
- c) New development in existing built up areas should have a compact form, and an appropriate mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.
- d) Provide sufficient land to accommodate an appropriate range and mix of employment opportunities, housing and other land uses to meet projected needs for the Official Plan timeframe.
- e) Encourage the remediation and redevelopment of brownfield sites to uses that revitalize neighbourhoods.
- f) Encourage the revitalization, redevelopment, reuse and/or conversion of greyfields, underutilized sites, or regeneration areas within which are included any combination of the following: brownfield sites, greyfield sites, underutilized sites, or sites within the City's Urban Growth Centre.

6.2.14 Downtown Brantford GoalOPA #125
Dec. 3/08

Provide a vibrant and successful downtown.

6.2.14.1 Downtown Brantford Objectives

- a) Promote the revitalization of the City's downtown through a mixture of various commercial, office, residential, cultural, entertainment, educational, institutional and recreational facilities.
- b) Support the expansion of the post-secondary campus within the downtown.

7. LAND USE

7.1 General

- 7.1.1 Lands within the City are designated in accordance with **Schedule 1-1 - Land Use Plan**, and the policies for each land use designation are set out in this Section. It is intended that development within the City of Brantford will take place in accordance with the land uses designated on **Schedule 1-1 - Land Use Plan**, which establishes the general pattern of development within the City.
- OPA #49
June 1/95
- There are fifteen specific land use categories, with each category having related functions which under normal circumstances are compatible. The land use categories on **Schedule 1-1 - Land Use Plan** include:
- OPA #160
Nov. 6/09
OPA #125
Dec. 3/08
- Residential Area - Low Density
 - Residential Area - Medium Density
 - Residential Area - High Density
 - Core Commercial Area
 - District Centre Commercial Area
 - Community Centre Commercial Area
 - Neighbourhood Centre Commercial Area
 - General Commercial Area
 - Mixed Commercial - Residential Area
 - New Format Commercial Area
 - Mixed Industrial - Commercial Area
 - General Industrial Area
 - Business Park Area
 - Major Institutional Area
 - Major Open Space
 - West of Conklin Secondary Plan Area
- OPA #84
July 14/00
- 7.1.2 Certain land use designations and policies may be subject to additional requirements or restrictions in accordance with the other sections and **Schedules 1-2** to **7-4**, inclusive, of this Official Plan. Therefore reference should be made to all sections and Schedules of the Official Plan when determining all of the policies which apply.
- OPA #160
Nov. 6/09
- Min. Mod. #1
Nov. 4/87
OPA #49
June 1/95
OPA #84
July 14/00
OPA #160
Nov. 6/09
OPA #125
Dec. 3/08
- 7.1.3 The following uses shall be permitted in all land use designations:
- .1 public roads, in accordance with the provisions of Section 11.3 of this Official Plan;
 - .2 rail lines and facilities, in accordance with the provisions of Section 11.5 of this Official Plan;
- OPA #84
July 14/00
OPA #170
Sept. 12/11
- OPA #84
July 14/00
OPA #170
Sept. 12/11

- .3 public parkettes, tot lots, neighbourhood parks and open spaces and open space linkages in accordance with the provisions of Section 7.6.10 of this Official Plan; OPA #170
Sept. 12/11
- .4 public utilities and services, such as collection, treatment and distribution of sanitary sewage, water, storm water, gas, telephone and cable services, but excluding such facilities as municipal works yards, bus terminals or garages, or postal stations;
- .5 fire, ambulance, and police stations, in accordance with the provisions of Section 7.1.5 of this Official Plan;
- .6 nursery schools and day care centres, in accordance with the provisions of Section 7.1.6 of this Official Plan; and
- .7 any undertaking of the Ontario Hydro Services Company which has been approved under the Environmental Assessment Act, existing electric power facilities, and undertakings which have been granted an exemption under the Environmental Assessment Act. Min. Mod. #2
Nov. 4/87

OPA #84
July 14/00

7.1.4 Notwithstanding the provisions of Section 7.1.3(.1) to (.7), these uses shall be prohibited within any Residential Area designation on **Schedule 1-1 - Land Use Plan** where: OPA #125
Dec. 3/08

- .1 the magnitude or character of the uses are incompatible with residential uses;
- .2 the function, operation or activities of the uses, such as parking or traffic, would adversely impact on the residential uses; or
- .3 the development does not incorporate adequate on-site screening and buffering to ameliorate any adverse impacts.

7.1.5 Fire, ambulance, and police stations may be permitted in any land use designation in accordance with the following policies:

- .1 The site has frontage on, and direct access to a Major Collector, Minor Arterial or Major Arterial Road; OPA #59
Nov. 19/97
- .2 The site access will not create traffic hazards on surrounding roads;
- .3 The site area is sufficient to provide all necessary parking and other required facilities on-site;
- .4 The site is functionally accessible to the area which the station is intended to service;

.5 The site is adequate in size to incorporate all necessary buffering or screening in order to minimize potential conflicts between land uses, in accordance with the provisions of Section 10.6 of this Official Plan; and

OPA #84
July 14/00
OPA #170
Sept. 12/11

.6 The site is zoned appropriately in the implementing Zoning Bylaw.

7.1.6 Nursery schools and day care centres as licensed under the Day Nurseries Act, may be permitted in any land use designation in accordance with the following policies:

.1 The site has direct access to a Minor Collector, Major Collector, Minor Arterial or Major Arterial Road;

OPA #59
Nov. 19/97

.2 The traffic generated will not create traffic hazards on surrounding roads;

.3 The site is served by public transit, where feasible;

.4 Adequate on-site parking and drop-off facilities are provided so as not to interfere with traffic movements on surrounding roads;

.5 Landscaping and screening are provided to minimize potential conflicts with adjacent land uses;

.6 Nursery school and day care facilities may be permitted within multiple-family residential and non-residential buildings, provided that the provisions of subsections (.1) through (.5) above are satisfied. Where such facilities are located in non-residential buildings in an industrial or commercial area, direct access to a Collector or Arterial Road may not be required; and

.7 The site is zoned appropriately in the implementing Zoning Bylaw.

7.1.7 **RENUMBERED** (Now Section 7.6.10)

OPA #125
Dec. 3/08

7.1.8 The City shall encourage the needs of persons with disabilities be considered in each development.

OPA #125
Dec. 3/08

7.1.9 It is the City's intent to provide for the relocation of adult entertainment parlours and body rub uses out of the Core Commercial Area and away from sensitive land uses when licenses are not renewed. Sensitive land uses include such uses as residential areas, churches and places of worship, nursery and day care centres.

OPA #125
Dec. 3/08

Adult entertainment uses and body rub parlours shall not locate any closer than 300 metres to each other, and any sensitive land uses and any controlled access highway.

7.2 Residential Areas

7.2.1 General

- 7.2.1.1 Within a Residential Area as designated on **Schedule 1-1 - Land Use Plan**, the predominant use of the land shall be for residential dwellings in accordance with the more specific provisions of Sections 7.2.2, 7.2.3, and 7.2.4 of this Official Plan. The City of Brantford has the following residential designations:
- OPA #125
Dec. 3/08
- .1 Low Density;
 - .2 Medium Density; and
 - .3 High Density.
- 7.2.1.2 Secondary uses which may be permitted in all Residential Area designations include:
- .1 churches and places of worship on less than 1 hectare of land;
 - .2 elementary schools and other uses permitted pursuant to the Education Act, in accordance with the provisions of Section 7.2.1.13 and 7.2.1.14 of this Official Plan;
 - .3 Convenience Commercial Uses, in accordance with the provisions of Section 7.3.9 of this Official Plan;
 - .4 home occupations, in accordance with the provisions of Section 7.2.1.15 of this Official Plan;
 - .5 mobile homes, in accordance with the provisions of Section 7.2.1.16 of this Official Plan;
 - .6 group homes and emergency housing licensed or approved by the Federal or Provincial Government, in conformity with the prevailing residential land use designation, subject to the requirements of the Zoning Bylaw;
 - .7 senior citizens' housing, in conformity with the prevailing residential land use designation;
 - .8 Parkettes and Tot Lots, in accordance with the provisions of Section 7.6.11 of this Official Plan;
 - .9 Neighbourhood Parks & Open Spaces, in accordance with the provisions of Section 7.6.12 of this Official Plan; and
 - .10 buildings and structures accessory to the permitted uses.
- OPA #170
Sept. 12/11
- OPA #170
Sept. 12/11

- 7.2.1.3 Where feasible, secondary uses shall be grouped together to serve as focal points for residential areas, and to encourage the integration of parking, landscaping, and other facilities.
- 7.2.1.4 Residential density is expressed as a range of units per net residential hectare. Minor variances to these densities may be permitted where the intent of this Official Plan is maintained.
- 7.2.1.5 Detailed standards for residential lot building requirements shall be established in the Zoning Bylaw.
- 7.2.1.6 Residential development shall be designed to achieve a variety of visual effects which may be produced by curvilinear roads, topography, existing vegetation and open spaces.
- 7.2.1.7 Innovative housing types, zoning standards, housing intensification and subdivision designs shall be encourage to accommodate changing housing needs and affordability and to assist in achieving a compact urban form. OPA #49
June 1/95
- 7.2.1.8 Energy conservation will be incorporated where appropriate, into the design of residential plans of subdivision and development proposals, in accordance with the provisions of Section 10.7 of this Official Plan. OPA #84
July 14/00
OPA #170
Sept. 12/11
- 7.2.1.9 Noise attenuation measures shall be incorporated into residential development where required, in accordance with the provisions of Section 10.5 of this Official Plan. OPA #84
July 14/00
OPA #170
Sept. 12/11
- 7.2.1.10 Residential development located adjacent to Provincial Highways and Major and Minor Arterial Roads shall be designed to be aesthetically pleasing and sensitive to road conditions. OPA #59
Nov. 19/97
- 7.2.1.11 Residential development shall be serviced with full municipal sanitary sewer, water supply and storm sewer services, except as otherwise permitted in this Official Plan.
- 7.2.1.12 Where residential development is located adjacent to any non-residential development, building setbacks, landscaping, screening and other forms of buffering shall be provided to minimize the potential impact of these developments on the residential development, in accordance with the provisions of Section 10.6 of this Official Plan. OPA #84
July 14/00
OPA #170
Sept. 12/11

- 7.2.1.13 Elementary schools and other uses permitted pursuant to the Education Act may be permitted in any Residential Area designation, in accordance with the following policies:
- .1 Schools sites shall be provided in accordance with the standards of the appropriate Board of Education;
 - .2 The precise extent and location of the site delineated by symbols on **Schedule 1-1 - Land Use Plan**, shall be determined in conjunction with the development application; OPA #125
Dec. 3/08
 - .3 Where a vacant school site indicated on **Schedule 1-1 - Land Use Plan** is not required by either Board of Education, or is to be relocated, the lands may be developed in accordance with their underlying land-use designation without an amendment to this Official Plan;
 - .4 The development of schools in conjunction with municipal parkland and other community or recreational facilities may be considered, so that a complementary integration of lands and facilities may be achieved;
 - .5 The co-ordinated use of recreational facilities located within schools, or on school properties, by the City will be encouraged;
 - .6 Adequate parking and other required facilities shall be provided on site;
 - .7 Direct pedestrian access may be provided to schools from all parts of the surrounding residential area;
 - .8 Schools shall generally have frontage on a Minor or Major Collector Road. OPA #59
Nov. 19/97
- 7.2.1.14 Where a school site shown on **Schedule 1-1 - Land Use Plan** is determined to be surplus to the Board of Education's requirements under the provisions of the Education Act, the following policies shall apply: OPA #125
Dec. 3/08
- .1 The redevelopment of the school site in accordance with its underlying land use designation as indicated on **Schedule 1-1 - Land Use Plan**, may be permitted without amendment to this Official Plan; OPA #125
Dec. 3/08
 - .2 The following uses shall also be permitted within school sites, subject to the requirements of the Zoning Bylaw and to site plan approval:

- i) community centres;
- ii) municipal or private libraries;
- iii) municipal recreational uses;
- iv) private education resource centres and private schools;
- v) private special education facilities.

.3 The City may consider the acquisition of vacant school sites, surplus schools, or school yards for municipal park and open space purposes.

7.2.1.15 Home occupation uses may be permitted in any Residential Area designation in accordance with the following policies:

- .1 The use is carried on entirely within the dwelling unit, and can be appropriately accommodated within a residential structure;
- .2 The home occupation use is clearly secondary to the primary use of the property as a residence, in terms of floor space utilization, and is compatible with the surrounding residential uses;
- .3 The property is the principal residence of the person carrying on the home occupation use;
- .4 No outside storage of goods, materials, equipment or service vehicles related to the home occupation use will be permitted;
- .5 The activities associated with the home occupation use, including traffic and hours of operation, do not adversely affect the surrounding residential uses;
- .6 Adequate on-site parking, where required for the home occupation use, is provided in locations which are compatible with the surrounding residential uses and;
- .7 Any sign identifying the home occupation use shall be limited, in accordance with the Sign Bylaw;
- .8 A home occupation use that is not compatible with surrounding land uses and adversely affects the surrounding residential uses will be encouraged to relocate to the appropriate Commercial or Industrial designation.

OPA #125
Dec. 3/08

7.2.1.16 Mobile homes may be permitted in accordance with the following policies:

- .1 The lands are designated Residential Area - Low Density or Residential Area - Medium Density in the Official Plan;
- .2 The lands are developed as a comprehensive proposal involving several mobile homes;
- .3 The development will be serviced with full municipal sanitary sewer, water supply and storm sewer services;

- .4 The use shall require an amendment to the Zoning Bylaw;
 - 5 The development shall provide adequate parkland to serve the development;
 - .6 The development is compatible with adjacent existing and planned land uses;
 - .7 Development is to proceed by way of plan of subdivision or by way of a rental complex under central management and shall be subject to site plan approval in accordance with the provisions of Section 18.10 of this Official Plan; and
 - Min. Mod. #3
 - Nov. 4/87
 - OPA #84
 - July 14/00
 - OPA #170
 - Sept. 12/11
 - .8 Access to the development is provided to and from a public road.
-
- 7.2.1.17 Renumbered (Now Section 7.6.11)
 - OPA #125
 - Dec. 3/08
 - 7.2.1.18 Renumbered (Now Section 7.6.12)
 - OPA #125
 - Dec. 3/08
 - 7.2.1.19 An increase in residential density and/or a decrease in the relevant on-site parking standards may be considered for senior citizens housing and affordable housing projects within Residential Area - Medium Density and High Density designations, relative to the age of the structure and automobile ownership trends of the residents.
 - OPA #125
 - Dec. 3/08
 - 7.2.1.20 Gradation of residential densities may be used to avoid conflicts between residential development of different densities. Where multiple-family residential development abuts low density residential development, adequate screening and buffering will be provided in accordance with the provisions of Section 10.6 of this Official Plan, in order to protect the amenity of the low density residential development.
 - OPA #84
 - July 14/00
 - OPA #170
 - Sept. 12/11
 - 7.2.1.21 Where new residential development is proposed in an area contiguous to residential development existing at the date of adoption of this Official Plan, the proposed development shall be of a scale and character compatible with the existing residences.
 - OPA #49
 - June 1/95
 - 7.2.1.22 Intensification of existing low density residential areas may be permitted through the infilling of vacant lots, the redevelopment of a residential lot or lots to create two or more dwelling units beyond those which existed prior to the redevelopment, the conversion of existing buildings or structures to residential uses or the creation of additional residential units within an existing residential development. All intensification shall be subject to the availability of adequate water and sewage facilities.
 - OPA #49
 - June 1/95

Infilling or redevelopment shall meet all the applicable standards of the comprehensive Zoning Bylaw including off-street parking and building setbacks.

Redevelopment that creates more than two dwelling units shall be subject to site plan control. New structures built as part of a redevelopment project shall be compatible with the surrounding residences in terms of size, mass and scale.

7.2.2 Residential Area - Low Density

- 7.2.2.1 Within a Residential Area - Low Density as designated on **Schedule 1-1 - Land Use Plan**, the main permitted uses shall include single-detached, semi-detached, duplex and triplex residential dwellings.
- 7.2.2.2 Maximum net residential density for residential development shall generally not exceed 30 units per net residential hectare.
- 7.2.2.3 A variety of lot and dwelling unit sizes shall be provided within these designations, in order to reflect the spacious, open character usually associated with low density residential development.

OPA #125
Dec. 3/08

7.2.3 Residential Area - Medium Density

- 7.2.3.1 Within a Residential Area - Medium Density as designated on **Schedule 1-1 - Land Use Plan**, the main permitted uses shall include townhouse, rowhouse, fourplex, low-rise apartments, and other forms of low-rise multiple- unit dwellings.
- 7.2.3.2 Maximum net residential density for residential development shall generally not exceed 60 units per net residential hectare, except in accordance with the provisions of Section 7.2.3.6 of this Official Plan.

OPA #49
June 1/95
OPA #125
Dec. 3/08

- 7.2.3.3 Designation of additional Residential Areas - Medium Density shall require an amendment to the Official Plan. Applications will be reviewed on the basis of general conformity with the following criteria:
- .1 Location adjacent to a Minor Collector, Major Collector, Minor Arterial, Major Arterial Road, or a Local Road that meets current City standards; OPA #59
Nov. 19/97
 - .2 Proximity to commercial facilities, such as Community and Neighbourhood Centre Commercial Areas; OPA #84
July 14/00
 - .3 Location where the development provides a physical transition between lower density and higher density residential uses or non-residential uses or major roads;
 - .4 Access to public transit;
 - .5 Site area is adequate to provide all necessary parking and other required facilities on-site; and
 - .6 Proximity to natural amenities, parks and open spaces and other community facilities.
- 7.2.3.4 Lands designated Residential Area - Medium Density shall be developed on the basis of conformity with comprehensive development plans which are intended to indicate layout of buildings, parking and landscaping areas, and access points, over all lands under the designation, such that development on individual properties can be integrated where possible with that of adjacent properties, with particular regard for common elements such as access points, driveways, landscaping and parking areas.
- 7.2.3.5 Where development within a designated Residential Area - Medium Density designation is adjacent, or in immediate proximity to development within a Residential Area - Low Density designation, any potential adverse impacts between the developments shall be mitigated through building setbacks, visual screening, landscaping, fencing, and other forms of buffering, in accordance with the provisions of Section 10.6 of this Official Plan. OPA #84
July 14/00
OPA #170
Sept. 12/11
- 7.2.3.6 Residential development at a density exceeding 60 units per net residential hectare, but not exceeding 86.5 units per net residential hectare, may be permitted without an amendment to this Official Plan where such development is considered to be in the public interest, in accordance with the following policies:

- .1 The development satisfied the criteria of Section 7.2.3.3 of this Official Plan;
- .2 The property exhibits a physical characteristic which constrains development of the site, such as an irregular configuration, small lot area, or location adjacent to a Minor Arterial or Major Arterial Road or a Provincial Highway or rail line;
- .3 The development is compatible with adjacent existing and planned land uses;
- .4 The development provides adequate landscaping, buffering, recreational facilities, and parking on-site; and
- .5 Maximum building height shall not exceed four storeys.

OPA #59
Nov. 19/97

7.2.4 Residential Area - High Density

7.2.4.1 Within a Residential Area - High Density as designated on **Schedule 1-1 - Land Use Plan**, the main permitted uses shall include apartments and other forms of multiple-unit dwellings.

OPA #49
June 1/95

OPA #125
Dec. 3/08

7.2.4.2 Maximum net residential density for the high density residential developments shall not generally exceed 200 units per net residential hectare. Maximum net residential density for high density residential developments within the Core Commercial Area shall not generally exceed 375 units per net residential hectare.

7.2.4.3 Lands designated Residential Area - High Density shall be developed on the basis of comprehensive development plans which are intended to indicate the layout of buildings, parking and landscaping areas, and access points over all lands within the designation, such that development on individual properties may be integrated with that of adjacent properties, with particular regard for common elements such as access points, driveways, landscaping and parking areas.

7.2.4.4 Where development within a Residential Area - High Density designation is in proximity to development within a Residential Area - Low or Medium Density designation, any potential adverse impacts between the developments shall be mitigated through building set-backs, visual screening, landscaping, fencing, and other forms of buffering, in accordance with the provisions of Section 10.6 of this Official Plan.

OPA #84
July 14/00

OPA #170
Sept. 12/11

7.2.4.5 Convenience Commercial Uses, as identified in Section 7.3.9 of this Official Plan, may be permitted to locate within a Residential Area - High Density designation when such uses are developed at-grade as an integral portion of the main residential structure.

7.2.4.6 The design of high density residential developments shall provide for adequate on-site open space amenities.

7.2.4.7 Designation of additional Residential Areas-High Density shall require an amendment to the Official Plan. Applications will be reviewed on the basis of general conformity with the following criteria:

- .1 Location on and access to a Major Collector, Minor Arterial or Major Arterial Road, which does not result in traffic hazards;
- .2 Proximity to major commercial facilities, such as Core, District Centre and Community Centre Commercial Areas;
- .3 Access to public transit;
- .4 Proximity to natural amenities, parks and open spaces and other community facilities;
- .5 Site area is adequate to incorporate necessary on-site parking, recreational facilities, and buffering; and
- .6 Location where the development provides a physical transition between lower density residential uses and non-residential uses or major roads.

OPA #59
Nov. 19/97

7.2.5 Modified Policy Areas

Min. Mod. #1
Nov. 4/87

Deleted

OPA #84
July 14/00

7.3 Commercial Areas

7.3.1 General

- 7.3.1.1 Within a Commercial Area as designated on **Schedule 1-1 - Land Use Plan**, the predominant use of the land shall generally be for commercial activities such as personal service, retail shopping and office facilities, and in accordance with the more specific provisions of Sections 7.3.2 to 7.3.10 inclusive of this Official Plan. The City of Brantford has the following commercial designations:
- OPA #49
June 1/95
OPA #125
Dec. 3/08
- .1 Core Commercial Area;
 - .2 District Centre Commercial Area;
 - .3 Community Centre Commercial Area;
 - .4 Neighbourhood Centre Commercial Area;
 - .5 General Commercial Area;
 - .6 Deleted;
 - .7 Mixed Commercial-Residential Area; OPA #84
July 14/00
 - .8 Convenience Commercial Uses; and OPA #84
July 14/00
 - .9 New Format Commercial Area. OPA #84
July 14/00
- These designations are to allow for the full and evolving directions in commercial land use, given the City's location in Southern Ontario, in order for it to remain competitive and to meet the needs of persons within its trading area.
- 7.3.1.2 Detailed standards for commercial lot and building requirements shall be established in the Zoning Bylaw.
- 7.3.1.3 The City's retail activities are concentrated into four principal areas, including: OPA #84
July 14/00
- .1 The Lynden Road/Fairview Drive Retail Area which includes the major shopping facilities concentrated around the Lynden Road/Fairview Drive/Wayne Gretzky Parkway Area and the emerging retail corridor along Lynden Road east of Lynden Park Mall. Taken together, these retail facilities serve as a primary regional-scaled draw for the City and surrounding area;
 - .2 The Wayne Gretzky Parkway/Henry Street Area, including the

area south of Highway 403 adjacent to Holiday Drive, as an emerging centre for new format retailing;

- .3 The King George Road Corridor, a traditional retailing strip which is largely built out, with a strong community retail orientation; and
- .4 The central retail areas, which include mainly smaller-scaled, community oriented facilities, located in the Downtown Core, and along Colborne Street east and west of Downtown.

7.3.1.4	It is the City's intent to direct the majority of new retail development into these existing commercial areas. Priority will be given to new retail development proposals, or the removal of development caps on existing retail properties, within these retail areas.	OPA #84 July 14/00
7.3.1.5	Every application for an amendment to the Official Plan, or an amendment to the Zoning Bylaw for commercial development in excess of 9,290 square metres of gross leasable floor area, shall be required to submit the following:	OPA #84 July 14/00
	.1 a planning study demonstrating the appropriateness of the proposed development with existing and planned land uses;	
	.2 a traffic analysis, carried out in conformity to the guidelines for the preparation of transportation impact studies established by the City, indicating how the traffic generated by the proposed development can be accommodated without adverse impacts on the capacity of the road system or on adjacent land uses;	OPA #59 Nov. 19/97 OPA #84 July 14/00
	.3 a market impact study indicating that the proposed development can be justified on the basis of market demand without severe impact on the planned function of the existing and proposed commercial structure of the City as established by the Official Plan; and	OPA #84 July 14/00
	.4 an engineering analysis, detailing that municipal services necessary to support the proposed development can be accommodated within the overall capacities of the City's servicing system.	
7.3.1.6	The studies described in Section 7.3.1.5 may be required for commercial development under 9,290 square metres of gross leasable floor area and for those areas which fall within the Ministry of Transportation's permit control area.	OPA #84 July 14/00 OPA #125 Dec. 3/08
7.3.1.7	The City may require proponents to contribute to the costs of peer reviews of the studies described in Section 7.3.1.5 and 7.3.1.6.	OPA #84 July 14/00
7.3.1.8	All development within Commercial Areas shall be subject to the provisions of Section 10.6 of this Official Plan regarding buffering to ensure visual separation and compatibility between the commercial use and adjacent land uses.	OPA #84 July 14/00 OPA #170 Sept. 12/11
7.3.1.9	A high standard of building design and landscaping will be encouraged	OPA #84

	in all Commercial Areas, particularly where such developments are adjacent to residential development, through the requirements of the implementing Zoning Bylaw and site plan approval in accordance with the provisions of Section 18.10 of this Official Plan.	July 14/00 OPA #170 Sept. 12/11
7.3.1.10	All necessary parking, loading, garbage collection/ storage, and other required facilities for the development shall be provided on-site.	OPA #84 July 14/00
7.3.1.11	Access to commercial properties shall generally be from Major Collector, Minor Arterial or Major Arterial Roads.	OPA #59 Nov. 19/97 OPA #84 July 14/00
7.3.1.12	Convenient access for pedestrians and integration with the Bikeways and Trails Network will be encouraged.	OPA #59 Nov. 19/97 OPA #84 July 14/00
7.3.1.13	Commercial operations may, as an accessory function to the main commercial use, include limited manufacturing, assembling, processing or servicing of goods sold on the premises.	OPA #49 June 1/95 OPA #84 July 14/00
7.3.1.14	Churches and places of worship shall be permitted in the District Centre Commercial Area, Community Centre Commercial Area, Neighbourhood Centre Commercial Area and General Commercial Area designations.	

7.3.2 Core Commercial Area

- 7.3.2.1 The Core Commercial Area designation as shown on **Schedule 1-1 - Land Use Plan** is intended to be the primary cultural, entertainment and office commercial activity area serving the City and portions of the surrounding municipalities. It is envisaged that the Core will accommodate a wide range of uses including; business, professional and government offices; institutions and cultural attractions; education facilities; retail and service uses; hotel and convention centres; entertainment, tourism and recreational facilities and multiple unit residential dwellings.
- OPA #84
July 14/00

OPA #125
Dec. 3/08
- 7.3.2.2 Deleted
- OPA #49
June 1/95

OPA #84
July 14/00
- 7.3.2.4 Within the Core Commercial Area designation shown on **Schedule 1-1 - Land Use Plan**, all development shall provide adequate on-site parking in accordance with the standards of the Zoning Bylaw. Notwithstanding this, a reduction in on-site parking requirements may be permitted by bylaw as follows:
- OPA #49
June 1/95

OPA #125
Dec. 3/08
- .1 The highest reduction of on-site parking standards may be permitted in that portion of the Core Commercial Area bounded by Darling Street on the north, Clarence Street on the east, Icomm Drive on the south, and Brant Avenue/West Street on the west; and
- .2 A lesser reduction of on-site parking standards may be permitted in the remaining portions of the Core Commercial Area.
- 7.3.2.5 Provision of cash-in-lieu parking required under Section 7.3.2.4 may be permitted in accordance with the provisions of Section 11.6.5 of this Official Plan.
- OPA #84
July 14/00

OPA #170
Sept. 12/11
- 7.3.2.6 The City may utilize benefiting assessment within the Core Commercial Area in accordance with the Municipal Act, to finance centralized parking facilities.
- 7.3.2.7 The City should encourage the development of a supermarket within the Core Commercial Area to satisfy the neighbourhood shopping needs of the residents of the core and surrounding residential areas.
- 7.3.2.8 A network of pedestrian linkages shall be provided within the Core Commercial Area to enable access to all facilities and encourage the maintenance of pedestrian shopping areas and enhance accessibility between the downtown core and nearby key attractions such as the Grand River and associated trails, waterfront recreational facilities, and the Casino.
- OPA #84
July 14/00

- 7.3.2.9 The City shall encourage the improvement of the streetscape and facades throughout the Core Commercial Area to achieve improved landscaping, sidewalks, lighting, signage and seating along streets.
- 7.3.2.10 Built heritage resources designated under the Ontario Heritage Act, shall be conserved where feasible in the redevelopment of the Core Area. An increase in density may be permitted where a built heritage resource is incorporated into new development, generally equivalent to the density, height and massing of the building being retained. OPA #84
July 14/00
- 7.3.2.11 Apartment development shall be permitted in accordance with the following policies:
- .1 Maximum net residential density shall not exceed 375 units per net residential hectare;
 - .2 A 25% increase in residential density may be permitted where senior citizens, low-income or assisted housing is incorporated into the development;
 - .3 Apartments as an upper-storey use over non-residential uses located at-grade shall be permitted in all portions of the Core Commercial Area; and
 - .4 On-site recreational and open space amenity space shall be provided in all apartment developments.
- 7.3.2.12 Improvements to the Core Commercial Area in the form of infill development, upgrading and rehabilitation shall be encouraged, including the rear of buildings which are visible from adjacent streets.
- 7.3.2.13 Automobile service uses, retail warehousing and commercial uses requiring extensive sites are considered incompatible with this area and shall be encouraged to relocate.
- 7.3.2.14 The maintenance of a public transit terminal area providing transit connections to all areas of the City and inter-urban transit systems will be encouraged. OPA #49
June 1/95
- 7.3.2.15 Streetscape improvements, landscaping and significant building forms will be encouraged at the major entranceways to the Core Commercial Area and, in particular, in the areas adjacent to Dalhousie, Clarence, and Colborne Streets, Brant Avenue and the Lorne Bridge and Market Street South.
- 7.3.2.16 Development of the lands immediately adjacent to the Victoria Square Park shall complement the form and scale of existing buildings.

- 7.3.2.17 Pedestrian and visual linkages between the Core Commercial Area and the Grand River waterfront will be provided, wherever possible. The retention of the railway bridges across the Grand River, when they are abandoned, may be encouraged, where feasible, for use as a pedestrian and bicycle linkage to and from the core area. Pedestrian and bicycle linkages to the Bikeways and Trails Network will also be encouraged.
- OPA #49
June 1/95

OPA #59
Nov. 19/97
- 7.3.2.18 The City's intent is to encourage new development in the Core Commercial area which preserves and enhances the heritage character, human scale, built form, pedestrian orientation and attractive streetscape character of this district.
- OPA #84
July 14/00
- .1 New buildings in the Core Commercial area shall generally not exceed 8 storeys in height. Taller buildings may be permitted in the Zoning Bylaw, subject to the provision of additional setbacks above 8 storeys, their compatibility with the height and massing of surrounding buildings, and the provision of adequate buffering and mitigation measures to minimize overshadowing and overlooking of surrounding properties. The City may require applicants to undertake an urban design study to document how these requirements are addressed in the development proposal.
 - .2 All new development should directly address the street, with pedestrian entrances and other amenities fronting the sidewalk, to create an attractive streetscape environment for pedestrians;
 - .3 New buildings in areas with established street edges should respect the setbacks of surrounding buildings. In areas with fragmented street edges, or in redevelopment areas, new buildings should be built close to the street edge, to reflect traditional development patterns and to create an inviting environment for pedestrians;
 - .4 Additional setbacks from the streetline may be permitted to allow for enhanced landscaping and open space in front of buildings, and for the provision of outdoor cafes and other amenities;
 - .5 Parking associated with new development will be encouraged to locate in the interior of blocks and will be discouraged along street frontages;
 - .6 Street-related retail, restaurants, entertainment and other pedestrian-related uses will be encouraged at grade in new developments.
- 7.3.2.19 The City's intent is to support the dispersed expansion of the post-secondary campus in the downtown. Expansion of such facilities is supportive of the City's objectives for the downtown.
- OPA #125
Dec. 3/08

7.3.3 District Centre Commercial Area

- 7.3.3.1 The District Centre Commercial Area designation as shown on **Schedule 1-1 - Land Use Plan** shall include shopping centres or retail areas offering a broad range of retail service, and office commercial uses which serve the City and portions of the surrounding municipalities. These uses will include all the following types: retail uses; restaurants and entertainment uses; personal and business uses; recreational uses; business and professional offices and accessory uses.
- OPA #84
July 14/00

OPA #125
Dec. 3/08
- 7.3.3.2 Deleted
- OPA #84
July 14/00
- 7.3.3.3 The following District Centre Commercial Area designations are identified in this Official Plan:
- .1 the Brantford Mall on King George Road; and
 - .2 the Lynden Park Mall on Park Road North.
- 7.3.3.4 Total maximum gross leasable floor area shall generally not exceed 32,950 square metres for the Lynden Park Mall, and 38,550 square metres for the Brantford Mall.
- 7.3.3.5 Designation of additional District Centre Commercial Areas shall require an amendment to this Official Plan and shall be subject to the provisions of Section 7.3.1.5 of this Official Plan.
- OPA #84
July 14/00

7.3.4 Community Centre Commercial Areas

- 7.3.4.1 The Community Centre Commercial Area designation as shown on **Schedule 1-1 - Land Use Plan** shall include shopping centres or retail areas offering retail, service and office commercial uses which serve one or more residential areas, up to a total maximum gross leasable floor area of 10,200 square metres. The uses envisioned in this designation will include a wide range of retail uses; restaurants and entertainment uses; personal and business services; recreational uses; business and professional offices; automobile service stations; accessory buildings and structures.
- OPA #84
July 14/00
- 7.3.4.2 Deleted.
- OPA #84
July 14/00

7.3.4.3 Uses which shall be prohibited in a Community Commercial Area include:

- .1 major department stores;
- .2 commercial uses which cannot be accommodated within a shopping centre due to their specific requirements for loading, warehousing, outdoor storage or due to the traffic generation; and
- .3 commercial uses which serve the tourist or travelling public.

7.3.4.4 Deleted

OPA #49
June 1/95

7.3.5 Neighbourhood Centre Commercial Areas

7.3.5.1 The Neighbourhood Centre Commercial Area designations as shown on **Schedule 1-1 - Land Use Plan** shall include shopping centres or retail areas offering retail and service commercial uses which serve the needs of the adjacent residential area. The uses envisioned in this designation will include a wide range of retail uses including supermarkets and other retail stores; restaurants, excluding drive-thrus; personal and business services; recreational uses, excluding arcades; business and professional offices; accessory buildings and structures.

OPA #84
July 14/00
OPA #125
Dec. 3/08

7.3.5.2 Deleted

OPA #84
July 14/00

7.3.5.3 Total maximum gross leaseable floor area shall generally not exceed 1,650 square metres.

7.3.5.4 The maximum height of buildings and structures shall generally not exceed two storeys.

7.3.6 General Commercial Areas

- 7.3.6.1 The General Commercial Area designations as shown on **Schedule 1-1 - Land Use Plan** shall include retail and service commercial uses that, by the nature of their function, benefit from accessibility to and visibility from Major Collector, Minor Arterial or Major Arterial Roads and thereby provide a service to pedestrian and automobile-borne trade. These uses will include a broad range of retail uses; restaurants and entertainment uses; hotel and motel uses; personal and business services; recreational uses; business and professional offices and accessory uses.
- OPA #49
June 1/95
- OPA #59
Nov. 19/97
- OPA #84
July 14/00
- OPA #125
Dec. 3/08
- 7.3.6.2 Deleted
- OPA #49
June 1/95
- OPA #84
July 14/00
- 7.3.6.3 Uses which shall be prohibited in a General Commercial Area designation include:
- .1 major and junior department stores;
 - .2 supermarkets, other than those existing at the date of adoption of this Official Plan.
- 7.3.6.4 Outside storage or display of merchandise shall be permitted only in locations where their exposure would be visually acceptable, or could be screened from view, and would not impact on the character of the area.
- 7.3.6.5 Comprehensive block development of General Commercial Area lands in separate ownerships will be encouraged in order to achieve well-designed and integrated development. To enhance the streetscape quality and pedestrian environment along major retail streets, and to achieve well-designed and integrated developments in General Commercial areas, the City will develop urban design and site planning guidelines, to be implemented during site plan review, for new development which will address the following issues:
- OPA #49
June 1/95
- OPA #84
July 14/00
- .1 integrated internal circulation systems;
 - .2 co-ordinated access points, in order to minimize the total number of access points to abutting roads;
 - .3 compatible building design and location, in order to achieve a consistent streetscape;
 - .4 appropriate landscaping to enhance the pedestrian environment and streetscape quality both within the site and along the street frontage of the property;
- OPA #84
July 14/00

- .5 integrated parking areas; and
- .6 consistent signage and lighting facilities.

However, development within an existing building or on a lot of record may be permitted subject to site plan approval and/or appropriate amendments to the zoning bylaw.

7.3.6.6 The applicant will indicate how development on an individual property may be co-ordinated and integrated with other properties within the surrounding General Commercial Area designation, in accordance with the provisions of Section 7.3.6.5.

7.3.6.7 Comprehensive block development will be encouraged through the provisions of the implementing Zoning Bylaw and site plan approval.

7.3.6.8 Development in General Commercial Area designations shall occur as infilling within the areas designated on **Schedule 1-1 - Land Use Plan** and extensions of these areas shall only be permitted by amendment to the Official Plan.

OPA #125
Dec. 3/08

7.3.7 Deleted

OPA #49
June 1/95

7.3.8 Mixed Commercial-Residential Area

7.3.8.1 The Mixed Commercial-Residential Area designation as shown on **Schedule 1-1 - Land Use Plan** shall include a restricted range of retail and service commercial uses and residential uses, located in a specific portion of the City.

OPA #125
Dec. 3/08

7.3.8.2 The main permitted uses shall include:

OPA #49
June 1/95

- .1 single-detached, semi-detached, duplex, triplex, and fourplex residential dwellings;
- .2 business and professional offices;
- .3 townhouse, rowhouse, fourplex, low-rise apartments, and other forms of low rise multiple unit dwelling units, including lodging houses, located within a building originally constructed as a single detached residential dwelling;
- .4 limited specialty retail stores;
- .5 personal service stores, such as hair stylists, dry cleaning depots, and tailors;
- .6 restaurants, excluding drive-in and take-out restaurants;
- .7 art galleries and museums;

OPA #125
Dec. 3/08

- .8 convenience stores;
- .9 music, dance, photography, or art schools or studios;
- .10 funeral homes;
- .11 churches and places of worship; and
- .12 accessory buildings and structures.

7.3.8.3 Uses which shall be prohibited in a Mixed Commercial-Residential Area Designation include:

- .1 department Stores;
- .2 supermarkets;
- .3 commercial uses which require extensive sites such as furniture, carpet and appliance sales, nursery garden centres, building supply outlets, and automobile dealerships;
- .4 commercial uses which serve the travelling public such as automobile sales and service centres and dealerships, hotels, motels, boat and recreational vehicle sales and service;
- .5 retail warehouses;
- .6 arcades.

7.3.8.4 Development shall generally take place through the conversion of existing buildings and structures to one or more of the permitted uses. New development may be permitted on an infilling basis, where it is compatible in type and scale with surrounding uses and buildings. Development shall be subject to the provisions of Section 14 – Urban Design of this Plan regarding intensification and redevelopment to ensure compatibility with surrounding uses and buildings.

OPA #125
Dec. 3/08

7.3.8.5 Outside storage or display of goods, merchandise, or equipment shall be prohibited.

7.3.8.6 Adequate parking shall be provided on-site and shall generally be located to the rear of the main front wall of the building. Parking shall be adequately screened and buffered so as not to impact on adjacent residential uses.

7.3.8.7 Commercial uses shall be located at-grade so as to encourage pedestrian access.

7.3.8.8 Any sign identifying the commercial use shall be limited in accordance with the Sign Bylaw.

OPA #49
June 1/95

7.3.8.9 Comprehensive block development of Mixed Commercial-Residential Areas lands in separate ownerships will be encouraged, in order to

achieve well-designed and integrated development, including:

- .1 integrated internal circulation systems;
- .2 co-ordinated access points, in order to minimize the total number of access points to abutting roads;
- .3 compatible building design and location, in order to achieve a consistent streetscape and to be compatible with the heritage character of adjacent properties;
- .4 complementary landscaping plans;
- .5 integrated parking areas; and
- .6 consistent signage and lighting facilities.

OPA #125
Dec. 3/08

7.3.8.10 Comprehensive block development will be encouraged through the provisions of the implementing Zoning Bylaw and site plan approval.

7.3.9 Convenience Commercial Uses

7.3.9.1 The Convenience Commercial Uses shall include a limited range of retail and service commercial uses which serve the daily requirements of surrounding residents. Convenience Commercial Uses shall not be designated on **Schedule 1-1 - Land Use Plan**, but may be permitted within any Residential Area designation, by amendment to the Zoning Bylaw.

OPA #125
Dec. 3/08

7.3.9.2 The permitted uses shall include:

- .1 small retail stores such as convenience stores;
- .2 delicatessens and bakeries;
- .3 personal service stores, such as hair stylists, shoe repair stores, and dry cleaning depots; and
- .4 accessory buildings and structures.

7.3.9.3 Maximum gross leaseable floor area shall generally not exceed 280 square metres and contain not more than two stores.

7.3.9.4 Applications for Convenience Commercial Uses shall be reviewed on the basis of general conformity with the following policies:

- .1 The site is located at an intersection of a Minor Collector, Major Collector, Minor Arterial or Major Arterial Road with another street;
- .2 The access to and traffic generated by the site will not create adverse traffic hazards on surrounding roads;
- .3 Lighting and signage are located so as not to create an adverse visual impact on the surrounding residences;

OPA #59
Nov. 19/97

- .4 The site area is adequate to incorporate all necessary screening or buffering in order to minimize potential impacts on surrounding residences, in accordance with the provisions of Section 10.6 of this Official Plan; OPA #84
July 14/00
OPA #170
Sept. 12/11
- .5 Garbage collection/storage areas shall be located and screened so as not to create an adverse impact on surrounding uses; and
- .6 No outside storage of goods or materials will be permitted.

- 7.3.9.5 Notwithstanding the provisions of Section 7.3.9.4, Convenience Commercial Uses may also be permitted to locate within multiple-unit dwellings when developed at-grade as an integral portion of the main residential structure. OPA #49
June 1/95
- 7.3.9.6 The maximum height of buildings and structures specifically devoted to Convenience Commercial Uses generally shall be restricted to two storeys.
- 7.3.9.7 The need for the location of Convenience Commercial Uses shall be established during the development application process, having regard for similar commercial uses in the vicinity.

7.3.10 New Format Commercial Areas

Min. Mod. #1
Nov. 4/87

- 7.3.10.1 The New Format Commercial Area designation as shown on **Schedule 1-1 - Land Use Plan** is intended to accommodate larger format commercial uses which generally locate outside of District, Community or Neighbourhood Centres, or require extensive sites independent of traditional shopping centres. These areas function as auto-oriented destinations, which serve large market areas. The types of uses envisioned in this area include: retail and warehouse commercial uses; retail and service commercial uses; building supply and home improvement centres; home entertainment and appliance stores; large format specialty retail stores such as book stores, pet supplies, arts and crafts or similar uses; automotive supplies and sales; restaurants; offices; and other such similar uses. OPA #84
July 14/00
OPA #125
Dec. 3/08
- 7.3.10.2 Uses in areas designated New Format Commercial will be encouraged to locate in centres to facilitate integrated design concepts. In this regard applicants will be required to provide comprehensive design concepts to address the following urban design considerations:

- .1 the relationship of buildings and parking areas to adjacent arterial roads;
- .2 pedestrian circulation and the quality of the pedestrian environment within the centre;
- .3 co-ordinated access points, in order to minimize the total number of access points to abutting roads;
- .4 design of internal vehicular circulation and loading areas;
- .5 appropriate landscaping to enhance streetscape quality along the perimeter of the site;
- .6 consistent and appropriately scaled signage and lighting facilities; and
- .7 adequate buffering and screening to ensure visual separation and compatibility between the commercial and adjacent non-commercial land uses in accordance with Section 10.6 of this Plan.

OPA #170
Sept. 12/11

7.3.10.3 All new development in the New Format Commercial Area designation will be subject to the requirements of Section 7.3.1.5 of this Plan, regarding requirements for planning, market, traffic and/or engineering analyses prior to approval of a zoning bylaw amendment to permit development.

7.3.10.4 The following floor plate standards shall apply to all new development in New Format Commercial Areas:

- .1 the minimum module size for all retail uses shall be 930 square metres, with the exception of supermarkets which shall have a minimum gross leasable floor area of 4,645 square metres;
- .2 small scale restaurants, automobile service station, automobile gas bars or financial institutions comprising a maximum of 464.5 square metres may be permitted in conjunction with development of the large format retail uses cited in Section 7.3.10.1.

7.4 Industrial Areas

7.4.1 General

- 7.4.1.1 The Industrial Area designation on **Schedule 1-1 - Land Use Plan** shall mean that the predominant uses of the land shall be for manufacturing, assembling, processing, storage, servicing, research and development, and warehousing of goods and materials, in accordance with the provisions of Sections 7.4.2, 7.4.3, 7.4.4 and 7.4.5 of this Official Plan. The City of Brantford has the following industrial designations:
- .1 General Industrial Area;
 - .2 Mixed Industrial-Commercial Area; and
 - .3 Business Park Industrial Area.
- These designations have been designed to allow for the full range of industrial land uses, so that the City can remain competitive within Southern Ontario.
- 7.4.1.2 Secondary uses which may be permitted in all Industrial Area designations include:
- .1 administrative offices accessory to, and generally located within the same building as the main permitted use;
 - .2 public and private parks and open space uses;
 - .3 automobile service stations;
 - .4 limited retail commercial facilities for the sale of a portion of the goods produced or warehoused on the premises;
 - .5 residential accommodation accessory to the industrial operation, such as a caretaker's or security guard's residence;
 - .6 railway freight and passenger facilities;
 - .7 communications facilities; and
 - .8 accessory buildings and structures.

OPA #32
April 21/92

OPA #49
June 1/95

OPA #125
Dec. 3/08

OPA #49
June 1/95

OPA #89
Jan. 10/02

OPA #125
Dec. 3/08

- 7.4.1.3 Industrial uses which are considered noxious due to methods or processes employed or materials used or produced should not be permitted in an industrial area designation and shall be specifically defined in the Zoning Bylaw.
- 7.4.1.4 Permitted industrial development must be conducted in a manner which will prevent excessive pollution from smoke, noise, odours, dust or other forms of pollution. To minimize the impact of industries on the environment and surrounding sensitive uses, new and existing industrial operations are required to comply with all applicable governmental legislation, policies and standards, including the Environmental Protection Act. OPA #125
Dec. 3/08
- 7.4.1.5 Detailed standards for industrial lot and building requirements shall be established in the Zoning Bylaw.
- 7.4.1.6 Development within Industrial Areas shall be subject to the provisions of Section 10.6 of this Official Plan regarding buffering, to ensure visual separation and compatibility between the industrial development and adjacent development. OPA #84
July 14/00
OPA #170
Sept. 12/11
- 7.4.1.7 All necessary parking, loading, garbage collection/ storage, and other required facilities shall be provided on site.
- 7.4.1.8 Industrial areas shall generally be established by plans of subdivision which provide a variety of industrial lot sizes.
- 7.4.1.9 Industrial development shall be serviced with full municipal sanitary sewer, water supply and storm sewer services, except as otherwise permitted on an interim basis in this Official Plan.
- 7.4.1.10 The development of industrial malls, an industrial building divided into individual units for several industrial operations, will be encouraged in order to provide economic and efficient floorspace for industries. These malls may be developed on a rental or condominium basis for industrial uses permitted under the respective industrial land use designation on **Schedule 1-1 - Land Use Plan**. OPA #125
Dec. 3/08
- 7.4.1.11 Secondary uses which may be permitted to develop by way of a Zoning Bylaw Amendment in all Industrial Area designations, subject to the provisions of Section 10.6 include: OPA #125
Dec. 3/08
OPA #170
Sept. 12/11
- i) services clubs, fraternal organizations and union halls;
 - ii) churches and places of worship; and
 - iii) nursery schools and day care centres related to other permitted uses.
- 7.4.1.12 Older industrial brownfield sites provide intensification opportunities that can serve as catalysts for neighbourhood revitalization and improvement. OPA #125
Dec. 3/08
- 7.4.1.13 In terms of future industrial land needs, the City of Brantford has OPA #125

conducted a review and determined that manufacturing, and warehousing type operations are better located within the City's planned primary industrial park areas which have good access to arterial and collector road facilities. This will result in improved land use compatibility within inner city neighbourhoods, as well as improved economic opportunities for manufacturing and warehousing operations situated in modern industrial parks.

OMB
Approved
Dec. 17/10

It is the intent of this Official Plan that applications to redesignate brownfield sites to uses other than industrial, will be given consideration relative to the Provincial Policy Statement, Growth Plan for the Greater Golden Horseshoe, 2006, and all applicable policy of the Official Plan, to achieve the residential intensification targets of the City, and redevelopment to other uses including residential, institutional, commercial and compatible employment uses. The City, as part of its promotion of brownfield redevelopment, may pre-zone selected industrial properties planned for redevelopment and located within the Brownfields Site Community Improvement Areas.

7.4.2 General Industrial Areas

7.4.2.1 The General Industrial Area designation as shown on **Schedule 1-1 - Land Use Plan** shall include an extensive range of industrial activities such as manufacturing, warehousing, and service operations.

OPA #125
Dec. 3/08

7.4.2.2 The main permitted uses shall include:

- .1 manufacturing, processing, assembling, storage, warehousing, and fabricating of goods and materials;
- .2 repair and service operations, including auto body repair and painting;
- .3 warehousing and bulk storage of goods;
- .4 automobile and truck rental operations;
- .5 bus, cartage, truck and transportation terminals/ depots;
- .6 scrap yards in accordance with the provisions of Section 7.4.2.4 of this Official Plan;
- .7 licensed mineral resource extraction operations, in accordance with the provisions of Section 8.6 of this Official Plan;
- .8 liquid waste transfer stations, subject to the approval of all appropriate authorities;
- .9 municipal works yards;
- .10 computer, electronic, or data processing establishments;
- .11 research and development facilities;

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OPA #84
July 14/00

- .12 scientific, technological, or communication establishments;
- .13 limited business and professional offices whose services cater or are related to the industrial uses such as architects, engineers, planners, surveyors, or appraisers; OPA #32
April 21/92
- .14 wholesaling and distribution of goods, but excluding sale to the general public, except as provided by Section 7.4.1.2;
- .15 community parks and open spaces; and
- .16 recycling industries in accordance with Section 7.4.2.5 of this Plan. OPA #84
July 14/00
- 7.4.2.3 Outdoor open storage of goods and materials may be permitted in a General Industrial Area in accordance with the following policies:
- .1 All storage areas will be located away from adjacent designated residential areas, or have adequate buffering, in accordance with the provisions of Section 10.6 of this Official Plan, that will visually screen the storage areas from adjacent areas; OPA #84
July 14/00
OPA #170
Sept. 12/11
- .2 All buffering, fencing and screening is such that it visually enhances the site and is of a permanent nature; and
- .3 Where natural landscaping is utilized as part of the buffering, it shall be of an adequate size and nature to screen the outdoor storage.
- 7.4.2.4 Scrap yards may be permitted in a General Industrial Area designation in accordance with the following policies:
- .1 All storage areas are located away from adjacent designated residential areas;
- .2 All storage areas are adequately buffered, in accordance with the provisions of Section 10.6 of this Official Plan, so as not to be visible from the street and adjacent properties; and OPA #84
July 14/00
OPA #170
Sept. 12/11
- .3 Scrap yards will be encouraged to locate in the interior of industrial areas and, where feasible, to locate adjacent to similar operations so that requirements for buffering and screening may be shared or integrated.
- 7.4.2.5 Recycling industries which use, treat, convert, recover, or recycle wastes as the primary component of their operation may be permitted in a General Industrial Area designation in accordance with the following policies: OPA #84
July 14/00
- .1 The Zoning Bylaw may recognize existing recycling uses. Recycling industries which are permitted in this Official Plan but were not in existence on the date of adoption of this Plan will require an amendment to the Zoning Bylaw.
- .2 Recycling industries which use, treat, convert, recover or recycle

tires, food wastes, oils and solvents, hazardous wastes as defined by the Province, or materials that cause noxious odours and organic wastes are not permitted.

- .3 No part of a lot on which a recycling use is established shall fall within 100 metres of a lot in a non-industrial zone.
- .4 No part of a lot on which a recycling use is established can be within Special Policy Area 1 or Special Policy Area 2, as shown on **Schedule 4-1 - Community Health and Safety: Floodplain**.
- .5 Open storage of recyclable materials may be permitted, in accordance with Section 7.4.2.3 of this Plan.
- .6 The establishment of new recycling operations and the expansion of existing recycling operations will be subject to site plan approval to address issues such as security fencing, security lighting, and on-site drainage controls to contain spills and water used in fire fighting.
- .7 The City may require certificates of occupancy for recycling uses.
- .8 The City, the Brant County Health Unit and all other appropriate approval authorities will be notified of the establishment of a recycling industry.

7.4.3 Mixed Industrial-Commercial Areas

7.4.3.1 The Mixed Industrial-Commercial Area designation as shown on **Schedule 1-1 - Land Use Plan** shall include industrial activities which do not require outdoor storage or operating facilities, and limited retail and service commercial uses.

OPA #125
Dec. 3/08

7.4.3.2 The main permitted uses shall include:

- .1 manufacturing, processing, assembling, storage, warehousing, and fabricating of goods and materials within wholly enclosed buildings;
- .2 automotive sales and service centres, and automotive dealerships;
- .3 boat and recreational vehicle sales and service centres;
- .4 retail warehousing uses, such as home furnishings, appliance or floor covering sales, and other uses similar thereto;
- .5 business and professional offices;
- .6 computer, electronic, or data processing establishment;
- .7 research and development facilities;

- .8 scientific, technological, or communication establishments;
- .9 convenience commercial uses;
- .10 personal service stores such as hairstylists, dry cleaning depots, and tailors;
- .11 service commercial uses such as banks and restaurants.

OPA #7
July 15/88

7.4.3.3 A high standard of building and site design, landscaping and signage will be encouraged in the implementing Zoning Bylaw and through site plan approval.

7.4.3.4 All outdoor storage of goods associated with any commercial use shall be located away from designated residential areas, or have adequate buffering that will visually screen such storage from the residential areas in accordance with the provisions of Section 10.6 of this Official Plan.

OPA #84
July 14/00
OPA #170
Sept. 12/11

7.4.3.5 Outdoor storage of materials, equipment or goods associated with any industrial use shall be prohibited.

7.4.4 Business Park Industrial Areas

OPA #32
April 21/92

7.4.4.1 The Business Park Industrial Area designation as shown on **Schedule 1-1 - Lane Use Plan** shall include uses for industrial, office, and related commercial purposes on landscaped lots in a park-like setting.

OPA #125
Dec. 3/08

7.4.4.2 The main permitted uses shall include:

- .1 manufacturing, processing, assembling, ware-housing, fabricating, repairing, and wholesaling of goods and materials within wholly enclosed buildings;
- .2 service commercial uses that directly serve the industrial area, such as banks, restaurants, personal service stores, and convenience commercial uses;
- .3 business and professional offices;
- .4 computer, electronic or data processing establishments;
- .5 scientific, technological or communication establishments;
- .6 research and development facilities;
- .7 hotels and motels;
- .8 recreation and health clubs; and
- .9 community parks and open spaces.

- 7.4.4.3 A high standard of building design and appearance will be required and all undeveloped parts of lots will be landscaped consistent with the intended prestige image.
- 7.4.4.4 No use that is likely to cause air pollution, odour, water pollution or excessive noise will be permitted.
- 7.4.4.5 Buffering may be required to ensure visual compatibility and fencing to ensure safety.
- 7.4.4.6 For all development, provision must be made to ensure that there is adequate capacity in the transportation network and sufficient water, sanitary and storm drainage facilities are available.
- 7.4.4.7 Office uses will not exceed a gross floor area greater than 50 percent of the lot area.
- 7.4.4.8 The areas surrounding the Highway No. 403/Oak Park Road and Highway No. 403/Garden Avenue interchanges are intended to be "Gateways" to the City, and function as focal points for the Northwest Industrial Area and Northeast Industrial Area respectively. In order to fulfill these objectives, more intensive specialized commercial uses may be permitted in the vicinity of these interchanges. Developments which fall within the Ministry of Transportation's permit control area at interchanges are subject to Ministry of Transportation policies and standards.
- 7.4.4.9 A high standard of building and site design, landscaping and signage will be encouraged in the implementing Zoning Bylaw and through Site Plan Approval, in accordance with the design criteria of Section 7.4.4.11 of this Official Plan.
- 7.4.4.10 Community Parks and Open Spaces are subject to the provisions of Section 7.6.7 of this Official Plan.
- 7.4.4.11 To achieve a high standard of building design, landscaping and streetscape, the following guidelines shall be used to evaluate developments:
- .1 Existing natural features will be recognized as opportunities for urban design and, where appropriate, will be incorporated into development in a manner which will not impair their visual or ecological integrity;
 - .2 Buildings and streetscapes will be designed to create a sense of identity through treatment of architectural features, forms, massing, scale, site layout, orientation and landscaping;
 - .3 Unique architectural building and site plan designs will be encouraged at the focal points along Oak Park Road and at major intersections;
 - .4 Landscaping will be provided to define and enhance the appearance of roads and pedestrian spaces, to buffer adjacent

OPA #72
April 21/99

OPA #125
Dec. 3/08

OPA #32
April 21/92

dissimilar uses, and to minimize the visual impact of parking and loading areas;

- .5 Buildings as well as landscaping should be employed to establish an identifiable and well conceived street quality and street edge.

7.4.5 Modified Policy Areas

OPA #84
July 14/00

Deleted.

7.5 Major Institutional Areas

7.5.1 The Major Institutional Area designations on **Schedule 1-1 - Land Use Plan** shall mean that the predominant use of the land shall be for institutional facilities.

OPA #125
Dec. 3/08

7.5.2 The main permitted uses shall include:

- .1 secondary schools and other uses permitted pursuant to the Education Act;
- .2 colleges, universities, and other post secondary educational facilities;
- .3 convents and seminaries;
- .4 hospitals and major health care facilities;
- .5 private education facilities;
- .6 licensed nursing homes; and
- .7 correctional facilities and detention centres subject to amendment by the Zoning Bylaw.

7.5.3 Secondary uses which may be permitted include:

- .1 residential uses accessory to the main permitted uses;
- .2 convenience commercial uses which directly serve the main permitted uses;
- .3 administrative offices accessory to, and located within the same building as the main permitted use;
- .4 community service facilities which directly serve or are complementary to the main permitted use; and
- .5 buildings and structures accessory to the permitted uses.

7.5.4 An Official Plan Amendment shall be required to designate new Major Institutional Areas. Applications for an amendment will be evaluated on the basis of general conformity to the following criteria:

- .1 Access to a Major Collector, Minor Arterial or Major Arterial Road, which does not result in traffic hazards;
- .2 Access to public transit, where appropriate;
- .3 Compatibility with adjacent existing or planned land uses; and

OPA #59
Nov. 19/97

- .4 The proposed site area is adequate to accommodate all necessary facilities, such as adequate on-site parking, landscaping, fencing, garbage collection/ storage, and loading facilities.

7.5.5 All Major Institutional Areas shall be subject to the provisions of Section 10.6 of this Official Plan regarding buffering, to ensure visual separation and compatibility between the major institutional use and adjacent land uses. OPA #84
July 14/00
OPA #170
Sept. 12/11

7.5.6 Where a school designated as a Major Institutional Area on **Schedule 1-1 – Land Use Plan** is determined to be surplus to the Board's requirements under the provisions of the Education Act, the following policy shall apply: OPA #125
Dec. 3/08

- .1 The City shall consider the acquisition of surplus schools and school yards for municipal park and open space purposes;
- .2 The school may be used for any main permitted use in Section 7.5.2. of this Official Plan;
- .3 The following uses shall be permitted within school sites, subject to the requirements of the Zoning Bylaw, and to Site Plan Approval:
 - (i) Community Centres;
 - (ii) Municipal or private libraries;
 - (iii) Municipal recreational uses.

7.5.7 Modified Policy Areas

Deleted. OPA #84
July 14/00

7.6 Major Open Space

- 7.6.1 The Major Open Space designation on **Schedule 1-1 - Land Use Plan** shall mean that the predominant use of the land shall be for active and passive recreation, leisure and conservation uses. OPA #125
Dec. 3/08
- 7.6.2 The main permitted uses shall include:
- .1 community parks and open spaces, in accordance with the provisions of Section 7.6.7 of this Official Plan;
 - .2 specialized parks and open spaces, in accordance with the provisions of Section 7.6.8 of this Official Plan;
 - .3 private parks and open spaces;
 - .4 golf courses;
 - .5 cemeteries, in accordance with the provisions of Section 7.6.9 of this Official Plan;
 - .6 agricultural uses including nursery gardening and garden plots, but excluding intensive livestock operations, subject to the requirements of the Zoning Bylaw;
 - .7 conservation areas;
 - .8 all activities associated with storm water management, erosion or flood control as approved by the City, the Conservation Authority and other appropriate agencies; and
 - .9 Deleted
- Min. Mod. #9
Nov. 4/87
- OPA #75
May 6, 1999
- 7.6.3 Secondary uses which may be permitted include:
- .1 accessory buildings and structures accessory to the permitted uses; and
 - .2 limited commercial uses which serve the main permitted uses, such as concession stands, restaurants, or marinas.
- 7.6.4 Where a Major Open Space designation is applied to privately-owned lands, the following policies shall apply:
- .1 it shall not imply that the lands are free and open to the general public;
 - .2 there is no obligation for the City, or any other public agency, to

purchase the lands;

- .3 an application for re-designation of all or part of the lands may be considered by Council, having due regard for the following:
 - i) the City or any other public agency does not wish to purchase the lands in order to retain them for open space uses;
 - ii) the existence of any significant or unique natural features;
 - iii) the impacts of the proposed development on the natural features, including any proposed engineering or resource management works necessary to overcome such impacts; and
 - iv) the comments and approval, where required, of the Grand River Conservation Authority and other relevant authorities; and
- .4 there is no obligation for the City to approve an application for re-designation of Major Open Space lands, in accordance with subsection (.3) above.

OPA #84
July 14/00

7.6.5 The City will co-operate with all agencies and groups concerned with or involved in the acquisition, planning, development and activity programming of lands designated Major Open Space.

OPA #49
June 1/95

7.6.6 Notwithstanding Sections 7.6.2 and 7.6.3, development of lands designated Major Open Space and lying within the limits of the floodplain as shown on **Schedule 4-1 - Community Health and Safety: Floodplain**, shall be subject to the provisions of Section 10.2.

OPA #26
Aug. 2/91

OPA #84
July 14/00

7.6.7 Community Parks and Open Spaces may be permitted in accordance with the following policies:

- .1 Community Parks and Open Spaces shall be acquired and developed to provide:
 - i) large active sports and recreational facilities;
 - ii) areas for passive leisure activities;
 - iii) natural areas such as woodlots, valleys and ravines; or
 - iv) landscape and garden areas.

- .2 These areas may contain:
- i) sports and recreational facilities responsive to the needs of the residents, including such facilities as sports fields, playgrounds, ball diamonds, swimming and wading pools, fitness trails, arenas, or gymnasiums;
 - ii) landscaped areas and floral displays;
 - iii) seating and picnic areas;
 - iv) auditoriums, community centres and meeting rooms;
 - v) natural areas;
 - vi) pedestrian and bicycle paths; and
 - vii) accessory buildings and structures.
- .3 Community Parks and Open Spaces may vary in size depending on the physical characteristics of the area and the type and number of facilities provided. They shall generally be greater than 4.0 hectares in size;
- .4 These areas shall have frontage, wherever possible, on a Minor Collector, Major Collector, Minor Arterial or Major Arterial Road to facilitate access from various parts of the municipality;
- .5 Direct pedestrian, bicycle and barrier free access shall be provided to and within the park. Connections to the Bikeways and Trails Network will be provided where feasible;
- .6 Lands dedicated for Community Parks and Open Spaces shall be in a location and condition acceptable to the City; and
- .7 The location of Community Parks and Open Spaces may be co-ordinated, where feasible, with the location of elementary or secondary schools, so that a complementary integration of lands and facilities may be achieved.

OPA #59
Nov. 19/97

OPA #49
June 1/95
OPA #59
Nov. 19/97

7.6.8 Specialized Parks and Open Spaces may be permitted in accordance with the following policies:

- .1 Specialized Parks and Open Spaces shall be acquired and developed to provide:
- i) botanical gardens, arboreta, and greenhouses;
 - ii) art galleries;
 - iii) public golf courses;
 - iv) environmentally unique or sensitive natural areas;
 - v) Grand River waterfront area;
 - vi) large open spaces within the urban area;
 - vii) special sports facilities, such as ski and toboggan hills; and
 - viii) accessory buildings and structures;
- .2 These areas will vary in size depending on the physical

characteristics of the site, and the type and number of facilities provided;

- .3 These areas shall have frontage, wherever possible, on a Minor Collector, Major Collector, Minor Arterial or Major Arterial Road to facilitate access from various parts of the municipality; and
- .4 Direct pedestrian bicycle and barrier free access shall be provided to and within the park.

OPA #59
Nov. 19/97

OPA #49
June 1/95

7.6.9 Cemeteries may be permitted in accordance with the following policies:

- .1 Cemeteries shall generally be considered as part of the City's parks and open space system;
- .2 Cemeteries provide large landscape and garden areas within the urban environment, as well as opportunities for passive leisure activities;
- .3 Crematoria, columbaria and mausolea shall only be permitted in cemeteries, subject to the requirements of the Zoning Bylaw; and
- .4 The establishment of new cemeteries, or the enlargement of existing cemeteries shall have regard for:
 - i) potential impacts on adjacent existing and planned land uses;
 - ii) access to the road system which does not create traffic hazards;
 - iii) provision of adequate on-site parking facilities; and
 - iv) screening and landscaping to complement the plot plan and provide buffering with adjacent land uses.

7.6.10 Open space linkages may be permitted in any land use designation in accordance with the following policies:

OPA #84
July 14/00

OPA #125
Dec. 3/08

- .1 Open space linkages shall be acquired and developed to provide:
 - i) physical and visual linkages within the municipality;
 - ii) pedestrian and bicycle paths;
 - iii) connections between parks and open spaces; and
 - iv) access to valleys and waterfront areas;
- .2 These areas may comprise:
 - i) pedestrian walkways;
 - ii) bicycle paths;
 - iii) pedestrian grade separations;
 - iv) valley lands;
 - v) channelized storm water drainage areas;
 - vi) waterfront areas;
 - vii) hydro and utility corridors;
 - viii) protective buffer areas between conflicting land uses; or

- ix) abandoned rail lines;
 - .3 Where practical, the City may acquire and develop natural linear features as open space linkages;
 - .4 The City may develop a system of pedestrian, bicycle and wheel chair mobility aid paths within open space linkages and for recreational walking, jogging, cycling and mobility aid riding, and to provide access to other community facilities; OPA #49
June 1/95
 - .5 The City will encourage the use of utility corridors, rights-of-way, and easements for open space linkages; and
 - .6 Wherever possible, open space linkages shall be conveyed to the City or other public agencies.
- 7.6.11 Parkettes and Tot Lots may be permitted in Residential Areas in accordance with the following policies: OPA #125
Dec. 3/08
- .1 Parkettes and Tot Lots shall be acquired and developed to provide:
 - i) visual and natural amenities within the urban area;
 - ii) playspace for young children within residential areas;
 - iii) landscape and garden areas;
 - iv) meeting or resting areas; or
 - v) special areas of historic or architectural significance;
 - .2 These areas may contain:
 - i) accessible playgrounds for young children; OPA #49
June 1/95
 - ii) landscaped areas displays with mobility aid access;
 - iii) floral displays; or
 - iv) seating areas.
 - .3 Parkettes and Tot Lots may vary in size, but generally be less than 0.6 hectares.
- 7.6.12 Neighbourhood Parks and Open Spaces may be permitted In Residential Areas in accordance with the following policies: OPA #125
Dec. 3/08
- .1 Neighbourhood Parks and Open Spaces shall be acquired and developed to provide:
 - i) active sports and recreational facilities;
 - ii) areas for passive leisure activities;
 - iii) natural areas, such as woodlots and ravines; or
 - iv) landscape or garden areas;
 - .2 These areas may contain: OPA #49
June 1/95
 - i) sports and recreational facilities responsive to the needs of the residents regardless of disabilities, including such facilities as playgrounds, sports fields, rinks, ball diamonds, wading pools, and multi-purpose pads;
 - ii) accessible meeting halls and rooms;

- iii) accessible landscaped areas or floral displays;
 - iv) accessible seating areas;
 - v) natural areas;
 - vi) pedestrian mobility aid or bicycle paths; and
 - vii) accessory buildings and structures.
- .3 Neighbourhood Parks and Open Spaces may vary in size, but generally range in size from 0.8 to 4.0 hectares;
- .4 These areas shall have frontage on a Local or Minor or Major Collector Road, so that the park is visible and accessible to those within the area;
- .5 Direct pedestrian access shall be provided to and within Neighbourhood Parks and Open Spaces from all parts of the adjacent neighbourhood(s);
- .6 Lands dedicated for Neighbourhood Parks and Open Spaces shall be in a location and condition acceptable to the City; and
- .7 The location of Neighbourhood Parks and Open Spaces may be co-ordinated, where feasible, with the location of elementary schools, so that a complementary integration of lands and facilities may be achieved.

OPA #59
Nov. 19/97

7.7 Six Nations of the Grand River

OPA #164
March 25/10

7.7.1 Six Nations of the Grand River Territory lands shown on **Schedule 1-1 – Land Use Plan** comprise some of the lands owned by the Six Nations of the Grand River Territory, and none of the provisions of this Official Plan shall apply to the lands shown on **Schedule 1-1 – Land Use Plan**.

OPA #164
March 25/10
OPA #125
Dec. 3/08

7.7.2 Deleted

OPA #164
March 25/10
OPA #170
Sept. 12/11

7.8 Modified Policy Areas

7.8.1 Area 1 - Consol Road

Deleted

Min. Mod. #1
Nov. 4/87

OPA #84
July 14/00

7.8.2 Area 2 - Usher Street

Deleted

OPA #84
July 14/00

Min. Mod. #1
Nov. 4/87

OPA #49
June 1/95

7.8.3 Area 3 - Clarence Street

The scrap yard operation in Area 3 - Clarence Street as indicated on **Schedule 2 - Modified Policy Areas** existing at the date of adoption of this Official Plan shall be encouraged to relocate to an appropriate location within an industrial area, in order to permit the lands to be redeveloped for residential uses compatible with existing and planned residential uses in the vicinity.

OPA #125
Dec. 3/08

OPA #84
July 14/00

Min. Mod. #1
Nov. 4/87

7.8.4 Area 4 - Stanley Street

The scrap yard operation in Area 4 - Stanley Street as indicated on **Schedule 2 - Modified Policy Areas** existing at the date of adoption of the Official Plan shall be encouraged to relocate to an appropriate location within an industrial area, in order to permit the lands to be redeveloped for residential uses compatible with existing and planned residential land uses in the vicinity.

OPA #84
July 14/00

Min. Mod. #1
Nov. 4/87

7.8.5 Area 5 - Winniett StreetOPA #84
July 14/00

The scrap yard operation in Area 5 as indicated on **Schedule 2 - Modified Policy Areas**, existing at the date of adoption of this Official Plan shall be encouraged to relocate to an appropriate location within an industrial area, in order to permit the lands to be redeveloped for residential uses compatible with existing and planned residential uses in the vicinity.

Min. Further
App. #4
Aug. 2/91**7.8.6 Area 6 - Oak Park Road**OPA #32
Apr. 21/92

Section deleted by Amendment.

OPA #84
July 14/00**7.8.7 Area 7 - Shellard Lane**OPA #84
July 14/00

Development of the Residential Area - Low Density designation in Area 7 as indicated on **Schedule 2 - Modified Policy Areas** may be permitted in accordance with the following policies:

Min. Mod. #1
Nov. 4/87

- .1 The development comprises single-detached dwellings on private individual sewage disposal and water supply systems; however, no raised septic tile fields shall be permitted;
- .2 An engineering analysis establishes the feasibility of providing private individual sewage disposal systems to the satisfaction of the City and all other appropriate approval authorities, having regard to potential impacts on the Grand River and groundwater quality;
- .3 An engineering analysis establishes the feasibility of providing private individual water supply systems to the satisfaction of the City and all other appropriate approval authorities;
- .4 Development proceeds by plan of subdivision or condominium;
- .5 Storm water drainage can be accommodated on site and will not impact on the watercourse through erosion, sedimentation, or increased rate of runoff;
- .6 Land forms and physical features, including wooded areas and wetlands, are maintained in their natural state, where feasible, and contribute to the low density and natural character of the development;

OPA #84
July 14/00OPA #84
July 14/00

- .7 Lot sizes shall be no less than 0.4 hectares in size. Larger minimum lot sizes may be required due to on-site servicing requirements, soil structure, drainage characteristics, topography, or vegetation;
- .8 Access to the development shall be provided to Shellard Lane and, if feasible, two access points shall be provided to avoid the development of extensive culs-de-sac;
- .9 Following consultation with the City and all other appropriate approval authorities, development will be prohibited on lands that are environmentally sensitive due to groundwater conditions, vegetation, topography or soils; OPA #84
July 14/00
- .10 Development must be adequately screened and buffered from the industrial development to the east, in accordance with the provisions of Section 10.6 of this Official Plan; OPA #84
July 14/00
OPA #170
Sept. 12/11
- .11 Applications for development shall submit the following:
- i) an engineering study relative to the proposed sewage disposal, water supply and storm water drainage facilities; and
 - ii) a landscape analysis to determine the impacts on natural vegetation and the measures to be taken for its preservation; and
- .12 The studies required by Section 7.8.7.11 will be submitted as a preliminary report prior to draft approval of the plan. A final report shall be required prior to final approval of the plan. OPA #84
July 14/00

7.8.8 Area 8 - King George Road

OPA #84
July 14/00

Notwithstanding the General Commercial Area designation on the lands in Area 8 - King George Road as indicated on **Schedule 2 - Modified Policy Areas**, the uses permitted shall be limited to business and professional offices, and public administration offices.

Min. Mod. #1
Nov. 4/87

Applications for development will be evaluated with respect to their compatibility with adjacent residential uses, including:

- .1 the design, height, bulk and location of any non-residential building is compatible with adjacent residential uses and appropriate to the site;
- .2 adequate parking is provided on-site;
- .3 parking areas are located away from adjacent residential uses, wherever possible;

- .4 screening and buffering are provided to protect the residential amenity; and
- .5 Access to the lands shall be restricted to King George Road, and existing access points shall be consolidated and reduced, where possible, during the development of the lands.

7.8.9 Area 9 - Grand River Avenue

OPA #84
July 14/00

Notwithstanding the Medium Residential Area designation on the lands in Area 9 - Grand River Avenue as indicated on **Schedule 2 – Modified Policy Areas**, the uses permitted also shall include recreation, and restaurant facilities. Other commercial development which is related to the waterfront will be encouraged.

Min. Further
App. #5
Aug. 2/91

OPA #125
Dec. 3/08

OPA #125
Dec. 3/08

Council will encourage all development in this designation to provide public access to and along the Grand River waterfront in order to allow an open space linkage between Waterworks Park and the core area. Council will also encourage all developments to provide appropriate linkages to the Bikeways and Trails Network.

OPA #59
Nov. 19/97

The industrial uses existing at the date of adoption of this Official Plan may be recognized and zoned in the implementing Zoning Bylaw.

7.8.10 Area 10 - West Street

OPA #84
July 14/00

Notwithstanding the General Commercial Area designation on lands in Area 10 - West Street, as indicated on **Schedule 2 - Modified Policy Areas**, the uses permitted shall exclude retail and warehouse commercial uses, funeral homes, building supply outlets, and automobile service stations (except such automobile service uses existing at the date of adoption of this Official Plan accessory to a main permitted use).

Min. Mod. #1
Nov. 4/87

- 7.8.11 Area 11 - King George Road/Power Line Road** OPA #84
July 14/00
- Notwithstanding the General Commercial and Highway Commercial Area designations on the lands in Area 11 - King George Road/Power Line Road as indicated on **Schedule 2 - Modified Policy Areas**, the types of uses shall be restricted due to the lack of municipal sanitary sewers. In the interim, development may proceed on the basis of private sanitary sewage disposal systems, holding tanks, or private temporary connections to existing sanitary sewers, pending the extension of new public sanitary sewer trunks. Min. Mod. #4
Nov. 4/87
- Applications for development shall submit an engineering analysis which establishes the feasibility of providing private sanitary sewage systems to the satisfaction of the City and all other appropriate approval authorities. OPA #84
July 14/00
- 7.8.12 Area 12 - Park Road/Grey Street**
- Notwithstanding the General Commercial Area designation on lands in Area 12 - Park Road/Grey Street, as indicated on **Schedule 2 - Modified Policy Areas**, the uses permitted shall exclude automobile service stations, retail and warehouse commercial uses, funeral homes, and building supply outlets. Min. Mod. #1
Nov. 4/87
- OPA #84
July 14/00
- 7.8.13 Area 13 - Hardy Road** OPA #32
April 21/92
- Section deleted by Amendment. OPA #84
July 14/00
- 7.8.14 Area 14 - Johnson Road Area** OPA #38
Jan. 12/93
- Section deleted by Amendment. OPA #84
July 14/00
- 7.8.15 Area 15 - Mohawk Street** OPA #84
July 14/00
- .1 The Mohawk/Greenwich Area, as indicated on **Schedule 2 - Modified Policy Areas**, contains a number of older industrial properties that are contaminated with industrial waste. Over the long term, the City shall encourage the comprehensive redevelopment of properties in this area into a mixed-use centre consisting of clean employment uses, open space uses, institutional uses and small-scale commercial uses. Min. Mod. #17
Nov. 4/87
- OPA #32
April 21/92
- Min. Mod. #47
Aug. 2/91

- .2 Before redevelopment in this area can proceed, additional environmental investigations must be conducted to determine the nature and extent of contamination in the area, and to develop and implement an appropriate remediation strategy. To this end the City, in consultation with private landowners, will work with all levels of government to develop a coordinated and comprehensive remediation strategy in order to facilitate private redevelopment of the lands.
- OPA #59
Nov. 19/97
- OPA #84
July 14/00
- .3 The City's long term intent is to provide for redevelopment in this area. Until such time that the remediation strategy is implemented, and notwithstanding the designations in this Plan, only the following uses will be permitted in this area:
- i) Passive open space and natural regeneration;
 - ii) Light, clean industrial uses including manufacturing, assembling, warehousing, repairing and wholesaling of goods and materials within wholly enclosed buildings; and,
 - iii) Expansion of the existing scrap yard will be not permitted.
- .4 Upon implementation of the remediation strategy, the City will consider applications for the comprehensive redevelopment of this area, in accordance with the designations on **Schedule 1-1-Land Use Plan**, for a range of residential uses, commercial uses, heritage uses and recreational and open space uses. Redevelopment of these properties for residential use shall provide the appropriate buffering of 15 metres from the railway spur line.
- OPA #125
Dec. 3/08
- .5 In addition to other applicable policies of this Plan, the redevelopment of this area should proceed on the basis of a comprehensive master plan, co-ordinating the development of individual properties, in order to achieve a well-designed and integrated area, including:
- i) consideration of a system of internal streets which, over the long term, will connect with existing roads terminating on the west side of Mohawk Street and facilitate pedestrian and vehicular circulation through the site between the Eagle Place neighbourhood and the trail and open space system along the Canal;

- ii) detailed site plans showing building envelopes, conceptual building massing and compatible building design in order to achieve a consistent and pedestrian-supportive streetscape. In this regard, the City will encourage buildings with main entrances and windows which address the street, consistent setbacks from the streetline, and parking areas located in rear or side yards, away from the street frontage;
 - iii) Streetscape and landscape elements;
 - iv) Integrated internal vehicular circulation systems and parking areas, including co-ordinated access points in order to minimize the total number of access points to abutting roads;
 - v) The potential for reuse of any existing buildings or structures;
 - vi) Municipal servicing facilities;
 - vii) Compatibility with adjacent residential areas; and
 - viii) Pedestrian and bicycle access to and along the canal area and linkages to the Bikeways and Trails Network shall be incorporated in to any redevelopment plans, and a re-alignment of Greenwich Street may be considered in order to expand the open space abutting the Canal.
- .6 Neighbourhood Centre Commercial Area uses will be permitted in accordance with Section 7.3.5 of this Plan, and the following policies:
- i) Neighbourhood Centre Commercial Area uses will be directed to the Mohawk Street frontage of the area, to facilitate access from the Eagle Place neighbourhood; and,
 - ii) Neighbourhood Centre Commercial Uses may develop in a stand-alone shopping centre format or on the ground floor of mixed use buildings.
- .7 Portions of Modified Policy Area 15 lie within the Special Policy Area as shown on **Schedule 4-1 - Community Health and Safety: Floodplain** and are subject to the provisions of Section 10.2 of this Plan.
- .8 The City may prepare a Community Improvement Plan for this area, in accordance with the provisions of Section 16 of this Plan, and explore opportunities to use a variety of incentives, to promote clean-up and redevelopment of this area.

OPA #170
Sept. 12/11

- .9 Notwithstanding the designations on **Schedule 1-1 – Land Use Plan**, the City may consider alternative redevelopment concepts for this area that provide for a range of residential uses, commercial uses, educational and research uses, heritage uses, buffer area, and recreational and open space uses, without amendment to this Plan.

OPA #125
Dec. 3/08

7.8.16 Area 16 - Market Street South and Newport Street Extension

OPA #84
July 14/00

- .1 In addition to the policies for the Core Commercial Area designation of this Plan, the following policies shall apply to Modified Policy **Area 16 - Market Street South and Newport Street Extension**:

Min. Further
App. #6
Aug. 2/91

OPA #32
April 21/92

- i) Extension of an open space linkage between the Grand River waterfront and the Canal along the east-west railway line, when abandoned, shall be encouraged in order to facilitate pedestrian and bicycle access throughout the area and connections to the Bikeways and Trails Network;

OPA #49
June 1/95

OPA #59
Nov. 19/87

- ii) The City will explore opportunities to improve pedestrian linkages and accessibility between the Market Street South and Newport Street Extension Area and the Downtown Core in the vicinity of Market Street;

Min. Mod.
Nov. 19/97

OPA #89
July 14/00

- iii) Notwithstanding Section 7.3.2.4 of this Plan, all development shall be required to provide adequate on-site parking, in accordance with the standards of the Zoning Bylaw, or equivalent cash-in-lieu of parking in accordance with the provisions of Section 11.6.5 of this Plan; and,

OPA #170
Sept. 12/11

- iv) The Market Street South and Newport Street Extension Area contains a number of older industrial properties and old waste disposal sites that may be contaminated and/or have unstable soils. The City may prepare a Community Improvement Plan for this area, in accordance with the provisions of Section 16 of this Plan, and explore opportunities to use a variety of incentives, to promote clean-up and redevelopment of this area.

OPA #170
Sept. 12/11

7.8.17 Area 17 - Morton Avenue/West Street

OPA #84
July 14/00

The City will encourage the infilling of industrial uses in Area 17 - Morton Avenue/West Street, as indicated on **Schedule 2 - Modified Policy Areas**, located south of Morton Avenue, north of Charing Cross Street, and east of West Street.

Min. Mod. #1
Nov. 4/87

Continuation of the existing, or the development of additional residential uses would be inappropriate in view of the nature of

OPA #32
April 21/92

industrial uses in the area. New industrial uses shall be compatible in type and scale with adjacent open space and residential areas and shall have regard for the area's visible location on West Street.

7.8.18 Area 18 - Shellard Lane

OPA #84
July 14/00

.1 Applications for industrial development within that portion of the General Industrial Area designation in Area 18 - Shellard Lane as indicated on **Schedule 2 - Modified Policy Areas**, will be considered in accordance with the following policies:

Min. Mod. #1
Nov. 4/87

OPA #84
July 14/00

.1 Industrial uses shall include manufacturing, processing, assembly, enclosed storage, and fabricating of goods and materials within wholly enclosed buildings which can be developed in proximity to residential areas without creating any adverse land use impacts.

OPA # 32
April 21/92

.2 Industrial uses requiring outdoor storage of goods, materials or equipment shall be prohibited.

.3 A high standard of building and site design, landscaping, and signage shall be encouraged in the implementing Zoning Bylaw and through Site Plan Approval.

.4 Development will utilize natural features and extensive landscaping in order to create a park-like setting.

.5 Development shall provide extensive screening and buffering in accordance with the provisions of Section 10.6 of this Official Plan, where it abuts a Residential Area designation in order to protect the amenity and functioning of the residential area.

OPA #84
July 14/00
OPA #170
Sept. 12/11

.2 Notwithstanding the Industrial designation, applications to amend the land use designation within Area 18 - Shellard Lane may be considered in accordance with the following policies:

OPA #84
July 14/00

.1 The proposed land uses are compatible with the Residential Area - Low Density designation in the area.

OPA #84
July 14/00

.2 Deleted.

Min. Mod. #1
Nov. 4/87

OPA #84
July 14/00

.3 A feasibility study supports the development of the proposed land uses with respect to transportation, servicing, and community facilities.

.4 Deleted.

OPA #84
July 14/00

7.8.19 Area 19 - Mohawk StreetOPA #84
July 14/00

The City's municipal Water Pollution Control Plant and Sanitary Landfill Site are located in Area 19 - Mohawk Street, as indicated on **Schedule 2 - Modified Policy Areas**, and shall be recognized as permitted uses.

OPA #26
Aug. 2/91

These uses shall be allowed to expand as necessary to maintain an appropriate level of service to the City in accordance with the following provisions:

1. The Water Pollution Control Plant will be designed, constructed and operated in a manner which takes the following into consideration:
 - a) operation of the facility for the longest period of time practical during a flood event;
 - b) provision of adequate capability to pump treated effluent in the facility over the dyke into the Floodway; and
 - c) minimizing the duration of the operational downtime of the facility during, and following, a flood event by limiting the potential for damage to operational equipment and controls and building contents by flood waters.

2. The Sanitary Landfill Site will be operated in a manner which takes the following into consideration:
 - a) expansion into the Floodway will be permitted provided there are no significant hydraulic effects on the opposite valley wall, upstream or downstream; and
 - b) changes in the afteruse of this facility shall be subject to written Ministerial approval pursuant to the Environmental Protection Act.

OPA #84
July 14/00**7.8.20 Area 20 - Grandview Street**OPA #84
July 14/00

Development within the Residential Area - Medium Density designation on lands in Area 20 - Grandview Street, as indicated on **Schedule 2 - Modified Policy Areas** shall only be permitted access to Grandview Street.

Min. Mod. #1 &
#4
Nov. 4/87

7.8.21	Area 21 - Sherwood Drive	OPA #84 July 14/00
	Notwithstanding the Residential Area - Medium Density designation on lands in Area 21, as indicated on <u>Schedule 2 - Modified Policy Areas</u> , the uses permitted shall include business and professional offices within the buildings existing at the date of the adoption of the Official Plan.	Min. Mod. #46 Aug. 2/91
7.8.22	Area 22 - Brant Avenue/Lorne Crescent/Waterloo Street (Section deleted by Amendment)	Min. Mod. #1 & #6 Nov. 4/87 OPA #46 Sept. 28/93 OPA #61 Nov. 25/97 OPA #84 July 14/00
7.8.23	Area 23 - Ava Golf Course (Section Deleted by Modification)	Min. Mod. #5 Nov. 4/87 OPA #84 July 14/00
7.8.24	Area 24 - Lynden Road	OPA #84 July 14/00
	Applications for development within the Mixed Industrial Commercial Designation in Area 24 - Lynden Road, as indicated on <u>Schedule 2 - Modified Policy Area</u> will be considered in accordance with the following policies:	Min. Mod. #1 Nov. 4/87
	1. The main permitted uses shall include the following:	OPA #32 April 21/92
	i) manufacturing, processing, assembling, storage, warehousing and the fabrication of goods and materials within wholly-enclosed buildings;	
	ii) business offices;	
	iii) outdoor storage of materials, equipment, or goods representing the finished product of any industrial use permitted by clause 1.(i) above, only in accordance with the following policies:	

- a) all storage areas will be located away from adjacent designated residential areas or have adequate buffering that will visually screen such storage areas from the residential areas in accordance with the provisions of Section 10.6 of this Official Plan;
- b) all buffering, fencing, and screening is such that it visually enhances the site and is of a permanent nature; and
- c) where natural landscaping is utilized as part of the buffering, it shall be of an adequate size and nature to screen the outdoor storage.

OPA #84
July 14/00
OPA #170
Sept. 12/11

7.8.25 Area 25 - Fairview Drive/West Street

OPA #84
July 14/00

Notwithstanding the provisions of Section 7.3.4.1 of this Official Plan, the total maximum gross leasable floor area on the lands in Area 25 - Fairview Drive/West Street as indicated on **Schedule 2 - Modified Policy Areas** shall be 18,580 square metres.

Min. Mod. #7
Nov. 4/87

Applications for development up to 18,580 square metres will be considered in accordance with the following policies:

OPA #49
June 1/95

- .1 The access to and traffic generated by the site will not create adverse traffic hazards on surrounding roads;
- .2 The site area is adequate to incorporate all necessary screening or buffering in order to minimize potential impacts on adjacent residential uses, in accordance with the provisions of Section 10.6 of this Official Plan;
- .3 Garbage collection/storage areas and loading/ delivery areas shall be located and screened so as not to create an adverse impact on surrounding uses;
- .4 The design, bulk, and location of buildings shall be compatible with adjacent residential uses; and
- .5 The applicant shall satisfy the provisions of Section 7.3.1.5 of this Official Plan and shall provide detailed site plans for review.

OPA #84
July 14/00
OPA #170
Sept. 12/11

OPA #84
July 14/00

7.8.26 Area 26 - King George Road/Oxford Street

OPA #84
July 14/00

(Section deleted by Amendment)

OPA #49
June 1/95

7.8.27 Area 27 - Brantford General Hospital AreaOPA #84
July 14/00

Notwithstanding the Major Institutional Area designation on the lands in Area No. 27 - Brantford General Hospital Area, as indicated on **Schedule 2 - Modified Policy Areas**, the uses permitted also shall include private medical clinics and ancillary commercial uses in accordance with the following policies:

OPA #1
Jan. 18/88

- .1 the design, height, bulk and location of any building is compatible with the adjacent uses and appropriate to the site.
- .2 adequate off-street parking is provided on site.
- .3 screening, buffering and landscaping are provided to protect and enhance the development.

7.8.28 Area 28 - St. Paul Avenue north of St. George StreetOPA #84
July 14/00

Notwithstanding Section 7.2.3 Residential Area - Medium Density designation on the lands in Area No. 28 - St. Paul Avenue north of St. George Street as indicated on **Schedule 2 - Modified Policy Areas**, the uses permitted shall be restricted to a retirement lodge and/or nursing home in accordance with the following policies:

OPA #2
April 14/88

- .1 The retirement lodge and/or nursing home shall not exceed a maximum accommodation of 50 beds.
- .2 The design, height, bulk and location of any building is compatible with the adjacent uses and appropriate to the site.
- .3 Adequate off-street parking is provided on site.
- .4 Screening, buffering and landscaping are provided to protect the adjacent uses and enhance the development.
- .5 Deleted

OPA #49
June 1/95

- 7.8.29 Area 29 - North side of Dunsdon Street between Four Seasons Drive and Greenfield Road** OPA #84
July 14/00
- Notwithstanding the Neighbourhood Centre Commercial area designation on the lands in Area No. 29 - North side of Dunsdon Street between Four Seasons Drive and Greenfield Road as indicated on **Schedule 2 - Modified Policy Areas** the uses permitted also shall include residential dwellings as secondary uses in accordance with the following policies:
- .1 The residential units being located in any portion of the existing neighbourhood convenience plaza provided the total floor area of those residential units does not exceed two-thirds the total gross floor area of the neighbourhood convenience plaza. OPA #20
Jan. 18/90
- .2 Adequate off-street parking is provided on site for both the commercial uses and secondary residential uses.
- 7.8.30 Area 30 - North side of Henry Street adjacent to Highway 403** OPA #27
April 4/91
- (Section deleted by Amendment). OPA #84
July 14/00
- OPA #32
April 21/91
- 7.8.31 Area 31 - 1, 3 and 5 Dunsdon Street** OMB Order
#088-1
Aug. 15/89
- (Section not approved) OPA #84
July 14/00
- 7.8.32 Area 32 - Colborne Street Slope Failure Area**
- Notwithstanding the land use designations on **Schedule 1-1 - Land Use Plan** on lands in Area 32 - Colborne Street Slope Failure Area as indicated on **Schedule 2 - Modified Policy Areas**, only those uses existing on the date of adoption of this Plan shall be permitted. This policy shall remain in effect until such time as the lands above and below the slope are certified to be sufficiently stable to support a proposed development, by a competent, qualified professional engineer hired by the developer and reviewed by the City and all other appropriate approval authorities. At that time, an amendment to this Plan will be required to designate the subject lands in a designation appropriate and consistent with the optimal long term use of the land.
- Min. Mod. #37
June 21/88
- OPA #84
July 14/00
- OPA #125
Dec. 3/08

This policy will be implemented by an amendment to the zoning bylaw which will permit only existing uses, buildings and structures and will not permit any additions, expansions, or restoration. Council will also encourage the acquisition of these lands by the Grand River Conservation Authority.

- 7.8.32.1 Area 32 - Colborne Street Slope Failure Area** OPA #84
July 14/00
- Deleted. Min. Mod. #38
June 21/88
- 7.8.33 Area 33 - Oak Hill Drive Slope Area**
- Notwithstanding the Residential Area - Low Density designation on lands in Area 33 - Oak Hill Drive Slope Area as indicated on **Schedule 2 - Modified Policy Areas**, all development shall be subject to the following policies:
- Min. Mod. #40
June 21/88
- OPA #84
July 14/00
1. All buildings and structures shall be subject to a 15.0 metre setback from a point representing the future location of the top of the bank, assuming a 100 year erosion rate and the calculation of stable inclination for the slope as shown on **Schedule 4-4 – Community Health and Safety: Slope Setback**, or OPA #160
Nov. 6/09
 2. Where remedial works are required by the City Engineer or a development is proposed which would not comply with Section 7.8.33.1, a geotechnical study, completed to the satisfaction of the City and all other appropriate approval authorities will be required to support the proposal. OPA #84
July 14/00
 3. Where remedial works to stabilize the slope are proposed to permit development, such works will be constructed and maintained to the satisfaction of the Grand River Conservation Authority and the City.
- 7.8.34 Area 34 - Grand River Avenue** OPA #9
Oct. 24/88
- .1 It is expected that the former Penmans and Solaray sites in Area 2 - Grand River Avenue as indicated on **Schedule 2 - Modified Policy Areas**, will be redeveloped for a mix of low, medium and high density residential uses. OPA #49
June 1/83
OPA #84
July 14/00
 - .2 In addition to all other applicable policies of this Plan, the following policies shall apply to Area 34 – Grand River Avenue. OPA #84
July 14/00
 - i) Residential uses will be permitted, in accordance with the policies for Low, Medium and High Density Residential Areas of this Plan;

- ii) Buildings shall not exceed 6 storeys in height;
- iii) Council will encourage all development in this designation to provide public access to and along the Grand River waterfront in order to allow an open space linkage between Waterworks Park and the core area. Council will also encourage all developments to provide appropriate linkages to the Bikeways and Trails Network;
- iv) Modified Policy Area 34 lies within the Special Policy Area as shown on **Schedule 4-1 - Community Health and Safety: Floodplain**, and is subject to the provisions of Section 10.2 of this Plan; and,
- v) The Grand River Area contains a number of older industrial properties that may be contaminated with industrial wastes. The City will work with landowners to develop a coordinated strategy to rehabilitate these sites in order to facilitate redevelopment. In this regard, the City may prepare a Community Improvement Plan for this area, in accordance with the provisions of Section 16 of this Plan, and explore opportunities to use a variety of incentives, to promote clean-up and redevelopment of contaminated sites in this area.

OPA #170
Sept. 12/11

7.8.35 (Area 35 - Shellard Lane - North Side)

OPA #48
May 5/95

Deleted

OPA #84
July 14/00

7.8.36 Area 36 - South Side of Lynden Rd. opposite Dalkeith Drive

OPA #84
July 14/00

(Deleted by Amendment)

7.8.37 Area 37 - Waterworks Park

OPA #84
July 14/00

The Public Utilities Commission's Water Treatment Plant and Transportation Garage are located in Area 37 - Waterworks Park as indicated on **Schedule 2 - Modified Policy Areas**, and shall be recognized as permitted uses and be allowed to expand as necessary to maintain the required level of service subject to the following provisions:

OPA #26
Aug. 2/91

1. The Water Treatment Plant will be designed, constructed and operated to minimize the duration of the operational downtime of the facility during, and after, a flood event by limiting the potential for damage to operational equipment and controls and the plant contents from flood waters.
2. The Transportation Garage shall be subject to the provisions of Section 10.2 of this Plan. OPA #84
July 14/00

7.8.38 Area 38 Blocks D and E, Holiday Drive OPA #49
June 1/95

(Deleted by Amendment) OPA #84
July 14/00

7.8.39 Area 39 - Southwest Area, South of Shellard Lane OPA #84
July 14/00

Notwithstanding the "Residential Area - Low Density", "Residential Area - Medium Density" and "Residential Area - High Density" designations on the lands in Area No. 39 - Southwest Area, South of Shellard Lane as indicated on **Schedule 2 - Modified Policy Areas**, are set aside and may be used for such purposes as fire, ambulance, and police stations in accordance with Section 7.1.5 and churches and places of worship. OPA #25
Dec. 14/90

7.8.40 Area 40 - Southwest Area, South of Shellard Lane OPA #84
July 14/00

- a) Land forms and physical features, including wooded areas, and watercourses be maintained in their natural state, where feasible, to contribute to the natural character of the development. Min. Mod. #2
Dec. 14/90
- b) A Master Drainage Plan as indicated in Section 12.4 - Stormwater Management shall be prepared by the developer to the satisfaction of the City, the Grand River Conservation Authority, and all other appropriate approval authorities. The Plan shall address both the interim (during the development) and final methods for accommodating stormwater run-off to be used. In addressing these measures, the Master Drainage Plan shall have regard to D'Aubigny Creek, which contains a significant coldwater fishery. Methods described in the Master Drainage Plan shall ensure no net loss of productive capacity of fish habitat. OPA #84
July 14/00

Deleted. Min. Mod. #3
Dec. 14/90

OPA #49
June 1/95

OPA #84
July 14/00

The Municipality shall, through land use controls, subdivision agreements, phasing, and other resources made available to it, encourage development initiatives directed towards increasing available inventories of affordable housing.

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|---------------|--|---|
| 7.8.41 | Area 41 - Dundas Street and McClure Street | OPA #84
July 14/00 |
| | Notwithstanding the "Residential Area - High Density" designation on the lands in Area 41 - Dundas Street and McClure Street as indicated on <u>Schedule 2 - Modified Policy Areas</u> , the uses permitted shall also include a parking lot, service commercial and medical related uses such as general offices, medical offices and clinics, financial institutions, pharmacies, neighbourhood convenience stores, personal service stores, restaurants, and specialty retail stores. | OPA #29
Jan. 10/92

OPA #51
Mar. 3/95 |
| 7.8.42 | Area 42 - Northwest Area, south of Brantford Golf and Country Club | OPA #84
July 14/00 |
| | Notwithstanding the Residential Area - Low Density designation on the lands in Area 42 - Northwest Area, south of Brantford Golf and Country Club; the types of uses and development shall be restricted due to the lack of municipal sanitary sewers. In the interim, development may proceed on the basis of private sanitary sewage disposal systems, holding tanks, or private temporary connections to existing sanitary sewers, pending the extension of new public sanitary sewer trunks. | OPA #32
April 21/92 |
| | Applications for development shall submit an engineering analysis which establishes the feasibility of providing private sewage systems to the satisfaction of the City and all other appropriate approval authorities. | OPA #84
July 14/00 |
| 7.8.43 | Area 43 - 298 Park Road North | OPA #37
May 7/92 |
| | (Deleted by Amendment) | OPA #57
March 11/97

OPA #84
July 14/00 |
| 7.8.44 | Area 44 - Garden Avenue/Johnson Road Area | OPA #84
July 14/00 |
| | Applications for development within the various land use designations in Area 44 - Garden Avenue/Johnson Road Area, as indicated on <u>Schedule 2 - Modified Policy Areas</u> may be permitted in accordance with the following policies: | OPA #38
Jan. 12/93 |

- | | | |
|----|--|--|
| .1 | All new developments shall be serviced by municipal water and sanitary sewer to the satisfaction of the City and all other appropriate approval authorities. | Min. Mod. #1
Jan. 12/93
OPA #84
July 14/00 |
| .2 | Any existing or approved development may proceed on an interim basis, using private individual sewage disposal systems, to the satisfaction of the City, and shall connect to the municipal sanitary sewer system when extended to the area. | OPA #84
July 14/00 |
| .3 | The subdivision of land shall occur through the Draft Plan of Subdivision process, except in infill situations where land severances may be considered. | |
| .4 | All proposed plans of subdivision shall be accompanied by a Noise Study assessing the impact of traffic and railway-generated noise on the proposal. Such studies shall be prepared by a qualified professional, in accordance with Section 10.5 - Noise and Vibration Control, and shall specify the necessary mitigation measures to the satisfaction of the City and all other appropriate approval authorities, in consultation with the appropriate railway companies. | Min. Mod. #2
Jan. 12/93
OPA #84
July 14/00
OPA #170
Sept. 12/11 |
| .5 | Due to the proximity of residentially designated lands to areas comprising existing and future industrial uses, appropriate mitigative measures will be required in accordance with the provisions of Section 10.6 - Buffering, and in consultation with the City and all other appropriate approval authorities. | Min. Mod. #3
Jan. 12/93
OPA #84
July 14/00
OPA #170
Sept. 12/11 |
| .6 | Applications for development which either contain or abut any regulated tributary shall include a detailed report which shall: delineate precisely the location of the tributary and its regulated floodplain in relation to the development, identify the relative values and merits of this natural feature, assess the ability to maintain and manage this feature in an urban setting, document the compatibility of the proposed development with the tributary including mitigating measures such as setbacks and special construction techniques and show how the tributary shall be maintained to the satisfaction of the City, the Grand River Conservation Authority and all other appropriate approval authorities. | OPA #84
July 14/00 |
| .7 | In support of any development proposal, environmental and arborist reports will be required to identify features and trees most suitable and desirable for protection. These reports shall describe measures which must be implemented to ensure the long-term protection of these features. | |

7.8.45	Area 45 - Northeast Corner of Park Road North and Henry Street	OPA #41 Sept. 25/92
	Deleted.	OPA #84 July 14/00
7.8.46	Area 46 - Northeast Corner of Park Road North and Henry Street	OPA #41 Sept. 25/92
	Deleted.	OPA #84 July 14/00
7.8.47	Area 47 - Braneida Industrial Park Area "G"	OPA #84 July 14/00
	Notwithstanding the General Industrial Area designation on the lands in Area 47 - Braneida Industrial Park Area "G", as indicated on <u>Schedule 2 - Modified Policy Areas</u> , the uses permitted shall also include retail warehouses limited to home furnishings.	OPA #45 June 11/93
7.8.48	Area 48 - Southwest Area, North of Shellard Lane	OPA #84 July 14/00
	a) Significant land forms and physical features, including woodlots, wetland areas and watercourses be maintained in their natural state, consistent with the recommendations of the D'Aubigny Creek Master Watershed Plan (1992) and the Shellard Lane Secondary Planning Study (1994). Such land forms and physical features will be preserved by incorporating them into public park facilities and/or into the Environmental Protection Policy Areas identified in <u>Schedule 3-1 - Natural Heritage: Environmental Areas</u> of this Official Plan.	OPA #48 May 5/95 OPA #84 July 14/00
	b) Future lots abutting the Environmental Protection Policy Areas identified in <u>Schedule 3-1 - Natural Heritage: Environmental Areas</u> of this Official Plan, and other mature woodlots within Modified Policy Area No. 48, shall have rear yards which are maximized in depth to reduce potential impacts of man-made structures on natural resources within said areas.	OPA #84 July 14/00
	c) Future development proposals and Plans of Subdivision shall take into consideration opportunities for the development of pathway networks linking residential areas with natural areas, school sites, community/neighbourhood parks and other open spaces, commercial and institutional sites.	OPA #84 July 14/00

- d) No direct vehicular access shall be permitted from Shellard Lane to Neighbourhood Commercial sites or single detached lots. Such direct access may be permitted for school sites, institutional and medium/high density residential lots based upon submission of detailed development plans and justifications of need.
- e) Notwithstanding Section 7.2.3.3 of this Official Plan, medium density residential sites may be located adjacent to the Environmental Protection Policy Areas identified in **Schedule 3-1 - Natural Heritage: Environmental Areas** to this Official Plan, without being located adjacent to a Minor Collector, Major Collector, Minor Arterial or Major Arterial Road, provided that it can be demonstrated that lotting configuration, topography, and natural resource preservation issues warrant such location and that neighbouring development will not be adversely affected.
- f) Modified Policy Area No. 48 shall be serviced by an internal trunk sanitary sewer system together with the sanitary sewer system on Shellard Lane, in order to minimize grading requirements and to enable local internal sewers to drain in a direction generally compatible with existing topography and roadway gradients.
- g) Detailed Master Drainage Plans as indicated in Section 12.4 - Stormwater Management shall be prepared by developers to the satisfaction of the City, the Grand River Conservation Authority and all other appropriate approval authorities. These Plans shall address both interim (during development) and final methods for accommodating stormwater run-off to be used. In addressing these measures, the Master Drainage Plans shall be consistent with the recommendations of the D'Aubigny Creek Master Watershed Plan (1992) and the Watershed Master Plan Study Phase 2 - D'Aubigny Creek (1994).
- h) Deleted.
- 7.8.49 Area 49 - Oak Park Road and Highway No. 403**
(Deleted by Amendment)

OPA #59
Nov. 19/97

OPA #84
July 14/00

OPA #84
July 14/00

OPA #84
July 14/00

OPA #84
July 14/00

OPA #49
June 1/95

- 7.8.50 Area 50 - 120 Paris Road** OPA #84
July 14/00
- Notwithstanding the "General Commercial Area" designation on lands in Area 50 - 120 Paris Road, as indicated on **Schedule 2 - Modified Policy Areas**, the uses permitted shall be limited to only the uses identified in Sections 7.2.1.2 and 7.2.2.1, and to retail and service commercial uses which have no need to locate in a shopping centre, business and professional offices and accessory buildings and structures. OPA #49
June 1/95
- 7.8.51 Area 51 - 348 Elgin Street** OPA #84
July 14/00
- Notwithstanding the "General Industrial Area" designation on the lands in Area 51 - 348 Elgin Street, as indicated on **Schedule 2 - Modified Policy Areas**, a public agency works yard shall also include the accessory retail sales of home comfort products, including gas, water, electrical and heating conservation fixtures; air and water quality products; security products all for home use only. This accessory retail sale activity is restricted to a maximum gross floor area of 300.0m². OPA #58
June 13/97
- 7.8.52 Area 52 - 573 Colborne Street East** OPA #84
July 14/00
- Notwithstanding the provisions of Section 7.3.4.1 of this Official Plan, the total maximum gross leasable floor area on the lands in Area 52 - 573 Colborne Street East as indicated on **Schedule 2 - Modified Policy Areas** shall be 11,400m². OPA #60
July 15/97
- 7.8.53 Area 53 - Pleasant View Golf Course** OPA #84
July 14/00
- Notwithstanding the "Residential Area - Low Density" designation of the lands in Area 53 - Pleasant View Golf Course, as indicated on **Schedule 2 - Modified Policy Areas**, the uses permitted shall include a golf course, as an interim use, in accordance with the following policies: OPA #62
Aug. 17/97
- .1 Lands developed for such golf course use need not have frontage on, nor direct access to, a municipal street within the City of Brantford.
 - .2 Development of a golf course may proceed on the basis of private sanitary disposal facilities and/or water supply systems to the satisfaction of the City and all other appropriate approval authorities. OPA #84
July 14/00

7.8.54 Area 54 - Southeast Corner of Wayne Gretzky Parkway and Henry Street

OPA #84
July 14/00

Notwithstanding the "General Commercial Area" designation on lands in Area 54 - Southeast Corner of Wayne Gretzky Parkway and Henry Street, as indicated on **Schedule 2 - Modified Policy Areas**, the development of these lands shall be subject to the following policies:

OPA #63
Jan. 12/99
OPA #122
Jan. 18/07

- .1 The main permitted uses shall include:
 - .1 retail and warehouse commercial uses;
 - .2 retail and service commercial uses;
 - .3 automobile service stations and gas bars;
 - .4 building supply centres;
 - .5 recreational uses;
 - .6 restaurants, including drive-in and take-out services;
 - .7 automobile service centres;
 - .8 nursery garden centres;
 - .9 one supermarket;
 - .10 home and auto supply stores;
 - .11 financial institutions;
 - .12 health club;
 - .13 accessory buildings and structures.
- .2 Major and junior department stores shall be prohibited.
- .3 The maximum total gross leasable floor area of all buildings shall be 24,800.0m².
- .4 Single entity food or non-food retail space shall have a maximum gross leasable area of 9,300.0m².
- .5 Adequate buffering and screening shall be provided to ensure visual separation and compatibility between the commercial and adjacent non-commercial land uses in accordance with the provisions of Section 10.6 of this Official Plan.
- .6 Comprehensive design concepts shall be required to achieve proper access and internal traffic circulation systems; adequate parking, loading and garbage collection/storage facilities; co-ordinated landscaping; and appropriate urban design characteristics.

OPA #170
Sept. 12/11

7.8.55 Area 55 - East of Erie Avenue, North of Fifth Avenue

OPA #84
July 14/00

Deleted

OPA #92
May 1/02

- 7.8.56 Area 56 - Southwest Corner of Highway No. 403/Paris Road Interchange** OPA #84
July 14/00
- OPA #66
April 3/98
- Notwithstanding the "Mixed Industrial Commercial Area" designation on the lands in Area 56 - Southwest Corner of Highway No. 403/Paris Road Interchange, as indicated on **Schedule 2 - Modified Policy Areas**, the uses shall be restricted to general offices and a service industry limited to the offices and open and enclosed storage associated with a general contractor, in accordance with the following policy:
- .1 The maximum gross floor area of all buildings supporting general offices shall be 365.0m².
 - .2 The maximum gross floor area of all buildings used for enclosed storage associated with a general contractor shall be 190.0m².
- 7.8.57 Area 57 - 1042 Colborne Street East** OPA #84
July 14/00
- Notwithstanding the "Residential Area - Medium Density" designation on the lands in Area 57 - 1042 Colborne Street East, as indicated on **Schedule 2 - Modified Policy Areas**, the uses permitted shall also include a theatre. OPA #69
June 22/98
- 7.8.58 Area 58 - 175 to 181 Lynden Road and 190 Lynden Road** OPA #70
Aug. 18/98
- Deleted. OPA #84
July 14/00
- 7.8.59 Area 59 - 25/27 King George Road** OPA #84
July 14/00
- Notwithstanding the "General Commercial Area" designation on the lands in Area 59 - 25/27 King George Road as indicated on **Schedule 2 - Modified Policy Areas**, the uses permitted shall be limited to business and professional offices, public administration offices, and financial institutions. OPA #73
May 6/99
- Applications for development will be evaluated with respect to their compatibility with adjacent residential uses, including:
- .1 the design, height, bulk and location of any non-residential building in compatibility with adjacent residential uses and appropriate to the site;
 - .2 adequate parking is provided on-site;
 - .3 parking areas are located away from adjacent residential uses; wherever possible;
 - .4 screening and buffering are provided to protect the residential

amenity; and

- .5 access to the lands shall be restricted to King George Road, and existing access points shall be consolidated and reduced, where possible, during the development of the lands.

7.8.60 Area 60 - Southeast Corner of Summerhayes Crescent and Powerline Road

OPA #84
July 14/00

OPA #77
Sept. 10/99

Notwithstanding the "Residential Area - Low Density" designation on the lands in Area 60 - Southeast Corner of Summerhayes Crescent and Powerline Road, the types of uses and development shall be restricted due to the lack of municipal sanitary sewers. In the interim, development in the form of single detached dwellings may proceed on the basis of private sanitary sewage disposal systems, pending the extension of new public sanitary sewers.

Applications for development shall submit an engineering analysis which establishes the feasibility of providing private sanitary sewage disposal systems to the satisfaction of the City and all other appropriate approval authorities.

OPA #84
July 14/00

7.8.61 Area 61 - 71/73 Morton Avenue

Notwithstanding the "Residential Area - Medium Density" designation on lands in Area 61 - 71/73 Morton Avenue as indicated on **Schedule 2 - Modified Policy Areas**, the uses permitted shall be restricted to single detached cluster dwellings.

OPA #84
July 14/00

OPA #83
March 31/00

7.8.62 Area 62 – 85 Morrell Street

OPA #84
July 14/00

OPA #125
Dec. 3/089

OPA #168
July 7/11

Notwithstanding the "Residential Area – Medium Density" designation on the lands in Area 62 – 85 Morrell Street, as indicated on **Schedule 2 – Modified Policy Areas**, development shall be permitted only in accordance with the following policies:

- .1 Single detached dwellings and townhouses are permitted on the lands located to the north of the existing building which is situated on the south portion of the lands identified as Area 62 – 85 Morrell Street.
- .2 Until such time as there has been a resolution of the rail line to the satisfaction of CN and the City of Brantford:
 - .1 The existing building located on the south portion of the lands situated adjacent and parallel to the rail line (and Holme Street), shall be retained on the subject lands and outdoor storage shall be prohibited.

- .2 The following non- residential uses only will be permitted within the existing building:
- i) Neighbourhood commercial uses, to be further defined in the Zoning Bylaw;
 - ii) Medical clinic, medical office and/or general office uses;
 - iii) Light clean industrial uses including warehousing, repairing of goods and material within wholly enclosed buildings;
 - iv) Limited business and professional offices, such as engineers or related activities and business services such as printing, publishing, graphic design whose services cater to or are related to industrial uses;
 - v) Scientific, technological or communication establishments;
 - vi) Research and development facilities; and
 - vii) All loading and unloading for the warehouse use shall be restricted to the interior of the existing building and shall not be permitted in the accessory parking lot or on the adjacent streets and the storage and / or distribution of hazardous wastes as defined by the Province shall be prohibited from the warehouse use.
- .3 Upon resolution of the rail line to the satisfaction of CN and the City of Brantford:
- .1 The existing building located on the south portion of the lands situated adjacent and parallel to the rail line (and Holme Street) may be removed;
 - .2 The following uses will be permitted:
 - i) Residential uses including townhouses, rowhouses, fourplexes, low-rise apartments and other forms of low-rise multiple-unit dwellings;
 - ii Neighbourhood commercial uses, to be defined in the Zoning Bylaw; and
 - iii) Medical clinic, medical office and/or general office uses.
 - .3 Maximum net residential density for residential development shall not exceed 60 units per net residential hectare.
 - .4 Outdoor storage shall be prohibited.
- .4 Notwithstanding Section 11.3.10, a new local road shall be permitted to have a right-of-way width of 18 metres.

7.8.63 Area 63 - 17 and 22 Sydenham Street

OPA #84
July 14/00

- .1 Area 63, as indicated on **Schedule 2 - Modified Policy Areas**, contains two older industrial properties that are contaminated with industrial waste. It is expected that these properties will be redeveloped over the long term.
- .2 Before redevelopment of this area can proceed additional environmental investigations must be conducted to determine the nature and extent of contamination in the area, and to develop and implement an appropriate remediation strategy. To this end the City, in consultation with private landowners, will work with all levels of government to develop a coordinated and comprehensive remediation strategy in order to facilitate private redevelopment of the lands.
- .3 Until such time as the remediation strategy is implemented, and notwithstanding the Low and Medium Density Residential Area designations of this Plan, only the following uses will be permitted in Area 63 – 17 and 22 Sydenham Street:
 - i) Passive open space and natural regeneration; and
 - ii) Existing industrial uses recognized in the City's Zoning Bylaw.
- .4 Upon implementation of the remediation strategy and submission proof of compliance with Provincial Regulations is received, the City will consider applications for redevelopment of this area, in accordance with the designations on **Schedule 1-1- Land Use Plan**, to provide for a range of residential types, including detached, semi-detached and townhouses. Redevelopment of these properties for residential use shall provide appropriate buffering between the CNR rail line.
- .5 The City may prepare a Community Improvement Plan for this area, in accordance with Section 16 of this Plan, and explore opportunities to use a variety of incentives to promote the clean-up and redevelopment of these properties and the surrounding area.
- .6 Notwithstanding the designations on **Schedule 1-1 – Land Use Plan**, the City may consider alternative redevelopment concepts for this area that provide for a range of residential uses, commercial uses, heritage uses, buffer area, and recreational and open space uses, without amendment to this Plan.

OPA #125
Dec. 3/08

OPA #125
OMB
Approved
Dec. 17/10

OPA #170
Sept. 12/11

OPA #125
Dec. 3/08

7.8.64 Area 64 - East Side of King George Road between Dunsdon Street and Norman Street/North Side of Charing Cross Street between King George Road and St. Paul Avenue

OPA #84
July 14/00
OPA #125
OMB Approved
Dec. 17/10

The King George Road and Charing Cross Street corridors are characterized by a mix of retail and service commercial uses. These corridors also contain a number of individual properties under separate ownership which are designated and used for residential purposes. These properties may be redeveloped for commercial purposes. Applications to redesignate these properties to General Commercial will be reviewed on the basis of their conformity with the following criteria:

- .1 the proposed development is compatible with adjacent existing and planned land uses;
- .2 the proposed development provides adequate landscaping, buffering and screening to mitigate negative impacts;
- .3 the adequacy of the existing and proposed street system, utilities and municipal services;

7.8.65 Area 65 – Southwest Corner of Grey Street and George Street

OPA #85
Sept. 11/00

Repealed
July 30/01

7.8.66 Area 66 – Glenwood Drive/Echo Villa Avenue

Notwithstanding the provisions of Section 7.2.2 "Residential Area – Low Density" designation of the lands in Area 66 – Glenwood Drive/Echo Villa Avenue, as indicated on **Schedule 2 – Modified Policy Areas**, development shall be permitted only in accordance with the following policies:

OPA#86
Approved
by O.M.B.
Jan. 18/01

- .1 The uses permitted shall be limited to single-detached cluster dwellings developed by a plan of condominium and in accordance with an approved site plan, on approximately 2.3 hectares of land situated above the crest of the slope.
- .2 The maximum number of single-detached cluster dwellings permitted shall be restricted to 31 dwellings.
- .3 Development shall only proceed on the basis of a comprehensive land assembly of the required portions of 31, 35, 37 and 47 Echo Villa Avenue.

- .4 The crest of the slope shall be identified and surveyed to the satisfaction of the City, in accordance with environmental reports prepared by qualified engineers. Notwithstanding the Interpretation Section of this Plan, the surveyed crest of the slope shall be from the limit of the "Residential Area – Low Density" designation and the "Major Open Space" designation.
- .5 All buildings shall be subject to a 7.5 metre setback from the crest of the slope, as identified by sub-section 4 above.
- .6 All proposed building locations shall be identified to the satisfaction of the City, in accordance with engineering, servicing, and environmental reports prepared by qualified engineers.
- .7 Development shall be subject to site plan approval, pursuant to Section 41 of the Planning Act.
- .8 Prior to development proceeding, and as a component of any site plan or development agreement, a detailed tree preservation plan shall be prepared by the applicant, identifying tree preservation measures and a tree removal schedule.
- .9 Development shall not proceed until a final engineering study, including detailed storm water management plans, are prepared to the satisfaction of the City and the Grand River Conservation Authority.
- .10 The development shall provide cash-in-lieu of public parkland, and lands below the crest of the slope shall not be included in the calculation of the amount of such cash-in-lieu contribution.

7.8.67 Area 67 - Glenwood Forest

Notwithstanding the provisions of Section 7.6 for the "Major Open Space" designation of the lands in Area 67 – Glenwood Forest, as indicated on **Schedule 2 – Modified Policy Areas**, development shall be permitted only in accordance with the following policies:

OPA #86
Approved
by O.M.B.
Jan. 18/01

- .1 No buildings, structures, uses or activities which require the physical alteration of these lands shall be permitted except for public pedestrian trails and the uses permitted in Sections 7.6.2.7.
- .2 The lands located in this Modified Policy Area shall be conveyed to the City.

7.8.68 Area 68 – 13 Phillip Street

- .1 Notwithstanding the "Residential Area – Low Density" designation on the lands in Area 68 – 13 Phillip Street, as indicated on **Schedule 2 – Modified Policy Areas**, a catering service may be permitted by a Temporary Use Bylaw enacted pursuant to Section 39 of the Planning Act. OPA #90
Jan. 3/02
- .2 The Temporary Use Bylaw for the lands within Area 68 – 13 Phillip Street shall include the following requirements: OPA #103
Aug. 13/03
- .1 The main use of the property shall be residential, and the catering service shall remain accessory to the residential use.
- .2 The catering service shall be restricted to its current size.

7.8.69 Area 69 – 271 Greenwich Street

- .1 Notwithstanding the "Residential Area – Low Density" designation on the lands in Area 69 – 271 Greenwich Street, as indicated on **Schedule 2 – Modified Policy Areas**, the following uses shall also be permitted in the existing building: general offices, a telecommunication service limited to a radio station or studio, and an accessory dwelling unit. OPA #93
May 1/02

7.8.70 Area 70 - 134 King George Road

- Notwithstanding the "General Commercial" designation on lands in Area 70 – 134 King George Road, as indicated on **Schedule 2 – Modified Policy Areas**, the development of these lands shall be subject to the following policies: OPA #95
June 7/02
- .1 Uses shall be restricted to the following:
- .1 general offices
- .2 a maximum of one accessory dwelling unit
- .3 accessory buildings and structures
- .2 The design, height and bulk of any non-residential use shall maintain a residential character.
- .3 Vehicular access shall be restricted to Wayne Drive
- .4 Adequate parking shall be provided on site.
- .5 Parking areas shall be located away from adjacent residential uses, where practical.

- .6 Screening and buffering shall be provided to protect adjacent residential amenities.

7.8.71 Area 71 – 219 Shellard Lane

- .1 Notwithstanding the "Residential Area – High Density" designation on the lands in Area 71 – 219 Shellard Lane, as indicated on **Schedule 2 – Modified Policy Areas**, the uses permitted shall also include block townhouse dwelling units.

OPA #97
July 4/02

**7.8.72 Area 72 – East Side of Diana Avenue
Block "C", Draft Plan of Subdivision Application 29T-99501
(R2002)**

7.8.73 Area 73 – 11 Roy Boulevard

**7.8.74 Area 74 – Schertzberg Lane at Conklin Road
Block 183, Draft Plan of Subdivision Application 29T-02504**

- .1 Notwithstanding the "Residential Area – High Density" designation on the lands in Area 74 – Block 183, Draft Plan of Subdivision Application 29T-02504, the uses permitted shall also include block townhouse and street townhouse dwelling units.

OPA #100
Nov. 28/02
OPA #124
July 20/06

7.8.75 Area 75 – East of Oak Park Road, North of Highway No. 403

Development in the General Industrial Area of Area 75 – East of Oak Park Road, North of Highway No. 403, as indicated on **Schedule 2 – Modified Policy Areas** may be permitted in accordance with the following policies:

OPA #102
June 4/03

- .1 An industrial use may proceed on private individual sewage disposal and/or water supply systems.
- .2 An analysis establishes the feasibility of the site conditions to accommodate the private individual sanitary sewage disposal and/or water supply facilities and verifies that the proposed industrial use is capable of being adequately serviced by such private facilities, to the satisfaction of the City and all appropriate approval authorities.

- .3 Said analysis shall include the following matters, as well as any other matters deemed appropriate by the City: the identification of appropriate environmental controls, protection of the environment, the supply of water, appropriate methods of dealing with stormwater runoff, sewage disposal, and plant process water, and in-depth hydrogeological and geotechnical analysis to fully investigate the groundwater and soil conditions for the specific private facilities.
- .4 The site shall be subject to Site Plan Control pursuant to Section 41 of the Planning Act.
- .5 Development within Area 75 must have due regard for Ministry of Transportation's access management policies.

OPA #125
Dec. 3/08

7.8.76 Area 76 – 40 Johnson Road

Notwithstanding the "Residential Area – Low Density" designation of the lands in Area 76 – 40 Johnson Road, the types of uses and development shall be restricted due to the lack of municipal sanitary sewers. In the interim, development may proceed on the basis of a private sanitary sewage disposal system, pending the extension of new public sanitary sewer trunks.

OPA #105
May 11/04

Applications for development shall submit an engineering analysis, which establishes the feasibility of providing a private sanitary sewage disposal system, to the satisfaction of the City and all other appropriate approval authorities.

7.8.77 Area 77 – Southwest corner of Grey Street and George Street

Notwithstanding the "Major Institutional Area" designation on the lands in Area 77 - Southwest Corner of Grey Street and George Street, as indicated on **Schedule 2 - Modified Policy Areas**, the uses permitted shall be restricted to a retirement home in accordance with the following policies:

OPA #107
May 4/05

- .1 Maximum building height of four storeys
- .2 Maximum number of beds shall be 72 beds

- 7.8.78 Area 78 – 230/232 Murray Street**
- Notwithstanding the "Residential Area – Low Density" designation on the lands in Area 78 – 230/232 Murray Street, as indicated on **Schedule 2 – Modified Policy Areas**, the uses permitted shall also include a taxi establishment.
- OPA #108
Aug. 17/04
- 7.8.79 Area 79 – 260 Dalhousie Street**
- Notwithstanding Section 7.2.4 "Residential Area – High Density" designation on lands in Area 79 – 260 Dalhousie Street, as indicated on **Schedule 2 – Modified Policy Areas**, development shall be in accordance with the following policies:
- OPA #111
Nov. 8/04
- .1 Apartment dwelling units shall only be permitted in the existing building that was formerly occupied by a place of worship.
 - .2 A maximum of 17 apartment dwelling units shall be permitted within the existing building.
- 7.8.80 Area 80 – 54 Glenwood Drive**
- 7.8.81 Area 81 – 78 River Road**
- Notwithstanding Section 7.2.3 "Residential Area – Medium Density" designation on lands in Area 81 – 78 River Road, as indicated on **Schedule 2 – Modified Policy Areas**, development shall be in accordance with the following policy:
- OPA #116
July 15/05
- .1 The uses permitted shall also include a semi-detached residential dwelling.
- 7.8.82 UNASSIGNED**
- 7.8.83 Area 83 – Hardy Road**
- Notwithstanding the "Residential Area – Medium Density" designation on the lands in Area 83 – 18 Hardy Road, as indicated on **Schedule 2 – Modified Policy Areas**, the uses permitted shall also include a single detached dwelling.
- OPA #118
Oct. 20/05
- 7.8.84 Area 84 - Northeast Corner of Shellard Lane and Conklin Road Block 114, Plan 2M-1869**
- Notwithstanding the "Neighbourhood Centre Commercial Area" designation on the lands in Area 84 – Block 114, Plan 2M-1869, as indicated on **Schedule 2 – Modified Policy Areas**, the uses permitted shall include a drive-thru service for a permitted restaurant.
- OPA #120
Mar. 31/06

7.8.85 Area 85 – 95-97 North Park Street

Notwithstanding the "Residential Area – Low Density" designation on the lands in Area 85 – 95-97 North Park Street, as indicated on **Schedule 2 – Modified Policy Areas**, development shall be permitted only in accordance with the following policy:

OPA #123
June 1/06

- .1 The maximum number of single detached cluster dwelling units permitted shall be restricted to 17 units.

7.8.86 Area 86 – Northwest Business Park

Notwithstanding the "Business Park Area" designation on lands in Area 86 – Northwest Business Park, as indicated on **Schedule 2 – Modified Policy Areas**, applications for development shall require submission of a comprehensive plan, to the satisfaction of the City. The comprehensive plan shall address the following in an integrated manner:

OPA #125
Dec. 3/08

- .1 development in a campus style and natural setting;
- .2 high quality building design and materials and landscaping;
- .3 maximum tree preservation;
- .4 integration with the natural environment and trail network;
- .5 further development of passive and active recreation facilities;
- .6 consideration and maintenance of existing surface and groundwater functions; and
- .7 encouragement of higher order uses such as conference centres and offices.

7.8.87 Area 87 – West Side of King George Road between Summerhayes Crescent and Kent Road

The King George Road corridor is characterized by a mix of retail and service commercial uses. The corridor also contains a number of individual properties under separate ownership designated for residential purposes. These properties may be redeveloped for commercial purposes without amendment to the Official Plan. Applications to develop these properties for commercial uses will be reviewed on the basis of their conformity with the following criteria:

OPA #125
Dec. 3/08

- .1 the proposed development is compatible with adjacent existing and planned land uses and provides adequate landscaping, buffering and screening to mitigate impacts on abutting residential uses;

- .2 the adequacy of the street system, utilities and municipal services;
- .3 the convenience and accessibility of the site for vehicular, public transit and pedestrian traffic; and
- .4 the potential to accommodate parking, loading and all other required facilities on-site.

7.8.88 Area 88 – 111 Sherwood Drive

Notwithstanding the Section 7.2.3 "Residential Area – Medium Density" designation on lands in Area 88 – 111 Sherwood Drive, as indicated on **Schedule 2 – Modified Policy Areas**, development shall be in accordance with the following additional policy:

OPA #126
Feb. 5/07

- .1 The maximum number of apartment units permitted shall be 28 units.

7.8.89 Area 89 – 111 Sherwood Drive

Notwithstanding Section 7.3.1.10 "Commercial Area" designation on lands in Area 89 – 111 Sherwood Drive, as indicated on **Schedule 2 – Modified Policy Areas**, development shall be in accordance with the following additional policy:

OPA #126
Feb. 5/07

- .1 Parking shall be permitted to be located on a separate lot to accommodate the parking needs of only the residential apartment building located at 111 Sherwood Drive.

7.8.90 Area 90 – 44 Elgin Street

Notwithstanding the "General Industrial" designation on the lands in Area 90 – 44 Elgin Street, as indicated on **Schedule 2 – Modified Policy Areas**, the uses permitted also shall include general offices.

OPA #129
Sept. 7/07

7.8.91 Area 91 – 196 Dalhousie Street

Notwithstanding Section 7.3.8 "Mixed Commercial-Residential Area" designation on lands in Area 91 – 196 Dalhousie Street, as indicated on **Schedule 2 – Modified Policy Areas**, the uses permitted shall also include a retail store.

OPA #127
Mar. 20/07

7.8.92 Area 92 – 172 Market Street

Notwithstanding the "General Commercial" designation on the lands in Area 92 – 172 Market Street, as indicated on **Schedule 2 – Modified Policy Areas**, the uses permitted also shall include units (maximum of 15) which shall include dwelling units located on the ground floor.

OPA #130
Sept. 6/07

7.8.93 Area 93 – 469 Hardy Road

Notwithstanding the "General Industrial" designation on the lands in Area 93 – 469 Hardy Road, as indicated on **Schedule 2 – Modified Policy Areas**, development of the following uses shall be permitted only in accordance with the following policies:

OPA #132
Dec. 5/07

- .1 General offices having a total maximum gross floor area (GFA) of 3,900 sq. ft. (362.0m²).
- .2 Full service restaurants (excluding drive-thru) having a total maximum GFA of 3,000 sq. ft. (278.7m²).

7.8.94 Area 94 – 45 Dalkeith Drive

Notwithstanding the "General Industrial" designation on the lands in Area 94 – 45 Dalkeith Drive, as indicated on **Schedule 2 – Modified Policy Areas**, development shall also include:

OPA #133
Dec. 5/07

- .1 General Offices.

7.8.95 Area 95 – 340 Henry Street

Notwithstanding the "General Industrial" designation on the lands in Area 95 – 340 Henry Street, as indicated on **Schedule 2 – Modified Policy Areas**, development shall also include the following use:

OPA #134
Dec. 5/07

- .1 General Offices

7.8.96 Area 96 – 163 Market Street, 40-42 Sheridan Street and at the Rear of 175 Market Street

Notwithstanding the "General Commercial" designation on the lands in Area 96 – 163 Market Street, 40-42 Sheridan Street and at the rear of 175 Market Street, as indicated on **Schedule 2 – Modified policy Areas**, the uses permitted also shall include residential dwelling units (maximum of 11) and a maximum of 175.0m² of General Commercial uses on the ground floor at 163 Market Street.

OPA #135
Dec. 5/07

7.8.97 Area 97 - 68 – 70 Fairview Drive

OPA #136
OMB Order
1003
Apr. 13/07

Notwithstanding the "Residential Area – Low Density" designation on the lands in Area 97 – 68 – 70 Fairview Drive, as indicated on **Schedule 2 – Modified Policy Areas**, development shall be permitted only in accordance with the following policy:

- .1 The maximum number of single detached cluster dwelling units permitted shall be restricted to 11 units.

7.8.98 Area 98 – 115 – 119 Market Street

OPA #137
Jan. 10/08

Notwithstanding the "General Commercial" designation on the lands in Area 98 – 115 – 119 Market Street, as indicated on **Schedule 2 – Modified Policy Areas**, development shall be permitted in accordance with the General Commercial policies together with the following:

- .1 Ground floor residential dwelling units are permitted provided that there are one or more permitted non-residential uses also located on the ground floor.

7.8.99 Area 99 – 166 Lynden Road

OPA #138
Mar. 26/08

Notwithstanding the "General Commercial" designation on the lands in Area 99 – 166 Lynden Road, as indicated on **Schedule 2 – Modified Policy Areas**, the uses permitted shall also include a retirement home having a maximum gross floor area of 17,500m², maximum building height of 24 metres and a minimum off-street parking of 1 space/3 beds, as well as General Commercial uses.

7.8.100 Area 100 – WITHDRAWN**7.8.101 Area 101 – Northeast Corner of Blackburn Drive & Diana Avenue**

OPA #145
Apr. 30/08

Notwithstanding the "Neighbourhood Centre Commercial", "Residential Area – Medium Density", "Residential Area – High Density" designations on the lands in Area 101 – Northeast Corner of Blackburn Drive and Diana Avenue, as indicated on **Schedule 2 – Modified Policy Areas**, the uses permitted shall also include a Community Centre Commercial area (shopping plaza) of approximately 100,000 sq.ft.

7.8.102 Area 102 – Northwest Corner of Garden Avenue & Sinclair Boulevard

Notwithstanding the "General Industrial" designation on the lands in Area 102 – Northwest Corner of Garden Avenue and Sinclair Boulevard, as indicated on **Schedule 2 – Modified Policy Areas**, the uses permitted shall also include a hotel, restaurant, automobile gas bar and medical clinic, as well as uses permitted in the Business Park Industrial designation.

OPA #147
May 21/08

7.8.103 Area 103 – 400 Garden Avenue

Notwithstanding the "Business Park Industrial" designation applying to the lands in Area 103 – 400 Garden Avenue, as indicated on **Schedule 2 – Modified Policy Areas**, the uses permitted shall also include those permitted within the "General Industrial" land use designation.

OPA #148
July 16/08

7.8.104 Area 104 – UNASSIGNED

7.8.105 Area 105 – WITHDRAWN

7.8.106 – Area 106 – 44 Holme Street

OPA #151
Nov. 5/08

Notwithstanding the "General Industrial Area" designation applying to the lands in Area 106 – 44 Holme Street, as indicated on **Schedule 2 – Modified Policy Areas**, the following additional accessory uses shall also be permitted:

- .1 Art gallery
- .2 Art studio
- .3 Restaurant
- .4 Retail sales
- .5 Outdoor patio

The area and scale of the above-noted uses shall be limited in the implementing Zoning Bylaw.

7.8.107 Area 107 – 347 – 365 Colborne Street East

OPA #152
Nov. 5/08

Notwithstanding the "General Commercial Area" designation applying to the lands in Area 107 - -347 – 365 Colborne Street East, as indicated on **Schedule 2 – Modified Policy Areas**, a maximum of thirty-four (34) residential dwelling units located above at-grade commercial uses shall be permitted.

Notwithstanding Section 7.3.1.10, required parking spaces may be

permitted to be located on appropriate commercial property located within 200 metres of the lands, conditional on entering into an agreement with the City to guarantee long term continuation of the parking.

7.8.108 Area 108 – 381 – 393 Colborne Street

OPA #156
Jan. 8/09

Notwithstanding the "General Commercial Area" designation applying to the lands in Area 108 – 381 – 393 Colborne Street, as indicated on **Schedule 2 – Modified Policy Areas**, a mixed use commercial/residential development consisting of commercial uses on the ground floor and a maximum of 30 apartment dwelling units above grade level are permitted.

The use of the lands for the apartment dwelling units is conditional on receiving funding through the Affordable Housing Program. If funding is not available, then the underlying policies of the "General Commercial Area" designation shall apply.

7.8.109 Area 109 – 158 – 160 Sydenham Street

OPA #161
Nov. 6/09

Notwithstanding the "Residential Area – Low Density" designation applying to the lands in Area 109 – 158- 160 Sydenham Street, as indicated on **Schedule 2 – Modified Policy Areas**, the following additional use shall also be permitted:

- .1 A dwelling house containing a maximum of four dwelling units.

The scale of the above-noted use shall be limited in the implementing Zoning Bylaw.

7.8.110 Area 110 – 135 Sherwood Drive

OPA #162
Feb. 19/10

Notwithstanding the "Residential – Medium Density Area" designation applying to the lands in Area 110 – 135 Sherwood Drive, as indicated on **Schedule 2 – Modified Policy Areas**, the property shall be limited to 5 residential units contained in two existing structures.

7.8.111 Area 111 – 575 Park Road North

OPA #163
March 5/10

Notwithstanding the "Residential Area – Medium Density" designation applying to the lands in Area 111 – 575 Park Road North, as indicated on **Schedule 2 – Modified Policy Areas**, the only use permitted shall be a retirement home.

The scale of the above noted use shall be limited in the implementing Zoning Bylaw.

7.8.112 Area 112 – 111 Sherwood DriveOPA #167
May 27/11

Notwithstanding Section 7.4.3 - “Mixed Industrial-Commercial Area” designation applying to the lands, in Area 112 – 111 Sherwood Drive, as indicated on **Schedule 2 – Modified Policy Areas**, the development of this property shall be subject to the following policies:

1. The main permitted uses shall be limited to the following:
 - .1 Manufacturing, processing, assembling, storage, warehousing, and fabricating of goods and materials within wholly enclosed buildings;
 - .2 Retail warehousing uses, such as home furnishings, appliance or floor covering sales, and other uses similar thereto;
 - .3 Business and professional offices;
 - .4 Computer, electronic, or data processing establishment;
 - .5 Research and development facilities;
 - .6 Scientific, technological, or communication establishments;
 - .7 Convenience commercial uses;
 - .8 Personal service stores such as hairstylists, and tailors;
 - .9 Education facilities limited to post-secondary, trade schools, and commercial schools;
 - .10 Service commercial uses such as banks and restaurants;
 - .11 Places of worship.

7.8.113 Area 113 – 111 Sherwood DriveOPA #167
May 27/11

Notwithstanding Section 7.4.3 - “Mixed Industrial-Commercial Area” designation applying to the lands in Area 113 – 111 Sherwood Drive, as indicated on **Schedule 2 – Modified Policy Areas**, the development of this property shall be subject to the following policies:

1. A parking lot shall be permitted to be located on this property to accommodate the parking needs of only the Industrial and Commercial uses located at 111 Sherwood Drive (Modified Policy Area No. 112), conditional upon an agreement with the City to guarantee long term continuation and maintenance of the parking area.

8. NATURAL HERITAGE

8.1 General

- | | | |
|-------|--|--|
| 8.1.1 | This section establishes policies to help protect and enhance Brantford's natural heritage resources and must be read in conjunction with relevant portions of Section 9 and 10 of this Plan. | OPA #84
July 14/00 |
| 8.1.2 | This Section establishes policies and delineations as shown on <u>Schedule 3-1 - Natural Heritage: Environmental Areas</u> and <u>Schedule 3-2 - Natural Heritage: Mineral Resources</u> , which will be applied in conjunction with the land use policies and designations of Section 7 and <u>Schedule 1-1 - Land Use Plan</u> and <u>Schedule 2 - Modified Policy Areas</u> . Therefore, certain land use policies and designations may be qualified to include special restrictions or requirements for the policy areas delineated on <u>Schedule 3-1 - Natural Heritage: Environmental Areas</u> and <u>Schedule 3-2 - Natural Heritage: Mineral Resources</u> and/or embodied in the policies of Section 8. | OPA #26
Aug. 2/91

OPA #32
April 21/92

OPA #48
May 5/95

OPA #84
July 14/00 |
| 8.1.3 | Natural Heritage policies and delineations include the following: | Min. Mod. #10
Nov. 4/87 |
| | .1 Environmental Protection Policy Areas; | OPA #32
April 21/92 |
| | .2 Environmental Control Policy Areas; | |
| | .3 Adjacent Lands; | OPA #48
May 5/95 |
| | .4 Wetlands; and | |
| | .5 Mineral Resource Areas. | OPA #84
July 14/00 |
| 8.1.4 | Development will be carefully controlled on lands containing significant natural features such as wetlands, ravines, forests, and rare or high quality plant or wildlife communities, so as to protect these features wherever possible. | OPA #84
July 14/00 |
| 8.1.5 | In order to achieve the Plan's Goals and Objectives regarding the environment it will be necessary for the Municipality to form partnerships in the community to assist in ensuring the resources are used and managed in the interests of all concerns. | OPA #84
July 14/00 |
| 8.1.6 | While all portions of the environment in the Municipality are to be considered, particular emphasis shall be placed on the roles played by the Grand River and natural areas. | OPA #84
July 14/00 |
| 8.1.7 | When deliberating on matters pertaining to the environment, consideration shall be made in light of all factors, including environmental, social and economic, to ensure that fully-informed decisions are taken. | OPA #84
July 14/00 |

- 8.1.8 Development within the various designations shown on **Schedule 3-1 - Natural Heritage: Environmental Areas** may be permitted in accordance with the land use designations on **Schedule 1-1 - Land Use Plan** subject to the following general policies in conjunction with the specific policies contained in Sections 8.2, 8.3, 8.4 and 8.5 of this Plan:
- OPA #84
July 14/00
- OPA #125
Dec. 3/08
- .1 Development applications adjacent to the Grand River Valley slopes and tributary valley slopes must include a geotechnical assessment prepared by a qualified professional to establish the erosion hazard limit and the designated top of slope line to the satisfaction of the City and the Grand River Conservation Authority.
- OPA #143
July 4/08
- .2 The City and/or the Grand River Conservation Authority may require the application of erosion and siltation control measures during the construction period as a condition of development approval.
- .3 Water quality measures (e.g., water quality ponds) shall meet applicable Grand River Conservation Authority and Provincial criteria.
- OPA #84
July 14/00
- .4 The road pattern shown on **Schedule 5-1 - Transportation: Transportation Plan** is diagrammatic and conceptual only. Final alignments will be determined during the processing of development applications. When an application for development includes lands adjacent to an Environmental Protection Area - Northwest, as identified on **Schedule 3-1 - Natural Heritage: Environmental Areas**, more detailed studies of the natural environment are required for all major development proposals. As a result of these studies, realignments of the road pattern to protect significant natural features may be required provided that the general intent of **Schedule 5-1 - Transportation: Transportation Plan** is maintained.
- Min. Mod. #1
April 21/92
- OPA #84
July 14/00
- .5 Development and site alteration is not permitted in fish habitat except in accordance with provincial and federal requirements. Any development proposed within the watershed of a cold-water fishery shall be required to document techniques to be implemented to ensure that water quality and quantity is not detrimentally impacted, or what measures may be undertaken to mitigate against or compensate for loss of habitat.
- OPA #125
Dec. 3/08

8.2 Environmental Protection Policy Area

OPA #84
July 14/00

8.2.1 In addition to the provisions of Section 8.1.8, development within the Environmental Protection Policy Areas, as identified on **Schedule 3-1 - Natural Heritage: Environmental Areas**, may be permitted in accordance with the land use designations on **Schedule 1-1 - Land Use Plan** subject to the following policies:

OPA #32
April 21/92

OPA #84
July 14/00
OPA #125
Dec. 3/08

.1 Environmental Protection Policy Areas have the highest level of intended protection and shall include significant areas of natural and scientific interest, habitat of endangered and threatened species, Provincially Significant Savannahs, Provincially Significant Wetlands, ravines with watercourses, significant forested areas, the Regulatory Flood Plain of the Grand River, D'Aubigny Creek and the tributaries of Fairchild Creek, a vegetative buffer zone along its course, and areas of significant groundwater discharge.

Min. Mod. #2
April 21/92

OPA #84
July 14/00

OPA #143
July 4/08

OPA #125
Dec. 3/08

.2 Environmental Protection Policy Areas are intended to protect and maintain natural conditions and functions and to prohibit development which may cause environmental degradation.

OPA #84
July 14/00

Min. Mod. #3
April 21/92

.3 The predominant use of Environmental Protection Policy Areas shall be for passive recreation, hiking trails, nature study and conservation uses. A golf course is permitted on lands identified as Part Lot 15 to 20 inclusive, Concessions II and III. Secondary uses which may be permitted include erosion and flood control measures and, if properly justified, public transportation facilities, utilities and storm water management, approved by the City, the Grand River Conservation Authority and all other appropriate approval authorities. Any proposals for the uses listed above within the Environmental Protection Policy Area shall include supporting documentation which recognizes significant natural features and describes mitigative measures to be undertaken to the satisfaction of the City, the Grand River Conservation Authority and all other appropriate approval authorities.

Min. Mod. #4a &
4b
April 21/92

OPA #84
July 14/00

- .4 Applications for development for those uses noted in Section 8.2.1.3 above which either contain or abut an Environmental Protection Policy Area shall include a detailed report which shall: delineate precisely the location of the significant natural features within the development, document the compatibility of the proposed development with the significant natural features, including mitigating measures such as setbacks and special construction techniques, and show how the natural features and functions shall be maintained. Such detailed reports will be to the satisfaction of the City, the Grand River Conservation Authority and all other appropriate approval authorities.
- Min. Mod. #5a & #5b
April 21/92

OPA #84
July 14/00
- .5 The vegetative buffer zone for the Grand River, delineated as an Environmental Protection Policy Area, shall be interpreted to extend a minimum of 30 m measured horizontally from the shoreline. Where a steep slope (i.e., greater than 10 percent slope and 2 m vertical height) occurs within the 30 m zone, the vegetative buffer zone shall be sufficiently wide to include a minimum 9 m setback from the top of the bank of the steep slope.
- OPA #84
July 14/00

8.3 Environmental Control Policy Area

OPA #84
July 14/00

8.3.1

In addition to the provisions of Section 8.1.8, development within the Environmental Control Policy Areas, as identified on **Schedule 3-1 - Natural Heritage: Environmental Areas**, may be permitted in accordance with the land use designations on **Schedule 1-1 - Land Use Plan**, subject to the following policies:

OPA #84
July 14/00
OPA #125
Dec. 3/08

- .1 Environmental Control Policy Areas contain sensitive natural features such as steep slopes, streams, wetlands, areas of groundwater discharge and representative tree cover, and are designated on the basis of being comprised of fish habitat, significant woodlands, significant wildlife habitat, significant Areas of Natural and Scientific Interest, natural linkages, and locally significant prairies and savannahs. Policies are intended to conserve natural conditions and functions and to promote integration with proposed land uses.

Min. Mod. #9b
April 21/92

OPA #84
July 14/00

Development and site alteration may be permitted within Environmental Control Policy Areas if it is demonstrated in an Impact Assessment that there will be no negative impacts on the natural features or the ecological functions for which the area is identified or where an appropriate compensation or remedial strategy is approved by the City, the Grand River Conservation Authority and all other appropriate approval authorities. This Impact Assessment will be conducted in accordance with the Impact Assessment Guidelines contained in Appendix III of this Plan, and to the satisfaction of the City, the Grand River Conservation Authority, and all other appropriate approval authorities.

OPA #84
July 14/00

- .2 Desirable natural features will be preserved wherever possible, and alterations to the existing topography and vegetation are to be minimized.
- .3 In support of any development proposal, environmental and arborist reports will identify features and trees most suitable and desirable for protection. The reports will describe measures which must be implemented to ensure long-term protection of natural features.
- .4 Section deleted by Minister's Modification.
- .5 Lots will be of sufficient size and depth to ensure preservation of trees recommended in the arborist report. The goal is to preserve, wherever possible, the healthy representative and suitable tree cover within the lots proposed for development.

Min. Mod. #6
April 21/92

- .6 A site plan satisfactory to the City which shows building envelopes and tree preservation areas will be required in support of development proposals where there is significant tree cover.
- .7 All buildings and structures shall maintain a minimum setback of 15.0 metres from the designated top of slope line.
- .8 Applications for development within the Environmental Control Policy Area shall provide a detailed report which shall: delineate precisely the location of the major natural features within the development; identify the relative values and merits of these natural features; assess the ability to maintain and manage such features in an urban setting; and to weigh the merits of maintaining such a feature relative to other planning considerations, including transportation, land use, engineering and housing needs. Such detailed reports will be to the satisfaction of the City, the Grand River Conservation Authority, and all other appropriate approval authorities.
- Min. Mod. #7
April 21/92

OPA #84
July 14/00
- .9 When an application for development includes land containing any watercourse or fisheries habitat, it will comply with the provisions of the Fisheries Act and the Conservation Authorities Act, and shall be required to document techniques to be implemented to ensure that water quality and quantity is not detrimentally impacted or what measures may be undertaken to the satisfaction of the City, the Grand River Conservation Authority and all other appropriate approval authorities to maintain or mitigate against or compensate for loss of habitat.
- Min. Mod. #8a & #8b
April 21/92

OPA #84
July 14/00
- .10 Areas identified as steep slopes are intended to be maintained in their natural state, the City will use regulatory powers under the Planning Act to implement this policy, including the use of setbacks in the Zoning Bylaw.
- .11 Within the Environmental Control Policy Area, any industrial development immediately south of Hardy Road shall be appropriately bermed and screened from abutting residential areas.
- OPA #84
July 14/00

8.4 Adjacent Lands

OPA #84
July 14/00

- 8.4.1 All areas within 50 metres of an Environmental Protection Policy Area or an Environmental Control Policy Area as shown on **Schedule 3-1 – Natural Heritage: Environmental Areas** shall be considered adjacent lands, with the exception of fish habitats where all areas within 30 metres shall be considered adjacent lands. In the case of Provincially Significant Wetlands and other wetlands greater than or equal to 2.0 hectares in size, all areas within 120 metres shall be considered adjacent lands. In the case of other wetlands smaller than 2.0 hectares in size but larger than 0.5 hectares, all areas within 30 metres shall be considered adjacent lands. For the significant habitat of endangered and threatened species, adjacent lands shall be considered those areas within 50 metres, unless otherwise stipulated.
- OPA #143
July 4/08
- OPA #125
Dec. 3/08
- 8.4.2 Development and site alteration shall not be permitted on adjacent lands unless the ecological functions of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions. The Impact Assessment will be conducted in accordance with the Impact Assessment Guidelines contained in Appendix III of this Plan, and to the satisfaction of the City, the Grand River Conservation Authority policies for the administration of the Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Regulation, and all other appropriate authorities.
- OPA #143
July 4/08
- 8.4.3 Hydrogeological studies to demonstrate that there will be no negative impacts on groundwater quantity or quality, or on the natural features that depend on groundwater will be required as a condition of development in those areas indicated on **Schedule 3-1 - Natural Heritage: Environmental Areas**. These studies will be to the satisfaction of the City, the Grand River Conservation Authority, and all other appropriate approval authorities.

8.5 Wetlands

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|-------|---|---|
| | | OPA #84
July 14/00 |
| | | OPA #49
June 1/95 |
| 8.5.1 | Prior to development and site alteration of: a) lands containing a wetland area; or, b) lands which drain into any abutting lands which contain a wetland area, an evaluation of the wetland shall be undertaken by the proponent to determine its wetland classification. Such study shall be conducted using the evaluation system approved for use by the Province and shall be subject to the approval of the City, the Grand River Conservation Authority and all other appropriate approval authorities. | Min. Mod. #2
June 1/95

OPA #84
July 14/00
Min. Mod. #6
Dec. 3/08 |
| 8.5.2 | Development and site alteration shall not be permitted in wetlands classified as provincially significant and development and site alteration adjacent to provincially significant wetlands shall be in accordance with the provisions of Section 8.5.3. | OPA #84
July 14/00
Min. Mod. #7
Dec. 3/08 |
| 8.5.3 | An Impact Assessment will be required to be completed by the proponents, to the satisfaction of the City and the Grand River Conservation Authority, prior to development of lands lying within 120 metres of a Provincially Significant Wetland or a wetland which is 2.0 hectares or greater in size, or within 30 metres of an unevaluated wetland smaller than 2.0 hectares in size but larger than 0.5 hectares, to evaluate the ecological function of the adjacent lands, establish the width of the required vegetative buffer and demonstrate that there will be no negative impacts on the natural features or on their ecological function.

Where an Impact Assessment for a specific wetland or wetland complex is required, it shall be subject to the approval of the City, the Grand River Conservation Authority and all other appropriate approval authorities. | OPA #84
July 14/00
OPA #143
July 4/08 |

8.6 Mineral Resource AreasOPA #84
July 14/00

- 8.6.1 Mineral Resource Areas are those areas licensed by the Province of Ontario and those areas having the potential for commercial extraction of mineral resources. OPA #84
July 14/00
- 8.6.2 Development will be carefully controlled in all land-use designations subject to a Mineral Resource Area delineation on **Schedule 3-2 - Natural Heritage: Mineral Resources**, so as not to preclude the availability of proven mineral resources and adjacent land-uses will be controlled so as not to impact on existing or future extraction. OPA #84
July 14/00
- 8.6.3 Development in accordance with the land use designations on **Schedule 1-1 - Land Use Plan** may be permitted where: OPA #84
July 14/00
Min. Mod. #8
Dec. 3/08
- a) The licensed extraction operation has been completed; or
 - b) The applicant can demonstrate that the mineral resources are not economically suitable for extraction based on the quality or quantity of the resource; or
 - c) The mineral resources will be extracted prior to, or concurrent with, development of the lands; or
 - d) Further extraction would be detrimental to effective rehabilitation or after-use of the lands.
- 8.6.4 Temporary wayside pits and quarries, portable asphalt plants and portable concrete plants used on public authority contracts shall be permitted, subject to municipal consultation and the issuance of any required permits by the appropriate approval authority, 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 temporary wayside pits and quarries, portable asphalt plants and portable concrete plants will be encouraged. Min. Mod. #17
Nov. 4/87
OPA #84
July 14/00
OPA #125
Dec. 3/08
- 8.6.5 The establishment of new licensed extraction operations, or the expansion of the existing licensed extraction areas, will require an amendment to the Zoning Bylaw. OPA #84
July 14/00

- 8.6.6 Applications for an amendment to the Zoning Bylaw in accordance with Section 8.6.5 will be evaluated on the basis of the following criteria:
- OPA #84
July 14/00
- .1 compatibility with adjacent existing and planned land-uses;
 - .2 Deleted OPA #125
Dec. 3/08
 - .3 potential impacts on the natural environment, including measures required to minimize any adverse impacts;
 - .4 potential impacts on the quality and quantity of surface and ground water systems;
 - .5 potential impacts of the transportation system;
 - .6 the manner in which the mineral resource extraction will be carried out; and
 - .7 other such matters as Council deems necessary.
- 8.6.7 All applications for amendments to the Zoning Bylaw in accordance with Section 8.6.5 shall include the following:
- OPA #84
July 14/00
- .1 the location, dimensions, topography, area, and description of the site proposed for a licensed extraction;
 - .2 the location, height, dimensions, and use of all buildings or structures existing or proposed to be erected on the site;
 - .3 the location, quality, and estimated quantity of the mineral resources;
 - .4 the use of all land, and the location and use of all buildings and structures lying within a distance of 150 m;
 - .5 existing and anticipated final grades of excavation and excavation setbacks within the site;
 - .6 surface water diversion, storage and drainage provisions;
 - .7 all entrances, exits, and proposed routes to be used by associated transport;
 - .8 locations of stock-piles for overburden strippings and mineral resources;
 - .9 proposed tree screening and berming;
 - .10 progressive and ultimate internal road plans;
 - .11 progressive and ultimate rehabilitation plans;

- .12 extent of adjacent property holdings which may be intended for future mineral resource extraction operations, where appropriate;
- .13 hydrology, soil, wildlife, or vegetation studies which may be required by Council due to specific site concerns; and
- .14 hydrogeologic reports including predicted effects on local water tables and wells;
- .15 studies to predict impact of noise and vibration beyond the site;
- .16 dust studies to determine the effect of dust beyond the site; and
- .17 other information as Council deems necessary.

Min. Mod. #18
Nov. 4/87

8.6.8

Council shall encourage the rehabilitation of licensed extraction areas for future use in accordance with their land-use designation on **Schedule 1-1 - Land Use Plan**, and in a manner compatible with adjacent existing and planned land-uses. Progressive rehabilitation concurrent with the resource extraction, will also be encouraged.

OPA #84
July 14/00
OPA #125
Dec. 3/08

8.7 Energy ConservationOPA #84
July 14/00

(renumbered as Section 10.6)

8.8 Mineral Resource AreasOPA #84
July 14/00

(renumbered as Section 8.6)

8.9 Environmental Policy Area - NorthwestOPA #32
April 21/92

Deleted.

OPA #84
July 14/00**8.10 Environmental Policy Area - D'Aubigny Creek Natural Area**OPA #48
May 5/95

Deleted.

OPA #84
July 14/00**8.11 Wetlands**OPA #84
July 14/00

(renumbered as Section 8.5)

8.12 Archaeological ResourcesOPA #84
July 14/00

(renumbered as Section 9.9)

9. CULTURAL HERITAGE AND ARCHAEOLOGY

OPA #84
July 14/00
OPA #125
Dec. 3/08

The City of Brantford has a long and varied history that is intimately associated with the Grand River. The Grand, a Canadian Heritage River, played a central organizing role in the settlement of First Nations and Euro-Canadian peoples in Brant County and Southern Ontario generally. Brantford is rich in cultural heritage resources, including built heritage resources, cultural heritage landscapes, archaeological sites and commemorative monuments, that contribute to a rooted sense of local identity and community and provide continuity between the past and the present.

OPA #84
July 14/00

OPA #125
Dec./08

Heritage conservation is a wise investment for the future. It makes our neighbourhoods even more attractive and increases their desirability and value. The City will demonstrate a leadership role in the conservation of its own properties in a responsible way and The Plan focuses on conserving Brantford cultural heritage resources.

9.1 General

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|-------|--|--|
| 9.1.1 | Section 9 establishes additional policies to provide for the conservation of cultural heritage resources within Brantford. These policies are guided by relevant sections of the Planning Act and are consistent with the Provincial Policy Statement. Certain land use policies and designations of this Plan may be qualified to include special restrictions or requirement embodied in the policies of this Section. | OPA #84
July 14/00

OPA #125
Dec. 3/08 |
| 9.1.2 | The City encourages the responsible management of cultural heritage resources. | OPA #84
July 14/00

OPA #49
June 1/95 |
| 9.1.3 | The City shall seek to conserve cultural heritage resources. | OPA #84
July 14/00 |
| 9.1.4 | For the purposes of this Official Plan, the following definitions shall apply: | OPA #84
July 14/00 |
| | .1 "built heritage resource" means the whole or part of one or more buildings, structures, monuments, installations or remains that have been identified as being historically and/or architecturally significant and are valued by the City; | |
| | .2 "cultural heritage landscape" means a defined geographic area of heritage significance which has been modified by human activities. Such an area is significant to the understanding of a people or place and is valued by the City; | |
| | .3 "cultural heritage resource" means artifacts such as art, literature, music, handicrafts, tools, equipment, furnishings, communications, documents, music and folklore which are significant to the understanding of a people or place and are | |

valued by the City.

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|--------|---|--|
| 9.1.5 | Conservation of areas, sites, buildings or structures of historical, architectural or archaeological merit will be encouraged throughout the City, where feasible. | OPA #84
July 14/00 |
| 9.1.6 | The City must consult with the Brantford Heritage Committee, which is the Municipal Heritage Committee (MHC) for the city, on matters relating to the heritage resources of the municipality. | OPA #84
July 14/00
OPA #125
Dec. 3/08 |
| 9.1.7 | All City owned heritage resources will be conserved and maintained in a good state of repair. | OPA #125
Dec. 3/08 |
| 9.1.8 | When a City owned heritage property is sold, leased or transferred to another owner, a heritage easement agreement will be secured and public access maintained to areas with heritage value. | OPA #125
Dec. 3/08 |
| 9.1.9 | The re-use of buildings with architectural or historic importance will be considered when selecting buildings for public functions. | OPA #125
Dec. 3/08 |
| 9.1.10 | <p>Applications for development of a property designated under the terms and conditions of the Ontario Heritage Act will be required to include a Heritage Impact Statement prepared by a qualified heritage conservation professional. A Heritage Impact Statement may also be required on a property that is listed in the City's Heritage Inventory or where development is proposed adjacent to a known heritage resource. The requirement may also apply to unknown or recorded heritage resources that are discovered during the development application stage or construction.</p> <p>A Heritage Impact Statement is a study to determine the impacts to known and potential heritage resources within a defined area. The study results in a report which identifies all known heritage resources, provides a detailed site history and physical description of the heritage resource, photo-documents the as-found interior and exterior of the resource; evaluates the significance of the resource(s); outlines the proposed development; assesses the impact of the proposal on the resources(s) and makes recommendations toward mitigative measures that would minimize negative impacts.</p> | OPA #125
Dec. 3/08 |
| 9.1.11 | The City will prepare guidelines to provide direction under which circumstances a Heritage Impact Assessment may be required and the scope of the Heritage Impact Assessment. | OPA #125
Dec. 3/08 |

9.2 Heritage Conservation Districts

OPA #84
July 14/00

- 9.2.1 Certain areas of the City may be established as Heritage Conservation Study Areas by bylaws enacted pursuant to the Ontario Heritage Act and examined as potential Heritage Conservation Districts on the basis of satisfying at least one of the following criteria:
- OPA #84
July 14/00
- .1 the area represents a group of historically or architecturally significant buildings or structures in regard to their style, originality, age, craftsmanship, or identification with a specific period or persons in Brantford's history; or
 - .2 the area represents a site identified with a specific period or persons within Brantford's history.
- 9.2.2 The City, in consultation with the Brantford Heritage Committee, shall undertake the necessary studies of the Heritage Conservation Study Areas prior to the preparation of a Heritage Conservation District Plan for the areas designated under Section 9.2.1. These studies may address the following:
- OPA #84
July 14/00
- .1 land use;
 - .2 pedestrian and vehicular movement systems;
 - .3 the cultural heritage value or interest of individual buildings, structures, landscapes, or sites within a study area;
 - .4 ownership patterns;
 - .5 the visual environment;
 - .6 the physical condition of the buildings, structures, or sites;
 - .7 the socio-economic conditions of the Study Area; and
 - .8 the present and potential development proposals within the Study Area.
- Min. Mod. #9
Dec. 3/08
- 9.2.3 Based on the studies undertaken, where warranted, in Section 9.2.2, a Heritage Conservation District Plan may be prepared in consultation with the Brantford Heritage Committee, outlining the planning policies necessary to conserve the heritage aspects of the District.
- OPA #84
July 14/00
- 9.2.4 The study area, or portions thereof, may be designated by Bylaw enacted pursuant to the Ontario Heritage Act, as a Heritage Conservation District.
- OPA #84
July 14/00

9.2.5	The bylaw enacted under Section 9.2.4 shall:	OPA #84 July 14/00
	.1 identify the extent of the Heritage Conservation District;	
	.2 establish the procedures for alteration or demolition of existing buildings, as well as the erection of new buildings;	
	.3 establish the process for appeal to the Ontario Municipal Board; and	
	.4 identify any aspects of the Heritage Conservation District Plan which require implementation by bylaws enacted pursuant to the Planning Act.	
9.2.6	The Heritage Conservation District Plan may be in the form of a Secondary Plan and may be incorporated into this Official Plan by amendment.	OPA #84 July 14/00
9.3	<u>Designation of Cultural Heritage Resources</u>	OPA #84 July 14/00 OPA #125 Dec. 3/08
9.3.1	The City, in consultation with the Brantford Heritage Committee, may designate properties of cultural heritage value or interest by bylaw enacted pursuant to the Ontario Heritage Act.	OPA #84 July 14/00 OPA #125 Dec. 3/08
9.3.2	As prescribed in Ontario Heritage Act Regulation 9/06, in determining the cultural heritage significance of a heritage resource and its contextual elements, regard shall be had, but not limited, to the following criteria:	OPA #84 July 14/00 Min. Mod. #10 Dec. 3/08
	.1 the resource and associated features date from an important period in Brantford's historical development;	OPA #125 Dec. 3/08
	.2 it is a good, representative, early or rare example of the work of an important architect, engineer, builder, designer, or other artisan, or it is a good, representative or rare example of its period, architectural style, building or design, method of engineering or construction or form of land use within the municipality;	OPA #125 Dec. 3/08
	.3 it is associated with a person or group of persons of local, provincial, national or international importance;	
	.4 it is associated with an event or movement of local, provincial, national or international importance;	
	.5 it is a good, representative example of a significant method of engineering or construction;	OPA #125 Dec. 3/08
	.6 it is a good, representative example of outstanding interior design;	OPA #125 Dec. 3/08
	.7 it makes an important contribution to the urban composition or	OPA #125 Dec. 3/08

streetscape which it forms a part.

- | | | |
|-------|--|---|
| 9.3.3 | DELETED | <p>OPA #84
July 14/00
OPA #125
Dec. 3/08</p> |
| 9.3.4 | <p>Selected properties identified through the inventory conducted under Section 9.4 may be designated, by bylaw passed under the Ontario Heritage Act, for preservation and protection from alteration where such alteration is likely to affect the reason for the designation as contained in the bylaw.</p> | <p>OPA #84
July 14/00</p> |
| 9.3.5 | <p>Alterations may be made to any properties designated under the Ontario Heritage Act, provided that such alterations do not affect the reasons for the designation, are in keeping with the policies of this Official Plan, and meet the requirements of the Zoning Bylaw and Building Code. A Heritage Impact Statement prepared by a qualified heritage conservation professional may be required to support proposed alterations.</p> | <p>OPA #84
July 14/00

OPA #125
Dec. 3/08</p> |
| 9.3.6 | <p>Reasonable methods of incorporating the whole or part of a designated heritage resource into new development shall be investigated and such incorporation encouraged where possible. A Heritage Impact Statement prepared by a qualified heritage conservation professional will be required to support the proposed development.</p> | <p>OPA #84
July 14/00

OPA #125
Dec. 3/08</p> |

9.4 Inventory of Heritage ResourcesOPA #84
July 14/00

9.4.1 The City, in consultation with the Brantford Heritage Committee and other local agencies and groups, may develop and maintain inventories of cultural heritage resources including built heritage resources (including contextual elements) and cultural heritage landscapes, in the City of Brantford. The inventory will be based on the criteria outlined in Section 9.3 of this Plan and will include an itemized summary of heritage attributes in each case.

OPA #125
Dec. 3/08

9.4.2 The City, in consultation with the Brantford Heritage Committee and other local agencies and groups, may also identify and plan for areas with special heritage qualities, with a view towards conserving and enhancing their unique character.

9.4.3 Information on Brantford's heritage resources will be integrated into the City of Brantford's Geographic Information System, and used to inform all heritage, planning and economic development matters.

9.4.4 Applications for demolition of an inventoried heritage resource will be required to include a Heritage Impact Statement prepared by a qualified heritage conservation professional.

OPA #125
Dec. 3/08**9.5 Heritage Incentives**OPA #84
July 14/00

9.5.1 The City, in consultation with the Brantford Heritage Committee, may investigate and offer a variety of financial incentives to encourage and assist with the conservation, restoration and reuse of heritage resources.

OPA #84
July 14/00

9.5.2 The City, in consultation with the Brantford Heritage Committee, may investigate and offer increases in height and density, expansions of permitted land uses and relaxed parking standards through amendments to the Zoning Bylaw to encourage and assist with the conservation, restoration and reuse of heritage resources.

OPA #84
July 14/00

9.5.3 In accordance with the Policies of this Plan, and pursuant to the Planning Act, the City may prepare Community Improvement Plans for areas of the City with special heritage qualities to preserve and enhance the character of these areas.

OPA #84
July 14/00

9.5.4 Methods of obtaining funding for the conservation and restoration and reuse of heritage resources through the assistance of the province and all other appropriate authorities will be investigated.

OPA #84
July 14/00**9.6 Deleted**OPA #84
July 14/00OPA #64
April 22/98

9.7 DeletedOPA #84
July 14/00OPA #64
April 22/98**9.8 The Grand River as a Canadian Heritage River**OPA #84
July 14/00

- 9.8.1 The Grand River watershed, an important cultural heritage landscape, was granted Canadian Heritage River status in 1994 because of the abundant nationally significant heritage and recreational features associated with the Grand River. The City of Brantford recognizes, and will continue to support and promote, the national significance of the watershed.
- 9.8.2 The City recognizes the transboundary nature of planning and resource management issues in the watershed, and will continue to support and participate in watershed-based planning activities, coordinated by the Grand River Conservation Authority and other authorities, where appropriate.
- 9.8.3 The City will continue to support and participate in appropriate events that celebrate and promote the Grand River watershed as a Canadian Heritage River.
- 9.8.4 The City will continue to encourage and support the conservation and interpretation of heritage and natural resources in the watershed by private landowners.
- 9.8.5 The City will continue to support and participate in appropriate economic development initiatives within the watershed, particularly those which link outdoor recreational opportunities with built, cultural and natural heritage resources.

9.9 Archaeological ResourcesOPA #84
July 14/00

- 9.9.1 For the purposes of this Official Plan, the following definitions will apply:
- .1 "archaeological resource" means the remains of any building, activity, structure, place or cultural feature, which because of the passage of time is on or below the surface of the land or water, and which has been identified and evaluated and determined to be significant to the understanding of the history of a people or place;
 - .2 "significant archaeological resource" means an archaeological resource that has been identified and evaluated to be of significance based upon the assessment of the resource by a licenced archaeologist;

OPA #64
April 22/98

.3 "areas of archaeological potential" are those areas that have been identified in the Master Plan of Archaeological Resources for the City of Brantford as having potential for the discovery of prehistoric and historic archaeological resources.

9.9.2 Council shall maintain a Master Plan of Archaeological Resources for the City of Brantford which may include the following:

- .1 an inventory of registered and unregistered archaeological sites;
- .2 an archaeological site potential model based on known site locations, past and present land uses, environmental and cultural-historical data;
- .3 planning guidelines for archaeological resources;
- .4 a management strategy for known and potential archaeological resources; and
- .5 Available and updated archaeological site data locations shall be obtained from the provincial data base of the Ministry of Culture under the provisions of a municipal-provincial data sharing agreement, for the purpose of heritage conservation planning.

Min. Mod. #11
Dec. 3/08

9.9.3 Council will consider the need for revisions to the Master Plan of Archaeological Resources every five years. Six Nations of the Grand River and the Mississaugas of the New Credit shall be notified at such time that the City of Brantford Council commences the consideration of an update to the Master Plan of Archaeological Resources and shall be invited to participate in the revisions process, should the City of Brantford Council provide consent to the Master Plan update

Min. Mod. #12
Dec. 3/08

9.9.4 Council recognizes that archaeological sites are fragile in nature and that such sites may be destroyed or altered by land development activity. Where land development applications are submitted for properties that are adjacent to, or on, known archaeological sites or where any portion of the subject lands are located within an area of archaeological potential, as identified in the Master Plan of Archaeological Resources, an archaeological resource assessment shall be undertaken to determine an appropriate method to protect and manage the resource. Such assessments shall be prepared in accordance with current technical guidelines and to the satisfaction of the Province. The archaeological resource assessment report shall be submitted to the City of Brantford and to all other appropriate approval authorities prior to the approval of land disturbing activity. Six Nations of the Grand River and the Mississaugas of the New Credit shall be provided notification in regards to the identification of burial sites and significant archaeological resources relating to the activities of their ancestors. The Plan for the protection or salvage of the site must be approved by the City of Brantford and all other appropriate approval authorities and must be completed prior to any

OPA #84
July 14/00

Min. Mod. #13
Dec. 3/08

land disturbance.

- 9.9.5 Where an aggregate resource area is located within an area of archaeological potential, as identified in the Master Plan of Archaeological Resources, appropriate archaeological assessments must be carried out and appropriate mitigation strategies executed, to the satisfaction of the City and all appropriate approval authorities, prior to the opening of a new pit or quarry. OPA #84
July 14/00
- 9.9.6 City shall ensure that municipal departments and other public agencies, when conducting public work projects in areas of archaeological potential, as identified in the Master Plan of Archaeological Resources for the City of Brantford, shall complete, where feasible, archaeological assessments and any required mitigation prior to carrying out any land disturbing activity.
- 9.9.7 The City of Brantford may establish standards for the submission of archaeological assessment reports consistent with the maintenance requirements of the Master Plan of Archaeological Resources.
- 9.9.8 The City of Brantford shall adopt a contingency plan for the protection of archaeological resources in urgent situations. Such a contingency plan will apply if archaeological resources or human remains are discovered during construction activity. The contingency plan shall specify the provincial ministries to be contacted and the postponement of construction activity in the vicinity of the discovery until appropriate mitigation measures are identified and executed.
- 9.9.9 Where the areas of archaeological potential are located in the historic core, or are in the vicinity of historically significant commercial enterprises or are on lands that have previously been approved for development, the development proponents should be advised of the potential presence of archaeological resources. The development proponent should be further advised that if significant archaeological resources are discovered during the course of construction activity, that the site should be protected from further disturbance until a licensed archaeologist has completed an assessment and any necessary mitigation has been completed.
- 9.9.10 Any alterations to known archaeological sites shall only be performed by licensed archaeologists, as per Section 48 of the Ontario Heritage Act. Min. Mod. #14
Dec. 3/08
- 9.9.11 Council recognizes there may be a need for archaeological preservation on site or rescue excavation of significant archaeological resources as a result of development proposals. Council may consider archaeological preservation on site, to ensure that the integrity of the resource is maintained. Min. Mod. #14
Dec. 3/08
- 9.9.12 Council may maintain the integrity of archaeological resources by adopting zoning bylaws under Section 34(1) 3.3 of the Ontario Planning Act R.S.O. 1990, to prohibit any land use activities or the erection of buildings or structures on land which is a site of a significant archaeological resource. Min. Mod. #14
Dec. 3/08

9.9.13

Council shall ensure adequate archaeological assessment and consult appropriate government agencies, including the Ministry of Culture (MCL) and the Ministry of Government Services (MGS), when an identified marked or unmarked cemetery is affected by land use development. The provisions under the *Heritage Act* and the *Cemeteries Act* shall apply.

Min. Mod. #14
Dec. 3/08

10. COMMUNITY HEALTH AND SAFETYOPA #84
July 14/00**10.1 General**OPA #84
July 14/00

10.1.1 Section 10 establishes policies to provide for the creation of a safe and healthy environment for the residents of Brantford.

OPA #84
July 14/00

10.1.2 This Section establishes policies and delineations as shown on **Schedule 4-1 - Community Health and Safety: Floodplain; Schedule 4-2 - Community Health and Safety: Floodplain Breach Zone; Schedule 4-3 – Community Health and Safety: Steep Slope Erosion Hazard; Schedule 4-4 - Community Health and Safety: Slope Setback; Schedule 4-5 – Community Health and Safety: Abandoned Landfill Sites** which will be applied in conjunction with the land use policies and designations of Section 7, **Schedule 1-1 - Land Use Plan, Schedule 1-2 – Growth Management Plan and Schedule 2 - Modified Policy Areas**. Therefore, certain land use policies and designations may be qualified to include special restrictions or requirements for the policy areas delineated on **Schedule 4-1 - Community Health and Safety: Floodplain; Schedule 4-2 - Community Health and Safety: Floodplain Breach Zone; Schedule 4-3 - Community Health and Safety: Steep Slope Erosion Hazard; Schedule 4-4 - Community Health and Safety: Slope Setback; Schedule 4-5 – Community Health and Safety: Abandoned Landfill Sites**.

OPA #84
July 14/00
OPA #143
July 4/08
OPA #160
Nov. 6/09
OPA #125
Dec. 3/08

10.1.3 Environment policies and delineations include the following:

OPA #84
July 14/00

- .1 The Floodplain of the Grand River, D'Aubigny Creek and the tributaries of Fairchild Creek;
- .2 Steep Slope and Erosion Hazard;
- .3 Abandoned Landfill Sites;
- .4 Noise and Vibration;
- .5 Buffering; and
- .6 Energy Conservation.

OPA #143
July 4/08

10.1.4 In addition to the requirements of the Provincial Policy Statement, 2005, development of a property must comply with Ontario Regulation 153/04. Also, development of a property, which results in a change to a more sensitive use, shall require the completion of a City of Brantford Qualified Person Affidavit (QPA) "Compliance with Environmental Protection Act O. Reg. 153/04". Notwithstanding the aforementioned development condition, the City of Brantford reserves the right to require a QPA based on information available to the City and in the professional judgment of City staff.

OPA #49
June 1/95OPA #84
July 14/00
OPA #125
Dec. 3/08

10.2 Grand River, D’Aubigny Creek and Tributaries of Fairchild Creek Floodplain Areas

OPA #84
July 14/00

OPA #143
July 4/08

10.2.1 The floodplain includes all lands adjacent to a watercourse which have been or may be subject to flooding hazards. The Regulatory Floodline defines the limits of the floodplain and is calculated using the Hurricane Hazel storm-centered event of 1954 which is the Provincial flood standard for this area. The floodplain limits of the Grand River, D’Aubigny Creek, and the tributaries of Fairchild Creek in the City are shown on **Schedule 4-1 - Community Health and Safety: Floodplain**, to this Plan. A more precise delineation of the floodplain can be determined from mapping available through the Grand River Conservation Authority.

OPA #26
Aug. 2/91

OPA #75
May 6, 1999

OPA #143
July 4/08

OPA #84
July 14/00

Engineered flood risk mapping and engineered regulatory flood elevations may not be available for the Grand River tributaries. A floodplain analysis may be required to be provided by the proponent to the satisfaction of the City and the Grand River Conservation Authority, to define the flood risk and the extent of the hazardous lands impacted by flooding hazards. Changes to the boundary of the floodplain, as established by an approved study, do not require amendments to the Official Plan.

OPA #143
July 4/08

10.2.2 The Floodplain of the Grand River, D’Aubigny Creek, and the tributaries of Fairchild Creek as they pass through the City are characterized by two sets of circumstances. The first is where development generally has not taken place and lands comprising the floodplain are mostly vacant, or are in open space or agricultural uses. The second is where large areas of the floodplain have had a long history of development and are used for a full range of land uses including a variety of residential, commercial, industrial and institutional forms of development.

OPA #143
July 4/08

10.2.3 The City and the Grand River Conservation Authority have completed a comprehensive program of installing dykes and other flood control works to protect the areas of historical development within the floodplain of the Grand River and to reduce potential damages resulting from flooding. The City, in consultation with the Conservation Authority, will establish formal operational policy to carry out an ongoing program of comprehensive, regular inspection and maintenance of the structural integrity of the dykes and associated flood control infrastructure. The purpose of this program is to minimize the risk of breaching of these dykes in the future and ensuring that existing and future development continue to be given reasonable protection from flooding.

OPA #143
July 4/08

10.2.4 People live and work in all parts of the floodplain including both areas protected and unprotected by dykes. The City acknowledges that protection to persons against the dangers resulting from flooding can't be guaranteed by structural works alone. The City has developed and adopted an Emergency Plan to deal with this type of emergency and others. This Emergency Plan assigns responsibilities and guides immediate actions of key public officials during the development of a flood emergency and after the onset of an emergency. This comprehensive, co-ordinated effort is in addition to individual emergency operations carried out by municipal agencies. This plan is frequently reviewed and updated to ensure that the procedures are kept current and that all participants are kept familiar with its provisions. The Emergency Plan takes into account and is intended to deal with the worst case scenario - a situation that develops without warning. It is a policy of the Official Plan that such an Emergency Plan remain in place, be kept current and be implemented when a flood emergency begins to develop.

10.2.5 The Emergency Plan works in conjunction with the Flood Warning System co-ordinated by the Conservation Authority for the Grand River watershed. It is a policy of the Official Plan to urge the Conservation Authority to maintain, update and implement the Flood Warning System and for the City of Brantford to participate in it.

10.2.6 To assist in meeting the objective of this Plan to provide for the reasonable and safe use of lands within the Floodplain commensurate with the protection afforded by the flood control works this Plan establishes three sets of policies for floodplain lands within the City:

- i) Floodway Policy Area
- ii) Special Policy Area 1
- iii) Special Policy Area 2

OPA #143
July 4/08

10.2.7 Floodway Policy Area

- .1 The Floodway Policy Area consists of all lands within the floodplain of the Grand River, D'Aubigny Creek, and the tributaries of Fairchild Creek, as it passes through the City, and is not protected by dykes. These lands are expected to flood at various times. The floodway policies established in this section apply to all land use designations in the area shown as Floodway on **Schedule 4-1 - Community Health and Safety: Floodplain** to this Plan. The policies of this section are to be followed in addition to those in the respective land use designations. Where a conflict exists between them, the policies of this section shall prevail.
- OPA #84
July 14/00
OPA #143
July 4/08
- .2 Development in the Floodway is to be limited to infrastructure of a public agency, flood control works and structures associated with open space uses.
- .3 Limited open space structures are permitted to support public recreational use of the lands; however the structures are to be minimal in scale and design recognizing they will be subject to inundation and ice damage.
- .4 All development within the Floodway Policy Area will be subject to Site Plan Control for the purposes of assuring the objectives and policies of this Plan are implemented. Development will also be subject to the approval of the Grand River Conservation Authority through the regulation of "Development, Interference with Wetlands and Alterations to Shorelines and Watercourses" regulation. The City will work with the Conservation Authority to co-ordinate the two approval functions to provide an efficient process.
- OPA #143
July 4/08

10.2.8 Special Policy Area 1

- .1 Special Policy Area 1 consists of all areas of the floodplain land within the City that are largely developed and are protected by dykes. The policies established in this section apply to all land use designations in the area shown as Special Policy Area 1 on **Schedule 4-1 - Community Health and Safety: Floodplain** to this Plan. The policies of this section are to be followed in addition to those in the respective land use designations. Where a conflict exists between them, the policies of this section shall prevail.
- .2 The portions of the floodplain shown as Special Policy Area 1 are provided a reasonable level of protection from flooding through dyking and other flood control works; however full protection is not guaranteed and some risk of flooding is assumed. The Official Plan establishes this Special Policy Area to permit the continuation of the historical pattern of development in these areas in order to limit the social and economic hardship which would result from the prohibition of development.
- .3 Notwithstanding the policies for these land use designations established elsewhere in the Official Plan, the establishment of new land uses consisting of recycling uses, hospitals, nursing homes or schools (including pre-school, day care and school nurseries) is not permitted in this Special Policy Area. Extensions to such uses existing in the Special Policy Area will be permitted subject to the policies for development in the Area.
- .4 Notwithstanding policies found elsewhere in this Plan, new essential emergency services consisting of police, fire and ambulance stations and major electrical sub-stations are not permitted in this Special Policy Area.
- .5 Basements are not permitted in new development, including additions to existing buildings, in Special Policy Area 1.
- .6 All new development in Special Policy Area 1 will have a first floor elevation not less than that of the nearest existing building comprising the main use on a lot or the elevation of the 100 Year Flood, whichever is less. Pipe and utility spaces may be provided below the elevation of the first floor; however all mechanical and electrical service equipment is to be installed above the first floor elevation.

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- .7 All additions to existing development in Special Policy Area 1 will have a first floor elevation not less than that of the existing building to which the addition is being made or the elevation of the 100 Year Flood, whichever is less. Pipe and utility spaces may be provided below the elevation of the first floor; however all mechanical and electrical service equipment is to be installed above the first floor elevation.
- .8 All development, including additions to existing development, in this Special Policy Area will be subject to Site Plan Control for the purposes of assuring the objectives and policies of this Plan are implemented. Development will also be subject to the approval of the Grand River Conservation Authority through the regulation of "Development, Interference with Wetlands and Alterations to Shorelines and Watercourses" regulation. The City will work with the Conservation Authority to co-ordinate the two approval functions to provide an efficient process. OPA #143
July 4/08
- .9 Deleted. OPA #84
July 14/00

10.2.9 Special Policy Area 2

- .1 Special Policy Area 2 consists of areas of the floodplain within the City that are not fully developed and are protected by dykes. The policies established in this section apply to all land use designations in the area shown as Special Policy Area 2 on **Schedule 4-1 - Community Health and Safety: Floodplain** to this Plan. The policies of this section are to be followed in addition to those in the respective land use designations. Where a conflict exists between them, the policies of this section shall prevail. OPA #84
July 14/00
- .2 The portions of the floodplain shown as Special Policy Area 2 are provided a reasonable level of protection from flooding through dyking and other flood control works; however full protection is not guaranteed and some risk of flooding is assumed. The Official Plan establishes this Special Policy Area to permit the completion of the historical pattern of development in the floodplain in order to limit the social and economic hardship which would result from the prohibition of development.
- .3 Notwithstanding the policies for these land use designations established elsewhere in the Official Plan, the establishment of recycling uses, hospitals, nursing homes or schools (including pre-school, day care and school nurseries) is not permitted in this Special Policy Area.

- .4 Notwithstanding policies found elsewhere in this Plan, new essential emergency services consisting of police, fire and ambulance stations and major electrical sub-stations are not permitted in this Special Policy Area.
- .5 In order to reduce the potential for loss of life and property damage in the event of a breach or over topping of the abutting dyke, development of one or more buildings constituting the main use of a lot is not permitted on that portion of a lot lying within the Breach Zone shown on **Schedule 4-2 - Community Health and Safety: Floodplain Breach Zone** to this Plan. Accessory buildings may be permitted in the Breach Zone provided overland flow routes established by the comprehensive storm water management plan referred to in section 10.2.9.11 of this Plan are not negatively affected.

OPA #84
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The Breach Zone is calculated by the Grand River Conservation Authority on the basis of the elevation of the Regulatory Flood, existing ground elevation and engineering analysis of potential structural failure of dykes. The limits of the Breach Zone may be adjusted, with out requiring amendment to this Plan, to reflect detailed site elevation information, placement of fill, dyke reinforcement, etc., subject to the approval of the municipality and the Conservation Authority. Changes in the limits of the Breach Zone shall not impair the functionality of overland flow routes established by the comprehensive storm water management plan.

- .6 Basements are not permitted in new development, including additions to existing buildings, in Special Policy Area 2. Pipe and utility spaces may be provided below the elevation of the first floor; however all mechanical and electrical service equipment is to be installed above the first floor elevation.
- .7 All new development, excluding additions to existing buildings, in Special Policy Area 2 will have a first floor elevation not less than 1 m below the elevation of the Regulatory Flood.
- .8 Additions to existing buildings will have a first floor elevation not less than that of the existing building.
- .9 Notwithstanding Sections 10.2.9.7 and 10.2.9.8, buildings or portions of buildings designed for the parking of vehicles may have a lower finished floor elevation, provided that it is not less than the elevation of the centreline of the abutting street.

OPA #84
July 14/00

- .10 Any development incorporating lands abutting any section of dyke shall convey to the municipality, as part of the conditions of development approval, a 6 metre wide right of way along the base of the dyke to facilitate ongoing and emergency maintenance of the dyke.
- .11 Surface water run-off resulting from breaching, overtopping or storm events occurring during times of high water flows in the Grand River can cause localized flooding in areas protected by the dykes due to storm water sewer outlets being closed. To prevent this, storm water management shall be undertaken on a comprehensive basis over the whole of the area. A storm water management plan shall be established for the whole of Special Policy Area 2 prior to development by plan of subdivision occurring in the area, although limited development may take place provided the proponent can demonstrate there will be no impact on flows resulting from a breach. Attenuation is to be provided to accommodate a design storm event of a specific duration occurring during times when storm water outlets are closed. The City and the Grand River Conservation Authority will jointly establish appropriate design standards to guide development of storm water management facilities to accommodate this occurrence as well as conventional storm water management functions.
- .12 All development in this Special Policy Area will be subject to Site Plan Control for the purposes of assuring the objectives and policies of this Plan are implemented. Development will also be subject to the approval of the Grand River Conservation Authority through the regulation of "Development, Interference with Wetlands and Alterations to Shorelines and Watercourses" regulation. The City will work with the Conservation Authority to co-ordinate the two approval functions to provide an efficient process.

OPA #75
May 6, 1999
OPA #143
July 4/08

10.2.10 Changes in Land Use Designation in the Floodplain

OPA #125
Dec. 3/08

Where a land use designation, as shown on **Schedule 1-1 Land Use Plan** to this Plan, applying to one or more properties located in any portion of the floodplain is proposed to be changed to another land use designation, consideration will be given to increasing the requirements for protection against possible flooding. The need for increased protection will be dependent on the nature of the future land use. The greater protection will be achieved through increasing the elevation of the occupied portions of the proposed development. This increase in the elevation will be to a maximum equal to the Regulatory Flood elevation. The extent of the increase will be limited by the practicality of doing so, based on the nature of the future use and the elevation of adjacent streets and development, in order to ensure that there is balance between protection and the economic ability to utilize the lands.

Where such change of land use designation is to an industrial designation, policy shall be incorporated in the amendment to this Plan to require that the storage of hazardous materials be located above the elevation of the Regulatory Flood or the storage facilities be otherwise flood-proofed.

10.3 Steep Slope and Erosion Hazards

OPA #143
July 4/08

- 10.3.1 In addition to the provisions of Section 7.8, 8.1, 8.2 and 8.3 of this Plan, development applications within the Erosion Hazard area may be permitted subject to the following general policies, and the approval of the Grand River Conservation Authority through the "Development, Interference with Wetlands and Alterations to Shorelines and Watercourses" regulation. Known steep slope and erosion hazards are shown on **Schedule 4-3 Community Health and Safety: Steep Slope Erosion Hazards**, and **Schedule 4-4 Community Health and Safety: Slope Setback**.
- 10.3.2 Development applications adjacent to the Grand River valley slopes and tributary valley slopes must include a detailed geotechnical assessment to establish the designated top of slope line to the satisfaction of the City and the Grand River Conservation Authority.
- 10.3.3 Development and site alternation may be permitted within the Steep Slope and Erosion Hazard area if it is demonstrated in an Impact Assessment that there will be no negative impacts on the natural features or the ecological functions for which the area is identified or where appropriate compensation or remedial strategy is approved by the City, the Grand River Conservation Authority and all other appropriate approval authorities. This Impact Assessment will be conducted in accordance with the Impact Assessment Guidelines contained in Appendix III of this Plan, and to the satisfaction of the City and Grand River Conservation Authority.

- 10.3.4 As a condition of development approval, the City and/or the Grand River Conservation Authority may require the application of erosion and siltation control measures during the construction period.
- 10.3.5 All buildings and structures shall maintain a minimum setback of 15.0 metres from the designated top of slope line.
- 10.3.6 Development and site alteration may be undertaken so that a fit into the natural contours of the land is achieved. This will affect the massing and location of buildings, structures, driveways and other features, and limit the extent of alteration to the landscape and natural vegetation.
- 10.3.7 Areas identified as steep slopes are intended to be maintained in their natural state, the City will use regulatory powers under the Planning Act to implement this policy, including the use of setbacks in the Zoning Bylaw.

10.4 Abandoned Landfill Sites

OPA #84
July 14/00

- 10.4.1 Abandoned Landfill Sites are those areas identified by the City as having been used in the past for waste disposal purposes. These areas are divided into four categories as shown on **Schedule 4-5 - Community Health and Safety: Abandoned Landfill Sites.**

OPA #143
July 4/08

Min. Deferral #9
Nov. 4/87

10.4.2 Category 1 Abandoned Landfill Sites

OPA #84
July 14/00

OPA #160
Nov. 6/09

- .1 Category 1 abandoned landfill sites are those areas containing inert materials such as building demolition rubble or streetsweepings, which do not generate significant methane gas and do not adversely impact human health or the environment on adjacent lands. There is however, a risk of soil instability on these sites. Slope stability may also be an issue on some sites where steep slopes have been formed by the deposition of waste materials.
- .2 Development applications, in accordance with the land use designations in **Schedule 1-1 - Land Use Plan**, will not be considered on these sites until the City has indicated its approval of the proposal based on geotechnical investigations, including soil and groundwater quality investigations conducted in accordance with Provincial guidelines.

OPA #125
Dec. 3/08

- .3 Where necessary, and in accordance with Provincial Guidelines, development applications will incorporate remedial measures including technical controls, buffering and rehabilitation, to the satisfaction of the City and all other appropriate approval authorities, to prevent any adverse effects to human health and the environment originating from the old waste disposal site and ensure that the area can be safely developed for the land use designations on **Schedule 1-1 - Land Use Plan**.

10.4.3 Category 2 Abandoned Landfill Sites

OPA #125
Dec. 3/08

- .1 Category 2 abandoned landfill sites are those areas containing waste materials which can leach and become mobile with surface water or groundwater. This leachate can have adverse impacts on human health and the environment on the site itself as well as surrounding properties. These potential impact areas vary from site to site, and are shown in Appendix IV-B to this Plan.
- .2 Development applications, in accordance with the land use designations in **Schedule 1-1 - Land Use Plan**, will not be considered on these sites until the City has indicated its approval of the proposal based on geotechnical investigations, including soil and groundwater quality investigations undertaken in accordance with Provincial Guidelines.
- .3 Development applications, in accordance with the land use designations in **Schedule 1-1 - Land Use Plan**, will not be considered within the impact areas shown in Appendix IV-B to this Plan, until the City has indicated its approval of the proposal based on groundwater quality investigations undertaken in accordance with Provincial Guidelines.
- .4 Where necessary, and in accordance with Provincial Guidelines, development applications will incorporate remedial measures including technical controls, buffering and rehabilitation, to the satisfaction of the City and all other appropriate approval authorities, to prevent any adverse effects to human health and the environment originating from the old waste disposal site and ensure that the area can be safely developed for the land use designations on **Schedule 1-1 - Land Use Plan**.

10.4.4 Category 3 Abandoned Landfill SitesOPA #125
Dec. 3/08

- .1 Category 3 abandoned landfill sites are those areas containing material which generate significant quantities of methane gas. This methane gas poses a threat to human health and the environment on the site itself as well as surrounding properties. These potential impact areas vary from site to site and are shown in Appendix IV-C to this Plan.
- .2 Development applications, in accordance with the land use designations in **Schedule 1-1 - Land Use Plan**, will not be considered on these sites until the City has indicated its approval of the proposal based geotechnical investigations, including methane gas investigations and soil and groundwater quality investigations undertaken in accordance with Provincial Guidelines.
- .3 Development applications, in accordance with the land use designations in **Schedule 1-1 - Land Use Plan**, will not be considered within the impact areas shown in Appendix IV-C to this Plan, until the City has indicated its approval of the proposal based on investigations for methane gas in the subsurface.
- .4 Where necessary, and in accordance with Provincial Guidelines, development applications will incorporate remedial measures including technical controls, methane gas alarms, buffering and rehabilitation, to the satisfaction of the City and all other appropriate approval authorities, to prevent any adverse effects to human health and the environment originating from the old waste disposal site and ensure that the area can be safely developed for the land use designations on **Schedule 1-1 - Land Use Plan**.

10.4.5 Category 4 Abandoned Landfill Sites

OPA #125
Dec. 3/08

- .1 Category 4 abandoned landfill sites are those areas containing waste materials that generate significant quantities of methane gas and adversely impact groundwater beneath surrounding properties. These potential impact areas vary from site to site and are shown in Appendix IV-D to this Plan.
- .2 Development applications, in accordance with the land use designations in **Schedule 1-1 - Land Use Plan**, will not be considered on these sites until the City has indicated its approval of the proposal based on geotechnical investigations, including methane gas investigations and soil and groundwater quality investigations undertaken in accordance with Provincial Guidelines.
- .3 Development applications, in accordance with the land use designations in **Schedule 1-1 - Land Use Plan**, will not be considered within the impact areas shown in Appendix IV-D to this Plan, until the City has indicated its approval of the proposal based on methane gas investigations and groundwater quality investigations undertaken in accordance with Provincial Guidelines.
- .4 Where necessary, and in accordance with Provincial Guidelines, development applications will incorporate remedial measures including technical controls, methane gas alarms, buffering and rehabilitation, to the satisfaction of the City and all other appropriate approval authorities, to prevent any adverse environmental effects originating from the old waste disposal site and ensure that the area can be safely developed for the land use designations on **Schedule 1-1 - Land Use Plan**.

10.4.6 For the purposes of this Section of the Official Plan, areas falling within the Abandoned Landfill Sites delineation as shown on **Schedule 4-5 - Community Health and Safety: Abandoned Landfill Sites**, as well as the impact areas shown in Appendices IV-B, IV-C and IV-D of this Plan, are to be designated site plan control areas pursuant to the Planning Act.

OPA #160
Nov. 6/09

10.4.7 The boundaries of the impact areas shown in Appendices IV-B, IV-C, and IV-D of this Plan are considered to be approximate, and will be revised as new information becomes available, without amendment to this Plan.

10.5 Noise and Vibration Control

OPA #84
July 14/00
OPA 143
July 4/08

10.5.1 General

10.5.1.1 Noise and vibration generated by road and rail traffic may affect residential development within the City and therefore the City may require the submission of noise and vibration analyses in order to assess potential impacts on residential development.

10.5.2 Road Noise Control

10.5.2.1 Where new residential development is proposed for lands within 500 metres of a provincial highway, or adjacent to a Minor Arterial or a Major Arterial Road, the City will require a noise analysis to be submitted in conjunction with an application for plan of subdivision, plan of condominium, or amendment to the Zoning Bylaw (for large-scale developments).

Min. Mod. #13
Nov. 4/87

OPA #59
Nov. 19/97

OPA #160
Nov. 6/09

OPA #125
Dec. 3/08

10.5.2.2 The Noise Analysis report will contain an assessment of existing and anticipated noise levels for both outdoor and indoor noise sensitive locations during both daytime and nighttime hours to which the residential development will be subject before and after any proposed noise control measures are installed in accordance with Provincial sound level criteria. The report should be based on recognized noise measurement, prediction and calculation techniques.

Min. Mod. #14
Nov. 4/87

10.5.2.3 Development which contains a residential component such as dwellings, bedrooms, sleeping quarters, living rooms or reading rooms, and which may be subject to high levels of road noise will only be permitted if it includes structural features that reduce interior noise levels.

10.5.2.4 Any necessary noise control measures shall be specified in the appropriate agreements pursuant to the Planning Act.

Min. Mod. #16
Nov. 4/87

10.5.2.5 The co-operation of Provincial agencies will be sought in providing adequate noise protection from existing and proposed Provincial Highways.

Min. Mod. #15
Nov. 4/87

10.5.3 Rail Noise and Vibration Control

- 10.5.3.1 The City may require a noise and/or vibration analysis to be submitted where residential development is proposed adjacent to active rail lines.
- 10.5.3.2 The Noise and Vibration Analysis report will contain an assessment of existing and anticipated noise levels and vibration levels during both daytime and nighttime hours to which the residential development will be subject before and after any proposed control measures are installed, based on recognized noise and vibration measures and prediction techniques.
- 10.5.3.3 Development which contains outdoor passive recreation areas and/or a residential component such as dwellings, bedrooms, sleeping quarters, living rooms or reading rooms, and which may be subject to high levels of rail noise, vibration and/or deleterious air qualities will only be permitted if it includes structural features that reduce interior noise vibration and odour levels.
- 10.5.3.4 The Noise and, where required, Vibration Analysis report described in Section 10.5.3.2 may be circulated to the appropriate railway company and all other appropriate approval authorities for comments with regard to the proposed noise, vibration and air quality attenuation measures.

OPA #84
July 14/00

OPA #170
Sept. 12/11

10.6 BufferingOPA #84
July 14/00

10.6.1 Certain areas within the City will require buffering or screening in order to minimize potential conflicts between land uses which may detract from the amenity and functioning of other adjacent land uses.

OPA 143
July 4/08

10.6.2 Development will be carefully controlled in all land use designations which are subject to Buffering policies.

10.6.3 Land uses which are obnoxious due to noise, dust, odour or visual characteristics shall generally not be located where their effects will have an adverse impact upon Residential Areas, Major Institutional Areas or other incompatible uses.

10.6.4 Buffering or screening will be required where a Residential Area designation adjoins:

- .1 an Industrial Area;
- .2 a Commercial Area;
- .3 a Major Institutional Area;
- .4 any land use characterized by heavy pedestrian or automobile traffic, truck transportation, noise, fumes or other factors affecting the residential amenity; or
- .5 railways.

10.6.5 Buffering requirements to be provided when the development proceeds may include the following:

- .1 prohibition of outside storage;
- .2 control of the location of outdoor parking and loading areas;
- .3 control of the location of garbage collection/storage facilities;
- .4 regulation of lighting and signs so that they are averted or shielded from the residential uses;
- .5 provision of adequate screening such as solid or perforated walls, trellises or other appropriate structures;
- .6 provision of adequate landscaping such as trees, bushes, grassed areas and berming; or
- .7 separation of uses by additional distances between them.

10.6.6 Buffering requirements shall be implemented through the provision of the Zoning Bylaw and/or site plan approval.

10.6.7 Where industrial and sensitive land uses are proposed in proximity to one another and require official plan and/or zoning amendment, appropriate studies shall be completed to the satisfaction of the City and in accordance with Ministry of Environment Guidelines demonstrating that the proposed development will have no adverse affects on existing industrial facilities or sensitive land uses.

OPA #160
Nov. 6/09

Min. Mod. #15
Dec. 3/08

10.7 Energy ConservationOPA #84
July 17/00OPA #143
July 4/08

- 10.7.1 The practical application of innovative ideas relating to energy conservation through site planning, building design, renewable energy sources, alternative energy sources, and efficient equipment and operations will be encouraged throughout the municipality.
- 10.7.2 Development will be encouraged which conserves energy through appropriate community planning and design principles, a compact and contiguous urban form, and infilling and redevelopment within existing developed areas.
- 10.7.3 Mixed used developments, where complementary land uses would be concentrated as a means of conserving energy, will be encouraged.
- 10.7.4 Innovative zoning and subdivision designs that incorporate energy conserving principles will be encouraged.
- 10.7.5 Protection of solar access in all development will be encouraged to locate in areas with access to public transit.
- 10.7.6 High density residential development will be encouraged to locate in areas with access to public transit.
- 10.7.7 Council will encourage public transit use, a pedestrian and bicycle traffic as energy conserving modes of transportation. New development will be encouraged to incorporate an integrated walkway and bicycle path system, where it is safe and secure to do so, interconnecting residential neighbourhoods, commercial areas, schools, public buildings, and major recreation facilities.
- 10.7.8 Landscaping for winter wind protection and summer solar protection will be encouraged by Council and tree planting programs in rights-of-way and on private property which create more temperate microclimates will be encouraged.

11. TRANSPORTATIONOPA #84
July 14/00**11.1 General**

11.1.1 Council shall encourage the development of transportation facilities in accordance with the road and rail facilities shown on **Schedule 5-1 - Transportation: Transportation Plan**, based on the City's Transportation Master Plan. The City of Brantford has the following transportation facilities:

OPA #49
June 1/95OPA #84
July 14/00

- .1 Provincial Highway
- .2 Major Arterial Roads;
- .3 Minor Arterial Roads;
- .4 Major Collector Roads;
- .5 Minor Collector Roads;
- .6 Local Roads;
- .7 Rail;
- .8 Bikeways and Trails;
- .9 Sidewalks and;
- .10 Long-Term Corridor Protection.

OPA #59
Nov. 19/97OPA #125
Dec. 3/08**11.2 Provincial Highway**OPA #125
Dec. 3/08

11.2.1 There are two provincial highways located within the City - Highway 403 and Highway 24. Development which falls within the Ministry of Transportation's permit control area is subject to the requirements of the Ministry of Transportation.

11.2.2 New entrances or the upgrading of entrances within the Ministry of Transportation's permit control area of a provincial highway shall be subject to the approval of the Ministry of Transportation. This may increase the access and traffic signal spacing requirements outlined in Section 11.3 for Major Arterial, Minor Arterial, Major Collector, Minor Collector and Local Roads which intersect with a provincial highway.

11.2.3 The City and the Ministry of Transportation will work cooperatively with respect to the planning of land development and associated access connections within the Ministry of Transportation's permit control area adjacent to all provincial highways and interchanges within the City, to protect the future capacity and operation of both the provincial highway network and the City's transportation facilities.

11.3 RoadsOPA #125
Dec. 3/08

11.3.1 This Official Plan recognizes that automobiles will continue to play a dominant role within the overall transportation system of the City. Although, where possible and desirable, provision for alternative modes of transportation will be considered.

OPA #49
June 1/95

11.3.2	For the purposes of this Official Plan, the following functional classification of roads is established:	<ul style="list-style-type: none"> .1 Provincial Highway .2 Major Arterial Roads; .3 Minor Arterial Roads; .4 Major Collector Roads; .5 Minor Collector Roads; and .6 Local Roads. 	<p>OPA #59 Nov. 19/97</p> <p>OPA #125 Dec. 3/08</p>
11.3.3	The functional classifications of roads within the City are illustrated on <u>Schedule 5-1 - Transportation: Transportation Plan</u> , with the exception of Local Roads. Incorporation of new roads (excluding Local Roads), or the reclassification of existing roads shall require an amendment to this Official Plan. A list of road widenings is indicated on <u>Schedule 5-2 - Transportation: Road Widenings</u> .		<p>OPA #84 July 14/00</p>
11.3.4	Deleted		<p>OPA #125 Dec. 3/08</p> <p>OPA #59 Nov. 19/97</p> <p>OPA #84 July 14/00</p> <p>OPA #84 July 14/00</p>
11.3.5	Deleted		<p>OPA #59 Nov. 19/97</p>
11.3.6	The following policies shall apply to Major Arterial Roads:	<ul style="list-style-type: none"> .1 A Major Arterial Road is designed to carry large volumes of intra-municipal and inter-regional traffic through the City in association with other types of roads; .2 The basic minimum right-of-way widths for Major Arterial Roads shall range from 30 to 40 metres, with 35 metres being the preferred minimum; .3 The right-of-way widths of Major Arterial Roads at major intersections should include left-turn lanes. Right turn lanes may also be required to be provided at major intersections; .4 Traffic signals will be well spaced and at least 300 metres apart; .5 Major Arterial Roads will generally serve major commercial and industrial areas and driveway access will be controlled; and .6 Residential development shall have controlled access onto Major 	<p>OPA #59 Nov. 19/97</p> <p>OPA #125 Dec. 3/08 OPA #170 Sept. 12/11</p> <p>OPA #125 Dec. 3/08</p>

11-3

Arterial Roads. Creative alternatives along new major arterials that support urban design objectives will be encouraged.

OPA #170
Sept. 12/11

.7 New Major Arterial Roads should generally be organized in a grid pattern with minor arterials and collector roads to provide direct routing for buses and pedestrians; and

OPA #125
Dec. 3/08
OPA #170
Sept. 12/11

.8 Where a Major Arterial Road has existing driveways at a density of 25 entrances per kilometre or greater, a centre left turn lane may be required to be provided.

OPA #125
Dec. 3/08
OPA #170
Sept. 12/11

11.3.7 The following policies shall apply to Minor Arterial Roads:

.1 A Minor Arterial Road is designed to carry moderate volumes of intra-municipal and inter-regional traffic through the City in association with other types of roads;

OPA #59
Nov. 19/97

.2 The basic minimum right-of-way widths for Minor Arterial Roads shall range from 26 to 30 metres;

.3 Traffic signals will be well spaced, but may be more closely spaced than on Major Arterial Roads if circumstances warrant;

.4 Minor Arterial Roads will generally serve residential, commercial and industrial areas and driveway access will be permitted but controlled;

OPA #125
Dec. 3/08
OPA #170
Sept. 12/11

.5 New residential development shall have controlled access onto Minor Arterial Roads. Creative alternatives along new major arterials that support urban design objectives will be encouraged;

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Dec. 3/08
OPA #170
Sept. 12/11

.6 On-street parking may be permitted in some cases, where roadway width is not required to serve through capacity demands; and

OPA #125
Dec. 3/08
OPA #170
Sept. 12/11

.7 New Minor Arterial roads should generally be organized in a grid pattern with collector roads to provide direct routing for buses and pedestrians.

OPA #125
Dec. 3/08
OPA #170
Sept. 12/11

11.3.8 The following policies shall apply to Major Collector Roads:

.1 A Major Collector Road is designed to carry moderate volumes of traffic within and through residential areas and connecting these areas to Minor Arterial Roads, Major Arterial Roads and Provincial Highways;

OPA #59
Nov. 19/97

.2 The basic minimum right-of-way widths for Major Collector Roads shall range from 24 to 26 metres, with 26 metres being the preferred width. Where existing Major Collector Roads of less than this standard presently exist, and widening to achieve this standard may not be practical, a lesser right-of-way may be accepted by the City, where it is demonstrated that this preferred minimum is not attainable;

OPA #125
Dec. 3/08
OPA #170
Sept. 12/11

- .3 Traffic signals may be placed at intersections with higher classification roads, intersections with other minor collector roads will typically be stop controlled; OPA #125
Dec. 3/08
OPA #170
Sept. 12/11
- .4 Major Collector Roads primarily serve residential areas but may also serve commercial and industrial areas;
- .5 On-street parking may be provided in some cases;
- .6 New Major collector roads should generally be organized in a grid pattern to provide direct routing for buses and pedestrians; and OPA #125
Dec. 3/08
OPA #170
Sept. 12/11
- .7 Access is generally permitted for any property having direct frontage onto a major collector road, although entrance location and spacing may be controlled within a corridor. OPA #125
Dec. 3/08
OPA #170
Sept. 12/11

11.3.9 The following policies shall apply to Minor Collector Roads

- .1 A Minor Collector Road is designed to carry low to moderate volumes of traffic within residential areas; OPA #59
Nov. 19/97
- .2 The basic minimum right-of-way width for Minor Collector Roads shall be 20 metres;
- .3 Traffic control at intersections is generally by stop-signs;
- .4 Minor collector roads generally serve residential areas and have fronting residential properties; and
- .5 On-street parking is permitted in most cases.
- .6 Minor collector roads should generally be organized in a grid pattern to provide direct routing for buses and pedestrians; and OPA #125
Dec. 3/08
OPA #170
Sept. 12/11
- .7 Access is generally permitted for any property having direct frontage onto a minor collector road. OPA #125
Dec. 3/08
OPA #170
Sept. 12/11

11.3.10 The following policies shall apply to Local Roads:

OPA #59
Nov. 19/97

- .1 A Local Road is designed to carry low volumes of traffic from abutting properties to Minor Collector, Major Collector and Minor Arterial Roads;
- .2 The basic minimum right-of-way width for Local Roads shall be 20 metres. Although a 20-metre right-of-way width is the preferred minimum, it is recognized that Local Roads of less than this standard presently exist and widenings to achieve this standard may not be practical, and a lesser right-of-way width may be accepted by the City where it is demonstrated that the foregoing standard is not attainable;

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- .3 Additional right-of-way widths may be required at intersections;
- .4 Direct access to Local Roads from abutting properties shall be permitted;
- .5 Intersections of Local Roads with Provincial Highways and Major Arterial Roads shall be discouraged in the design of new development;
- .6 Local Roads shall be designed to discourage through traffic and provide direct connections to minor arterial and collector roads; and
- .7 Design standards for Local Roads shall be established by the City.

OPA #125
Dec. 3/08
OPA #170
Sept. 12/11

- 11.3.11 Long-Term Corridor Protection areas shall be preserved so that the corridors will be available to meet the long-term transportation demands of the City. When the Long Term Protection Corridors are constructed and open to traffic they may be considered as either Major Arterial or Minor Arterial Roads without amendment to this Official Plan.

OPA #59
Nov. 19/97

11.4 Public Transit

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| | | OPA #125
Dec. 3/08 |
| 11.4.1 | Council shall encourage the provision of accessible public transit facilities adequate to meet the needs of City residents taking into consideration matters of economics and convenience. | OPA #49
June 1/95

OPA #59
Nov. 19/97 |
| 11.4.2 | Subdivision design shall facilitate movements of the public transit system through such means as adequate road rights-of-way, street patterns, pedestrian walkways, bus bays, bus shelters, and exclusive bus lanes, where warranted. | |
| 11.4.3 | Council, when considering options for use in the transportation network, shall ensure that such options are realistic from the perspective of those who use, or will use, the network and the Municipality's ability to implement them. | OPA #49
June 1/95 |
| 11.4.4 | Transit-supportive design features are required within all new development or redevelopment, such as incorporating transit stops in all new subdivisions and other trip generators, locating bus stops near major retail and business entrances, locating buildings closer to street, providing a grid pattern of streets. Development and redevelopment shall also be subject to policies in Section 14 of this Plan. | OPA #125
Dec. 3/08
OPA #170
Sept. 12/11 |
| 11.4.5 | Council shall ensure public participation in transit planning through the Transit Liaison Committee, which is comprised of transit users and community stakeholders and meet monthly to discuss transit issues. | OPA #125
Dec. 3/08
OPA #170
Sept. 12/11 |
| 11.4.6 | Development of satellite transit terminals will be encouraged in the vicinity of major malls or main community facilities. | OPA #125
Dec. 3/08
OPA #170
Sept. 12/11 |
| 11.4.7 | Development of a new Brantford Downtown Transit Terminal will be encouraged. The location of the terminal should provide a focal point for transit in the downtown and be integrated into the downtown core area, such that major employers or destinations are within walking distance of the terminal. | OPA #125
Dec. 3/08
OPA #170
Sept. 12/11 |
| 11.4.8 | Council will work in cooperation with the province and adjacent municipalities to ensure that inter-regional transit network connections are developed in a manner that benefits Brantford residents and makes Brantford more attractive as an employment destination. | OPA #125
Dec. 3/08
OPA #170
Sept. 12/11 |

11.5 Rail

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| | | OPA #125
Dec. 3/08 |
| 11.5.1 | Council shall encourage the development of rail facilities in accordance with the facilities shown on <u>Schedule 5-1 - Transportation: Transportation Plan.</u> | OPA #84
July 14/00 |
| 11.5.2 | Conflicts between rail facilities and adjacent land uses will be minimized, wherever possible. | |

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- 11.5.3 Coordination of the City's rail and road system shall be encouraged in order to provide for the efficient functioning of both transportation systems.
- 11.5.4 Council shall cooperate with the appropriate agencies and rail companies with respect to the location, planning, design, construction and safety of new rail facilities.
- 11.5.5 Where rail facilities are to be relocated or abandoned, Council shall ensure that the lands are redeveloped for uses appropriate to the City's overall land use and transportation plans. Where feasible, the City shall endeavour to acquire abandoned rail lines. OPA #49
June 1/95
- 11.5.6 Deleted OPA #59
Nov. 19/97
- 11.5.7 Council shall encourage the retention of the rail bridges across the Grand River once the rail lines have been abandoned and encourage their use as open space linkages, and as connections across the Grand River in the Bikeways and Trails Network. OPA #59
Nov. 19/97
- 11.5.8 Council shall cooperate with the appropriate agencies and rail companies to provide grade-separated rail crossings, wherever possible.
- 11.5.9 The provision of rail facilities to industrial areas requiring these facilities shall be permitted wherever such facilities do not create an impact on any residential areas.

11.6 Parking

- 11.6.1 Parking standards, including facilities for disabled persons, and reduced standards for senior citizens housing, will be established for all land uses in the implementing Zoning Bylaw and adequate off-street parking shall be provided for new development or redevelopment in accordance with these standards. OPA #125
Dec. 3/08
OPA #170
Sept. 12/11
- 11.6.2 On-street parking facilities shall only be permitted where they do not interfere with traffic flows or create traffic hazards.
- 11.6.3 Parking areas shall have adequate buffering in accordance with the provisions of Section 10.6 of this Official Plan. OPA #84
July 14/00
OPA #170
Sept. 12/11
- 11.6.4 Where the City provides centralized off-street parking facilities within the Core Commercial Area designation, Council shall enact Bylaws for the following purposes:
- .1 To establish bylaws which reduce on-site parking requirements in accordance with Section 7.3.2.4 of this Official Plan; and/or
 - .2 to establish cash-in-lieu of parking bylaws, pursuant to the Planning Act; and/or

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.3 to establish benefitting assessment areas; pursuant to the Municipal Act.

11.6.5 Provision of cash-in-lieu of parking should be encouraged within the Core Commercial Area, subject to the following:

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- .1 The subject site is within 400 m of an existing or planned off-site parking facility that has capacity to accommodate projected parking demands;
- .2 Sufficient parking and loading areas for delivery/service vehicles are provided on site or in established on street loading zones;
- .3 The development of the subject site without the required on-site parking facilities is compatible with adjacent existing and proposed land uses with respect to built form or intensity of utilization of the site;
- .4 The applicant enters into a financial agreement with respect to the cash in lieu of parking contributions;
- .5 Cash-in-lieu of on-site parking requirements will only be considered for multiple family residential developments within the Core Commercial Area if the developer can negotiate and secure sufficient off-site parking to accommodate the needs of the development; and
- .6 Use funds raised from "Cash-In-Lieu" program to invest in construction of municipal off street parking lots.

11.6.6 Develop a downtown parking plan to provide new municipal parking lots at strategic locations in the downtown to maximize accessibility to employment generators, transit routes / stops / terminals, and the University Campus area.

OPA #125
Dec. 3/08
OPA #170
Sept. 12/11

11.6.7 Recognize the needs of the tourism industry by providing for visitor parking in the vicinity of key downtown attractions, and develop a standby parking area or staging area for tour buses in the vicinity of the Sanderson Centre.

OPA #125
Dec. 3/08
OPA #170
Sept. 12/11

11.6.8 Development of parking lots and structures in the downtown shall be designed to enhance the public/pedestrian realm and balance aesthetics and pedestrian/auto accessibility in accordance with Section 14 of this Plan.

OPA #125
Dec. 3/08
OPA #170
Sept. 12/11

11.7 Bikeways and Trails Network

OPA #125
Dec. 3/08
OPA #170
Sept. 12/11

11.7.1 Council shall encourage the development of a comprehensive network of bikeways and trails throughout the City to connect residential, institutional, commercial and industrial areas in accordance with the facilities shown on **Schedule 5-3 – Transportation: Bikeways and**

OPA #49
June 1/95
OPA #125
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Trails Network Plan.

11.7.2	Where feasible, a system of pedestrian walkways, bicycle paths and/or mobility aid paths will link existing and proposed activity centres throughout the City. The linked system may be provided in parklands and open space in both new development and redevelopment areas.	OPA #49 June 1/95
11.7.3	Deleted.	OPA #125 Dec. 3/08 OPA #170 Sept. 12/11
11.7.4	Deleted	OPA #49 June 1/95
11.7.5	Deleted	OPA #49 June 1/95
11.7.6	Deleted	OPA #49 June 1/95
11.7.7	Council will encourage the provision of bicycle parking facilities where development generates the demand for such facilities.	
11.7.8	Consideration will be given to providing safe and secure pedestrian, bicycle and mobility aid movements in new development and redevelopment proposals.	OPA #59 Nov. 19/97 OPA #125 Dec. 3/08 OPA #170 Sept. 12/11 OPA #59 Nov. 19/97
11.7.9	<p>Council may establish a Pedestrian and Bicycling Advisory Committee to carry out the following activities related to the establishment of a bikeways and trails network:</p> <ul style="list-style-type: none"> .1 advise Council and Committees of council on cycling and pedestrian issues, projects, policies and programs; .2 monitor the implementation of the Bikeways and Trails Network; .3 participate in cycling and walking initiatives and programs; and .4 periodically report to Council regarding its activities. 	
11.7.10	Council will encourage other agencies with jurisdiction over routes shown on the Bikeways and Trails Network Plan to implement these routes through the review of planning documents, development proposals, capital works programs and other local initiatives.	OPA #59 Nov. 19/97
11.7.11	Council will work in cooperation with adjacent municipalities to ensure that inter-regional connections for pedestrians and cyclists are provided.	OPA #59 Nov. 19/97
11.7.12	The City shall establish new cycling lanes, trails, and/or sidewalk (where recommended) in conjunction with new transportation construction and reconstruction projects, unless significant justification is provided otherwise.	OPA #125 Dec. 3/08 OPA #170 Sept. 12/11

11-10

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| 11.7.13 | For development of secondary plan areas, a Master Cycling and Walking Plan for the area shall be developed to identify cycling and walking infrastructure and amenity requirements, define trail and roadway right-of-ways, and provide connections to existing trail network elements. | OPA #125
Dec. 3/08
OPA #170
Sept. 12/11 |
| 11.7.14 | Council will provide an annual report on the status of the Bikeways and Trails Network Plan, including links completed each year. | OPA #125
Dec. 3/08
OPA #170
Sept. 12/11 |
| 11.7.15 | Council will consider the need for updates to the Bikeways and Trails Network Plan every five years. | OPA #59
Nov. 19/97
OPA #125
Dec. 3/08
OPA #170
Sept. 12/11 |

11.8 Truck Routes

OPA #59
Nov. 19/97

OPA #125
Dec. 3/08

11.8.1 The City shall maintain a truck route network designed to regulate the movement of commercial vehicles designed for the transportation of cargo, and having more than four tires, within the City. Council shall consider the following when establishing a truck route network or amendments thereto:

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July 14/00

- .1 The impact of the truck route on abutting lands;
- .2 Service to major truck traffic generators;
- .3 The provision of network continuity via inter-connecting links;
- .4 The structural capacity and geometric design of the roadway to accommodate truck weights and dimensions;
- .5 Adequate clearance from overhead structures and obstructions;
- .6 Traffic lanes are of an adequate width;
- .7 Steep grades, in excess of 4 per cent, are avoided, where practical; and
- .8 The roadway has adequate capacity to accommodate the truck traffic.

11.8.2 Truck routes and truck restrictions shall be established by Bylaw and amended from time to time to regulate truck movement within the City.

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11.9 Pedestrian MovementOPA #125
Dec. 3/08

- 11.9.1 Major arterial roads in the City that provide direct access to properties shall have walking facilities on both sides of the road. This can be achieved through a sidewalk on each side, or a sidewalk on one side with a multi-use trail on the other side of the road, or multi-use trails on both sides of the road.
- 11.9.2 Major arterial roads that have limited or controlled access should provide walking facilities (sidewalk or multi-use trail) along at least one side of the road.
- 11.9.3 Develop a pedestrian sidewalk network that maintains a maximum walking distance of 400 metres to all transit stops, for areas served by fixed route transit.
- 11.9.4 Council will prepare a detailed Sidewalk Master Plan and annual sidewalk construction program to retrofit existing arterial and collector roads with sidewalks and should develop an implementation program that prioritizes new sidewalk construction for roadways with:
- .1 Existing schools or community centres;
 - .2 Existing observed walking demand;
 - .3 Existing/planned transit routes; and
 - .4 In the downtown core area.
- 11.9.5 All new sidewalks shall be designed to be barrier free.
- 11.9.6 Existing sidewalks in the downtown area should be retrofit to ensure full accessibility, and key pedestrian crossing locations should feature audible pedestrian crossing devices.

11.10 Transportation Demand Management

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- 11.10.1 Council shall promote sustainable transportation choices through communications and outreach methods including the City's web site, production of cycling route maps, cycling skills training and competitions, media relations, and special events that raise the profile of sustainable transportation choices and encourage trial by individuals.
- 11.10.2 Consider Transportation Demand Management in municipal transportation plans and studies (i.e. Municipal Class EA projects and Neighbourhood Traffic Management Plans) including the degree to which it can help achieve key objectives, and required actions.
- 11.10.3 Encourage and assist community groups, interest groups, and non-governmental organizations in the development of Transportation Demand Management programs.

11.11 Transportation Master Plan Monitoring and Review

		OPA #125 Dec. 3/08
11.11.1	The City shall maintain a Transportation Master Plan, incorporating a traffic demand forecast model, to provide recommendations on the management of future travel demand, the pedestrian system, the bikeway system, the transit system, the rail system and the roadway network. The Master Plan may also contain recommendations on traffic calming, parking management, truck routing, and community transportation, monitoring and implementation, and at key screen lines. The Transportation Master Plan will be monitored on an annual basis, taking into consideration the following:	OPA #59 Nov. 19/97 OPA #125 Dec. 3/08 OPA #170 Sept. 12/11
	.1 the results of the annual traffic count program at selected key intersections and routes;	
	.2 new trends and technologies in traffic operations and management;	
	.3 private sector initiatives in implementing traffic demand management measures;	
	.4 the status and progress towards achieving transportation system performance targets;	
	.5 the status of transportation related provincial initiatives, policies and funding programs;	
	.6 population growth and land use changes within the community; and	
	.7 the need to re-assess, amend or update components of the Transportation Master Plan.	
11.11.2	Deleted	OPA #59 Nov. 19/97 OPA #125 Dec. 3/08
11.11.3	The City will establish and maintain guidelines for the preparation of transportation impact studies to be carried out to assess the impact on the Transportation Master Plan, the road system and adjacent land uses from proposed developments and land use changes that will result in a significant increase in traffic.	OPA #59 Nov. 19/97 OPA #84 July 14/00
11.11.4	The Transportation Master Plan shall be reviewed at five year intervals, in conjunction with the five year review of the Official Plan.	OPA #59 Nov. 19/97

11-15

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| 11.11.5 | The City will participate in the Transportation Tomorrow Survey (TTS), undertaken every five years, to provide an update of transportation patterns in the City and surrounding area and to ensure that up to date information is available to assess changing transportation trends in the community. | OPA #125
Dec. 3/08 |
| 11.11.6 | The Director of Transportation Services will provide a Transportation Perspective report to Council every 5 years, (scheduled for 6 months following the release of published TTS data) to advise Council on recent trends with respect to transportation patterns within the City, and the need to update the Transportation Master Plan. | OPA #125
Dec. 3/08 |

12. SERVICINGOPA #84
July 14/00**12.1 General**

- 12.1.1 Services, including sanitary sewage disposal, water supply, storm water management, hydro and other facilities, shall be provided to all development commensurate to its requirements and the City's standards for servicing. The City shall ensure that the above noted municipal services are extended to development in an orderly and efficient fashion. OPA #49
June 1/95
- 12.1.2 Public servicing standards may be adopted by the City, and all services shall be required to comply with these standards, as amended from time to time.
- 12.1.3 The provisions of the Municipal Act may be utilized to provide services within developed areas. OPA #125
Dec. 3/08
- 12.1.4 Notwithstanding any other provisions of this Official Plan, public services and utilities, including water supply and storage facilities, pumping stations, local telephone exchanges, sanitary and storm sewers, and local hydro, cable, gas and oil distribution lines may be permitted within any land use designation on **Schedule 1-1 - Land Use Plan**.
- 12.1.5 It is the policy of the City to: OPA #125
Dec. 3/08
- .1 ensure that adequate utility networks are, or will be, established to serve the anticipated development and that these networks can be phased in a manner that is cost-effective and efficient;
 - .2 promote all utilities, including telecommunications, to be planned for and installed on a coordinated and integrated basis in order to be more efficient, cost effective and minimize disruption;
 - .3 ensure that all above-ground utility infrastructure is located and designed to be compatible with its environment;
 - .4 support the coordinated planning and installation of utilities in initial common trenches, wherever possible, to avoid unnecessary over-digging and disruption of municipal rights of way;
 - .5 plan for communications/telecommunications infrastructure in all stages of planning for growth, including Official Plan and Zoning Bylaw amendments, Draft Plans of Subdivision and Site Plan Approvals; and
 - .6 confirm that utility and telecommunication providers are all able to provide services to support the proposed development and that appropriate locations for large utility equipment and utility cluster sites have been determined.

12.2 Sanitary Sewage Disposal

12.2.1 All development shall be provided with municipal sanitary sewage disposal facilities, unless otherwise exempted by this Official Plan.

12.2.2 Sanitary sewage disposal facilities shall be designed, constructed and maintained to:

- .1 provide adequate service to the proposed development;
- .2 accommodate full development of the drainage area;
- .3 utilize gravity flow wherever possible, in order to avoid the need for pumping stations;
- .4 protect the natural characteristics of the landscapes in which they are located; and
- .5 satisfy the servicing standards of the City.

12.2.3 The water pollution control plant, which provides sanitary sewage treatment and disposal to the City, will service the development within the planning period, and may require expansion to accommodate full development of the municipality.

OPA #49
June 1/95
OPA #84
July 14/00

12.2.4 The City will monitor the quality and quantity of industrial sewage effluent entering the municipal sanitary sewage system, in order to control its impact on the operation or capacity of the Water Pollution Control Plant and on the receiving watercourse.

12.3 Water Supply

12.3.1 All development shall be provided with municipal water supply facilities, unless otherwise exempted by this Official Plan.

12.3.2 Water and treatment supply facilities shall be designed, constructed and maintained to:

OPA #84
July 14/00

- .1 provide adequate service to the proposed development;
- .2 accommodate full development of the service area; and
- .3 satisfy the servicing standards of the Corporation of the City of Brantford.

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12.3.3 Deleted.

OPA #49
June 1/95
OPA #84
July 14/00

12.4 Storm Water Management

- 12.4.1 Development shall be provided with appropriate storm water management facilities as approved by the City and, where necessary, the Grand River Conservation Authority. OPA #84
July 14/00
- 12.4.2 Storm water drainage facilities shall be designed and constructed so as to protect receiving watercourses and adjacent land uses from any potential adverse impacts of storm water runoff.
- 12.4.3 Storm water management facilities shall maintain natural stream geometry wherever possible and control the quantity and quality of storm water runoff entering the receiving watercourses, including the control of erosion and sedimentation during and after construction.
- 12.4.4 Storm water management facilities shall minimize surface ponding and flooding inconveniences throughout the City.
- 12.4.5 The City may prepare a comprehensive Master Drainage Plan for specific watershed or development areas within the municipality.
- 12.4.6 Where a Master Drainage Plan required under Section 12.4.5 has not yet been prepared for an area of the City proposed for development, the applicant(s) may prepare the Master Drainage Plan prior to final approval of the development subject to the approval of the City and, where necessary, the Grand River Conservation Authority. The City may not require the applicant to prepare the Master Drainage Plan where it considers the proposed development to be minor in nature. OPA #84
July 14/00
- 12.4.7 Master Drainage Plans shall generally address the following:
- .1 the facilities required, including their size, location, and capacity, for controlling storm water runoff, including:
 - i) storm sewers and/or channels;
 - ii) culverts;
 - iii) detention or retention ponds;
 - iv) upstream storm water diversions; and
 - v) the use of rooftop, parking lot, or parks and open spaces as temporary detention areas;
 - .2 the measures necessary to control erosion, sedimentation and stream bank stability during and after construction;
 - .3 the storm sewer and outfalls to the receiving watercourses; and
 - .4 the environmental and economic impacts of the storm water management facilities.

12-4

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| 12.4.8 | Master Drainage Plans shall be based on engineering and hydrologic models acceptable to the City and, where necessary, the Grand River Conservation Authority. | OPA #84
July 14/00 |
| 12.4.9 | The size of storm water management facilities shall be based on the ultimate development pattern within the watershed or development area. | |
| 12.4.10 | All storm water management facilities shall be designed to the satisfaction of the City and, where necessary, the Grand River Conservation Authority and the current guidelines of the Ministry of Environment. | OPA #84
July 14/00

OPA #125
Dec. 3/08 |

12.5 Utilities and Telecommunications InfrastructureOPA #125
Dec. 3/08

- 12.5.1 Utilities shall be:
- .1 installed where possible, underground and within public road allowances or within appropriate easements, provided that such easements do not detract from the function, amenity, or safety of adjacent land uses;
 - .2 encouraged, wherever possible, to coordinate and locate within an initial common trench to avoid unnecessary over digging and disruption of municipal rights of way;
 - .3 clustered or grouped where possible to minimize visual impact; and
 - .4 encouraged to consider innovative methods of containing utility services that cannot be accommodated in the municipal road allowance or within streetscape features such as gateways, lamp posts, transit shelters, etc.
- 12.5.2 Prior to approval of development, all interested utilities and telecommunication providers are to confirm if services can be provided to support the proposed development; and shall determine appropriate locations for large utility equipment and utility cluster sites.
- 12.5.3 Lands required to be used for large utility structures shall be shown as a block(s) on a draft plan of subdivision and the location shall be confirmed as a condition of draft plan approval or site plan approval, to the satisfaction of the utility provider and the City.

12.6 Gas and Oil Pipelines

- 12.6.1 Gas and oil distribution pipelines will be encouraged to locate within road rights-of-way.
- 12.6.2 Gas and oil distribution pipelines will be encouraged to locate in such a manner as not to impact on the function, amenity or safety of adjacent land uses.

12.7 Solid Waste Management

- 12.7.1 The City shall operate a sanitary landfill site for the disposal of solid waste, and the current landfill site will service expected development within the planning period.
- 12.7.2 The sanitary landfill site shall be planned, designed and operated to ensure compatibility with adjacent existing and planned land uses,

OPA #49
June 1/95OPA #84
July 14/00

and to ensure minimal adverse impact on the natural environment.

12.7.3

Following the completion of the sanitary landfill operations, the site shall be rehabilitated for recreational purposes in accordance with the land use designation on **Schedule 1-1 - Land Use Plan** and the provisions of Section 7.6 of the Official Plan.

OPA #125
Dec. 3/08

13. HOUSING

OPA #84
July 14/00

13.1 General

13.1.1 The City shall approve residential development which contributes to the supply of an appropriate range of residential unit types.

13.1.2 In reviewing residential developments, regard shall be had for the provision of housing relative to the housing needs of the City's residents.

13.1.3 The City may, within its financial capabilities, become directly involved in the supply of housing through land acquisition, development and disposal.

13.1.4 Deleted.

OPA #84
July 14/00

13.1.5 Deleted.

Min. Mod. #19
Nov. 4/87

13.1.6 Mobile homes may be considered as an alternative residential development to satisfy the demand for both low and moderately-priced housing and smaller dwelling units for senior citizens and singles households.

13.1.7 In order to provide an adequate amount of residential development and redevelopment lands for projected demographic and housing market requirements the City will:

OPA #125
Dec. 3/08

- a) Maintain at all times at least a ten year supply of lands that can accommodate residential needs through intensification, redevelopment and designated growth areas.
- b) Maintain at all times at least a three year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans.

13.1.8 The City encourages the creation of secondary suites in detached and semi-detached dwellings where there is adequate parking, servicing and access to parks and amenities.

OPA #125
Dec. 3/08

13.2 Affordable Housing

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| 13.2.1 | The City shall set as its target for the development of affordable rental and homeownership housing, the creation of 180 new residential units each year through either the construction of new units or through the conversion of non-residential space. The target shall be interpreted as 85% affordable rental units and 15% affordable ownership units, of the 180 new residential unit target. | Min. Mod. #16
Dec. 3/08 |
| 13.2.2 | The City shall encourage the retention and new supply of affordable housing in a variety of designated locations and a variety of dwelling types. The creation of affordable ownership dwelling units shall not be at the expense of affordable rental units, therefore, priority shall be given to the retention and creation of affordable rental units. | Min. Mod. #17
Dec. 3/08 |
| 13.2.3 | The municipality shall encourage the provision of such amounts and types of housing that are necessary to meet the needs of households unable to find affordable housing through the private market. This housing may be provided by either the public or private sector, may be in conjunction with the senior government programs, and shall include housing for a range of low to moderate income households, including senior citizens, low income families, singles, and those requiring support services. | OPA #125
Dec. 3/08 |
| 13.2.4 | Condominium conversion of rental housing units shall be discouraged where such conversion will have a significant adverse impact on the supply of rental housing in the City. The assessment of the potential effects of conversion will be based on the overall availability of and vacancy rates for rental units, including those of comparable size, type and rental rate. Conversion of rental units shall only be considered when the vacancy rate has been more than 3% for rental housing units for a minimum of three consecutive years. This policy shall not apply to the conversion of rental units located in lands designated as Core Commercial in the City of Brantford's downtown area. | Min. Mod. #18
Min. Mod. #19
Dec. 3/08 |
| 13.2.5 | Demolition of affordable rental housing units shall not be approved unless an equal number of affordable rental housing units at similar rents are included in a development. Demolition of affordable rental housing units may be permitted in cases where the building is not habitable as deemed by the City's Chief Building Official. | OPA #125
Dec. 3/08 |
| 13.2.6 | The City shall undertake an Affordable Housing Strategy, which will be updated every five years upon the availability of relevant census information, to establish a plan to meet the current and future housing needs of all residents. | OPA #125
Dec. 3/08 |

13.3	<u>Residential Monitoring System</u>	OPA #84 July 14/00
13.3.1	The City shall maintain a Residential Monitoring System which will include:	OPA #49 June 1/95
	.1 an analysis of the City's population growth and structure;	OPA #84 July 14/00
	.2 a review of available residential units within the municipality by type and status within the planning approvals process;	OPA #84 July 14/00
	.3 an examination of special housing requirements, including housing for persons with disabilities, senior citizens, low and moderate income groups, and emergency housing;	OPA #125 Dec. 3/08
	.4 an assessment of annual housing production by residential unit type; and	
	.5 an assessment of the extent to which the affordable housing targets of the municipality have been met.	OPA #125 Dec. 3/08
13.3.2	The Residential Monitoring System will be revised and updated on a regular basis to maintain a current indicator of the City's residential market.	OPA #84 July 14/00
13.3.3	The Residential Monitoring System may be used to monitor the realization of the population and housing policies of the Official Plan, particularly when preparing an Official Plan review in accordance with the provisions of Section 18 of this Official Plan.	OPA #84 July 14/00 OPA #170 Sept. 12/11
13.3.4	Deleted.	OPA #84 July 14/00
13.3	<u>Monitoring</u>	
	Deleted.	OPA #32 April 21/92
		OPA #84 July 14/00
13.4	<u>Deleted</u>	OPA #84 July 14/00

14. URBAN DESIGNOPA #125
Dec. 3/08**14.1 General**

- 14.1 Intensification within the built up boundary will be subject to urban design criteria which address the following:
- .1 that the development is contextually appropriate to the surrounding uses and neighbourhood;
 - .2 development will support and promote the use of transit;
 - .3 contribute to the creation of a range of housing options for the community;
 - .4 contribute to an attractive, safe and comfortable pedestrian environment that encourages walking;
 - .5 provides universal physical access to all publicly accessible spaces and buildings;
 - .6 provides a gradual transition of scale and density from higher buildings to nearby lower scale neighbourhoods;
 - .7 maintains adequate views and privacy for residents of nearby neighbourhoods;
 - .8 minimizes shadows and uncomfortable wind conditions on neighbouring properties, streets and open spaces;
 - .9 masses new buildings to frame adjacent streets and open spaces in a way that respects and is proportional to the existing or planned street right-of-way;
 - .10 conserves heritage properties;
 - .11 is served by adequate parks, community services, water and sewers and transportation facilities, provides for potential streetscape improvements, and addresses compatibility relative to density and height, massing, scale, and siting of buildings; and
 - .12 minimizes through traffic on local streets.
- 14.2 Urban design will be considered in the public realm as follows:
- .1 Commit the funds necessary to create and maintain high quality public buildings, structures, streetscapes and parks;

- .2 Ensure new development enhances the quality of the public realm;
- .3 Encourage the use of skilled professionals in the design and construction process;
- .4 The natural features of the City, such as the Grand River valley, will be connected to the surrounding City by including physical access from adjacent public spaces and by designing these into a comprehensive open space network;
- .5 Sidewalks and boulevards will be designed to provide safe, attractive, interesting and comfortable spaces for pedestrians; and,
- .6 Public works and private development will maintain, frame, and where possible, create public views to important natural and human made features from other public places.

14.3 Council may, from time to time, direct that detailed design guidelines be prepared for specific areas and uses in the City. These design guidelines may be adopted by resolution of Council and may be used to assist in the preparation and review of new development, redevelopment, rehabilitation and renovation proposals, community improvement plans and heritage conservation district plans.

15. GROWTH MANAGEMENTOPA #125
Dec. 3/08**15.1 General**

- 15.1.1 This Section establishes policies to manage growth in the City of Brantford and implement the Province's Growth Plan for the Greater Golden Horseshoe. The City of Brantford is within the Greater Golden Horseshoe as defined by the Places to Grow Act and identified in the Growth Plan. The City's Official Plan is to conform to the policies of the Growth Plan and designate lands in accordance with the Plan.
- 15.1.2 This Section establishes policies and delineations as shown on **Schedule 1-2 – Growth Management Plan**, which will be applied in conjunction with the land use policies and designations of this Plan.
- 15.1.3 Growth Management delineations shown on **Schedule 1-2 - Growth Management Plan** include the following:
- .1 Built Boundary
 - .2 Urban Growth Centre
 - .3 Greenfield Areas
 - .4 Intensification Corridor
 - .5 Major Transit Station
- 15.1.4 Development within the various designations shown on **Schedule 1-2 - Growth Management Plan** may be permitted in accordance with the land use designations on **Schedule 1-1 – Land Use Plan** subject to the following general policies.
- 15.1.5 The City shall maintain an adequate supply of employment lands providing for a variety of employment uses.
- 15.1.6 The City may permit the conversion of employment lands within designated employment areas, to non-employment uses, only through a municipal comprehensive review subject to the policies of the Growth Plan, provided that such a review is not required where the employment area is within the City's Urban Growth Centre or within a designated Regeneration Area as that term is used in the Growth Plan for the Greater Golden Horseshoe, 2006. A comprehensive review will be required for the conversion of these lands in accordance with the requirements of the Provincial Policy Statement.

OPA #125
OMB Approved
Dec. 17/10

15.1.7 The City recognizes that the Ministry of Public Infrastructure Renewal may undertake further updates of the Province's Growth Plan, which may require future amendments to the City's Official Plan.

15.1.8 Proposal to expand the settlement area must address:

Min. Mod. #20
Dec. 3/08

- .1 The requirement for a municipal comprehensive review in accordance with the policies of the Growth Plan for the Greater Golden Horseshoe, 2006;
- .2 The policies of the Provincial Policy Statement, 2005; and
- .3 The policies of this Official Plan.

15.2 Built Boundary

15.2.1 The Built Boundary, as designated on **Schedule 1-2 – Growth Management Plan**, represents the limit of the developed urban area. All land within the built boundary of the City is referred to as the built-up area.

15.2.2 A significant portion of new growth is to be directed to the built-up area of the City through intensification. The City encourages intensification generally throughout the built up area of the City that is of an appropriate type and scale of development and compatible with surrounding uses. Intensification may include infill, redevelopment of brownfield or greyfield sites, and the expansion or conversion of existing buildings.

15.2.3 It is the intent of this Plan that by the year 2015 and for each year thereafter, that a minimum of 40 percent of all residential development will be within the built up area of the City.

15.3 Urban Growth Centre

15.3.1 The Urban Growth Centre, as designated on **Schedule 1-2 – Growth Management Plan**, is the major focus area to accommodate a significant share of the City's population and employment growth.

15.3.2 It is the intent of this Plan that the urban growth centre:

- .1 be a focal area for investment in institutional and region-wide public services, as well as commercial, office, recreational, cultural and entertainment uses; and,
- .2 accommodate and support major transit infrastructure, including the major transit station.

15.3.3 It is the intent of this Plan to achieve a minimum gross density target of 150 residents and jobs combined per hectare in the Urban Growth Centre by 2031.

15.4 Greenfield Areas

- 15.4.1 Greenfield Areas, as designated on **Schedule 1-2 – Growth Management Plan**, include lands outside of the built boundary that are designated for future development.
- 15.4.2 It is the intent of this Plan to achieve a minimum gross density target of 50 residents and jobs combined per hectare in the Greenfield Areas. The density target is measured over the entire designated Greenfield Areas, excluding natural heritage features identified in provincial plans and this Plan that prohibit development: wetlands, woodlands, valley lands, areas of natural and scientific interest, habitat of endangered and threatened species, wildlife habitat, and fish habitat
- 15.4.3 New development in Greenfield Areas will be designed in a manner that:
- .1 creates complete communities providing convenient access to an appropriate mix of jobs, a full range of housing choices, including affordable housing, schools, retail, open space and community infrastructure for the residents;
 - .2 creates street configurations, densities and urban form that support walking, cycling and early integration of transit;
 - .3 provides a mix of land uses and densities that support transit; and,
 - .4 creates high quality public open spaces that support opportunities for transit, walking and cycling.
- 15.4.4 The City shall endeavor to monitor and phase development in Greenfield Areas to achieve intensification and density targets identified in this Plan and the Province's Growth Plan.

OPA #125
Dec. 3/08
OPA #170
Sept. 12/11

15.5 Intensification Corridor

- 15.5.1 Intensification Corridor areas, as designated on **Schedule 1-2 – Growth Management Plan**, are located along major roads and arterials that have the potential to provide a focus for increased residential and employment densities and mixed use development and redevelopment.
- 15.5.2 These areas are encouraged to develop at densities that are supportive of transit and compatible with surrounding land uses.

OPA #125
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15.6 Regeneration Areas

- 15.6.1 Regeneration Areas include lands which are vacant and/or underutilized, and which are in need of renewed investment, redevelopment and/or reuse in order to achieve their maximum potential, to foster growth and physical change, and to bring new life to the area. Regeneration Areas may include brownfield or greyfield sites or portions of the City's Urban Growth Centre (downtown area).
- 15.6.2 The Regeneration Area designation is not a land use designation. Permitted uses and development standards associated with the underlying land use designation as shown on **Schedule 1-1 – Land Use Plan**, shall continue to apply to lands within a Regeneration Area until such time as an Official Plan Amendment amending the land use designation has come into force.
- 15.6.3 The Regeneration Areas differ in terms of their existing uses, built form, character of adjacent areas and market opportunities for growth and revitalization. Accordingly, each Regeneration Area will require a unique strategy for redevelopment to account for its particular circumstances and potential. Examples of redevelopment strategies may include site specific amendments to this Plan, the Zoning Bylaw, and to any other bylaw the City may deem appropriate in order to facilitate the redevelopment or reuse of the site.
- 15.6.4 The following will be considered when assessing an application to identify lands as a Regeneration Area:
1. The lands are currently underutilized and development or redevelopment is constrained by current site conditions;
 2. The lands are abutting the Highway 403 corridor or are located within or abutting the Urban Growth Centre Area or the City's Community Improvement Policy Area, as defined in the City's Official Plan;
 3. The lands already have access to municipal services or may cost-effectively be connected to municipal services, as determined by the City's Engineering Department;
 4. The lands have the potential for redevelopment that could increase municipal tax assessment for the site and area in which it is located;
 5. The lands have potential for economic benefit to the surrounding area, and to the City as a whole, with a focus on job creation, infrastructure investment, and attraction of new or other businesses to the area;
 6. The lands have potential to advance other goals and objectives identified by the City; and

7. The lands require flexibility in permitted land uses so as to stimulate one or more of the following:
 - .1 The creation of new employment opportunities (in addition to employment generated during the development of the site);
 - .2 Remediation and re-use of contaminated and/or currently obsolete lands;
 - .3 The restoration or re-use of existing buildings, particularly heritage buildings, that are economically adaptable for residential, commercial, institutional or other re-use opportunities;
 - .4 The restoration of natural heritage features or resources, including improvement to or addition of parks, trails, or the open space network; and
 - .5 The rejuvenation of under-utilized land through new development.

15.6.5 In addition to the consideration of items outlined in 15.6.4, Regeneration Areas shall be subject to an approved Regeneration Plan. The purpose of the Regeneration Plan is to guide redevelopment of the Area.

- .1 In addition to other policies of the Official Plan, Regeneration Plans may include the following, as deemed necessary by City staff:
 1. Urban design guidelines for the proposed Regeneration Area that will take into account, community safety based on the Crime Prevention Through Environmental Design (CPTED) principles, "walkability", transit and other street users, lotting and fencing along major roads, community gateways, access to parks, schools, community facilities, major open space, bikeways and trails, commercial areas, and the principles of universal design in order to provide for a barrier free community, in accordance with Policy 14.1 Urban Design;
 2. A statement of principles upon which the preferred concept is based and upon which to guide the preparation and evaluation of subsequent implementation plans;
 3. A description and analysis of the proposed land use distribution, including the proposed land use mix, lot and block sizes, yields, densities, acreages, schools, parks and community facilities;
 4. An analysis of the proposed transportation network, including the proposed road hierarchy, potential traffic volumes, potential transit routes, identification of where

traffic signalization will be required, safe pedestrian and cycling movements, and how the trail and bikeway network can be connected to the road extensions in the area;

5. A report on preliminary servicing details, with drawings, on recommended methods of sanitary sewer design and the provision of water, hydro, gas, telephone and cable services in the study area;
6. Preliminary engineering design and report for all recommended storm water management facilities;
7. A description of how significant natural, heritage and archaeological resources are to be managed within the preferred preliminary plan;
8. A plan for the staging of development;
9. Tree planting and preservation strategy;
10. Heritage strategy identifying heritage sites or structures and outlining methods of conserving or enhancing those identified sites;
11. Or any other works deemed necessary by City staff.

.2 In the event that the proposed land use includes the conversion of industrial land uses to non-employment uses, the applicant shall provide a comprehensive review, demonstrating that the land is not required for employment purposes over the long term and that there is a need for the conversion, in accordance with the Provincial Policy Statement, 2005 and to the satisfaction of City Staff.

.3 All other applicable policy continues to apply.

15.6.6 The City shall consider utilizing available Federal and Provincial financing programmes, whenever possible, to facilitate development within Regeneration Areas.

15.7 Major Transit Station

15.7.1 The area surrounding the Major Transit Station, as designated on **Schedule 1-2 – Growth Management Plan**, is encouraged to provide a focus for increased residential and employment densities and mixed use development and redevelopment.

OPA #125
Dec. 3/08

15.7.2 Development or redevelopment around the Major Transit Station is to consider access from various transportation modes to the station, including pedestrians, bicycle parking and commuter transfer areas.

OPA #125
Dec. 3/08

16. COMMUNITY IMPROVEMENTOPA #160
Nov. 6/09OPA #128
June 27/07
(repealed)Min. Mod. #20
Nov. 4/87
(entire section
replaced)OPA #84
July 14/00**16.1 General**OPA #125
Dec. 3/08

- 16.1.1 The City shall encourage community improvement through the preservation, rehabilitation, renewal, and redevelopment, where appropriate, of certain areas of the City in order to improve the safety and quality of buildings, structures, and facilities.
- 16.1.2 Council shall utilize available Federal and Provincial programmes, wherever possible, to facilitate community improvement.

16.2 Community Improvement Policy Area

- 16.2.1 The general area delineated on **Schedule 6 - Implementation** is considered as a community improvement policy area. These boundaries shall be considered approximate and minor adjustments may be permitted without amendment, where the intent of the Official Plan is maintained.
- 16.2.2 Within the Community Improvement Policy Area, Council may by bylaw designate certain lands as Community Improvement Project Areas and prepare Community Improvement Plans to establish the detailed objectives and policies concerning the improvement of these specific areas.
- 16.2.3 Community Improvement Project Areas shall be established in accordance with the provisions of Section 16.3.

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16.3 Community Improvement Project Areas

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| 16.3.1 | <p>The following criteria shall be utilized in the selection of Community Improvement Project Areas:</p> <ul style="list-style-type: none"> .1 The lands are substantially developed and large parcels of vacant developable lands are not available; .2 There are inadequacies in municipal services, including road, sanitary sewer, water supply, storm sewer, sidewalk, and street lighting facilities; .3 The area exhibits other constraints to community improvement such as flood susceptibility or incompatible land uses; and .4 The area contains built heritage resources or has special heritage qualities. | <p>OPA #84
July 14/00</p> |
| 16.3.2 | <p>The following criteria shall be utilized, in addition to the criteria in Section 16.3.1, in the selection of residential Community Improvement Project Areas:</p> <ul style="list-style-type: none"> .1 A substantial portion of the residential dwelling units within the area do not meet the City's maintenance and occupancy standards .2 The area is designated and considered to be stable for long-term residential use; and .3 There are inadequacies in the existing neighbourhood facilities or amenities within the area such as parks, schools and community facilities. | <p>OPA #84
July 14/00</p> |
| 16.3.3 | <p>The following criteria shall be utilized, in addition to the criteria in Section 16.3.1, in the selection of commercial Community Improvement Project Areas:</p> <ul style="list-style-type: none"> .1 There is a large proportion of commercial land uses within the area; .2 A substantial portion of the commercial buildings within the area do not meet the City's maintenance and occupancy standards; .3 A substantial portion of the commercial buildings within the area require interior or exterior renovation in order to function as contemporary commercial operations; | <p>OPA #84
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- .4 There is a large proportion of vacant or underutilized commercial floor space within the area;
- .5 There has been a decline in commercial assessment values within the area;
- .6 The commercial uses within the area do not have adequate parking facilities; and
- .7 There is a need to improve the commercial streetscape within the area.

16.3.4 The following criteria shall be utilized, in addition to the criteria in Section 16.3.1, in the selection of industrial Community Improvement Project Areas:

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- .1 There is a large proportion of industrial land uses within the area;
- .2 A substantial portion of the industrial buildings within the area require interior or exterior renovation in order to function as contemporary industrial operations;
- .3 There has been a decline in non-residential assessment values within the area;
- .4 The industrial uses within the area are located in close proximity to residential and other non-industrial uses;
- .5 Industrial traffic is generated onto predominantly residential streets within the area;
- .6 Municipal services within the area are inadequate to support the industrial operations;
- .7 The industrial uses within the area do not have adequate parking, loading, storage, or other site facilities;
- .8 The area contains significant vacant or underused land; and
- .9 The area has significant soil, groundwater, building or other types of environmental contamination.

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16.3.5 Not all of the criteria in Sections 16.3.1, 16.3.2, 16.3.3 and/or 16.3.4 must be present within an area in order for it to be selected as a Community Improvement Project Area.

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16.4 Implementation

16.4.1 Community improvement policies shall be implemented through the following means:

- .1 The preparation of an inventory of the lands within the Community Improvement Policy Area, in order to assist Council in evaluating the requirements for community improvements;
- .2 The selection of Community Improvement Project Areas by bylaw;
- .3 The preparation and adoption of Community Improvement Plans pursuant to the Planning Act;
- .4 Participation in Federal and Provincial programmes for funding community improvement projects;
- .5 Encouraging community organizations and individuals to participate in community improvement projects, wherever possible;
- .6 The establishment of an implementation budget identifying the financial requirements associated with the implementation of the Community Improvement Plan; and
- .7 Ensuring that the City can satisfy the financial requirements for its share of the costs associated with any community improvement projects.

16.4.2 The phasing of community improvements projects shall be determined by:

- .1 The implementation budget established in association with the Community Improvement Plan;
- .2 The availability of funding from the Federal and Provincial Governments; and
- .3 Availability of funding from the City's capital and operating budgets and forecasts.

End of
Mod. #20

16.4.3 The City may investigate and implement within a community improvement plan, incentive programs to assist property owners in undertaking works that are consistent with the objectives of the community improvement plan.

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17. PARKS AND OPEN SPACEOPA #84
July 14/00OPA #125
Dec. 3/08

- 17.1 Public parks and open spaces may be developed within the appropriate land use policies and designations on **Schedule 1-1 - Land Use Plan**.
- 17.2 Although public parks and open spaces are to be planned on the basis of the land use policies and designations of this Official Plan, it is recognized that it may be necessary to interpret these policies flexibly, depending upon specific circumstances.
- 17.3 The extent and location of parks and open spaces on **Schedule 1-1 - Land Use Plan**, other than those existing at the date of adoption of this Official Plan, will be determined at the time of specific development applications.
- 17.4 The City will cooperate, wherever possible, with the Boards of Education in coordinating the planning, acquisition, development, maintenance and programming of recreation and open space facilities.
- 17.5 The City may continue to satisfy a portion of the demand for parks and recreation facilities by arranging with the relevant Board of Education for the joint use of school facilities, where feasible.
- 17.6 Parks and open space shall be designed and developed so that a wide range of activities may be accommodated within the same area or structure, in accordance with the changing needs or demands of the residents.
- 17.7 The City may lease undeveloped, privately-owned lands within any land use designation for the purposes of providing park or recreation facilities.
- 17.8 Parkland will be acquired in accordance with the provisions of Section 18.15 of the Official Plan.
- 17.9 A Parks and Open Space Master Plan, which addresses the City's parks, open space, recreational and cultural facilities and services, will be developed as necessary.

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18. IMPLEMENTATIONOPA #125
Dec. 3/08OPA #160
Nov. 6/09OPA #84
July 14/00**18.1 General**

- 18.1.1 The purpose of Section 18 of this Official Plan is to establish the means by which the goals and policies of this Official Plan will be implemented. Generally, the Official Plan will be implemented by means of the powers conferred upon the City of Brantford by the Planning Act, the Municipal Act and other applicable statutes. In particular, this Official Plan shall be implemented by zoning bylaws, subdivision and part lot control, site plan control legislation pursuant to the Municipal Act, property maintenance and occupancy standards bylaws, consents, and the provision of municipal services, public works, and capital works programmes.

OPA #160
Nov. 6/09
OPA #49
June 1/95OPA #84
July 14/00

In utilizing these powers, the City shall endeavour to ensure timely, balanced decision-making while keeping the general public informed and involved.

18.2 Development Staging

- 18.2.1 The City of Brantford will encourage orderly and efficient development and land use patterns.
- 18.2.2 Deleted.
- 18.2.3 Rates of growth shall be determined taking into consideration the availability of required services. Existing infrastructure and facilities will be optimized.
- 18.2.4 Deleted.
- 18.2.5 A higher priority may be assigned to industrial development than residential development, subject to the availability of required services.

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| 18.2.6 | Applications for development shall be evaluated on the basis of conformity to the following criteria: | Min. Further App. April 21/92 |
| .1 | the development conforms to the relevant land use policies of this Plan; | OPA #84 July 14/00 |
| .2 | the development represents a logical extension to the existing urban area and encourages the maintenance of a compact, orderly urban form thereby avoiding scattered development; | |
| .3 | the development will be serviced by full municipal services including municipal water supply and sanitary sewers; | |
| .4 | the development supports the efficient utilization and logical extension of existing municipal services; | |
| .5 | the development can be integrated with, and accommodated within, the capacity of the existing transportation system and is supportive of the City's transit system; | OPA #125 Dec. 3/08 |
| .6 | where residential development is proposed, the appropriate School Boards have confirmed that there is adequate space within existing school facilities, or that the necessary school sites are or will be provided to accommodate the students which will be generated by the development; | |
| .7 | where residential development is proposed, the area can be adequately serviced by existing parks and/or recreation facilities, or that the application has provided the necessary parks and/or recreation facilities (or cash-in-lieu, where applicable); | |
| .8 | adequate levels of any other necessary local community facilities or services are, or can be made available to service the proposed development; | |
| .9 | the storm water management plans for the development are satisfactory to the City; and | |
| .10 | adequate levels of other necessary utilities are available to service the development. | |
| .11 | the development supports the achievement of intensification and density targets in the City, as identified in this Plan and Provincial Plans. | OPA #125 Dec. 3/08 |

18.3 Zoning Bylaws

- 18.3.1 Zoning Bylaws enacted pursuant to the Planning Act will be used to regulate the use of land and the character, location and use of buildings and structures in accordance with the policies of this Official Plan.
- 18.3.2 The City of Brantford's Comprehensive Zoning Bylaw will be maintained and amended, where necessary, in conformity with the policies of the Official Plan. The Zoning Bylaw shall establish the following where necessary:
- .1 Land use zones within designated areas that will permit the types of uses specified in the Official Plan;
 - .2 Development standards appropriate to each type of development, and compatible with adjacent development and the surrounding area; and
 - .3 Any other regulations needed to implement the intent of this Official Plan.
- 18.3.3 The permitted uses in the land use designations on **Schedule 1-1 - Land Use Plan** will generally be permitted by the Zoning Bylaw, including accessory buildings and structures, and accessory uses.
- 18.3.4 Deleted
- 18.3.5 Detailed Zoning Bylaws incorporating specific plans and conditions for medium and high density residential or non-residential uses may be adopted, where necessary, as an adjunct to subdivision or site plan agreements in order to achieve good individual property and neighbourhood development, and to help realize the policy intent of this Official Plan.

OPA #49
June 1/95

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Dec. 3/08

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18.4 Bonus Bylaws

- 18.4.1 Development standards may be incorporated into the Zoning Bylaw to permit increases in the height or density of development, where such development:
- .1 provides a specific type of housing, such as housing for low and moderate income groups, senior citizens, or persons with disabilities; OPA #49
June 1/95
 - .2 preserves areas, sites, buildings or structures of historical, architectural or archaeological merit, provided that: OPA #125
Dec. 3/08
 - a) the owners of designated heritage properties enter into a conservation agreement with the City;
 - b) the bylaws are enacted at the same time as the approval of the site plan for the entire development;
 - c) where only a portion of the conserved building or structure is kept, that portion contains the features of historic and/or architectural value or interest for which the building was designated;
 - d) the quality, character and integrity of the conserved building or structure is maintained and additional density will not be granted for the incorporation of facades or historic building elements into new development;
 - e) the proposed development respects the scale, character and form of the heritage buildings and landscapes; and where the property is within a Heritage Conservation District, the proposed development conforms to any guidelines for that district.
 - .3 provides community or open space facilities such as community centres, parks and day care centres.
- 18.4.2 Increased height or density provisions enacted in the Zoning Bylaw as outlined above shall specify the development standards that would apply where such increases are to be permitted in accordance with the Official Plan.
- 18.4.3 Council may require the execution of agreements for developments which include increased height and/or density.

18.5 Holding Bylaws

- 18.5.1 Council may enact holding bylaws in accordance with the Planning Act, in order to limit or prevent the use of certain lands until such time as Council is satisfied that development can be achieved which satisfies the provisions of this Official Plan.

18.5.2 Generally, holding bylaws will be applied to lands which are unserviced or undeveloped at the date of adoption of this Plan. Holding bylaws will identify the ultimate use of these lands in accordance with this Plan and shall identify the holding restriction by affixing an "H" prefix to the land use zone applicable to the lands.

18.5.3 Holding bylaws will specify the uses (and any additional regulations applicable thereto) which will be permitted while the holding provision is in effect, provided that such interim uses do not conflict with the ultimate designated use of the lands. Interim uses may include:

Min. Mod. #21
Nov. 4/87

1. a single detached dwelling
2. uses existing at the date of the adoption of the Official Plan;
3. uses which do not require permanent buildings or structures and do not conflict with the ultimate designated uses of the lands.

OPA #49
June 1/95

18.5.4 Prior to enacting a bylaw to delete the holding provision in accordance with the Planning Act, Council shall be satisfied that:

- .1 adequate servicing, such as water supply, sewage disposal facilities, storm water drainage, solid waste collection and disposal, and roads can be provided;
- .2 all necessary requirements of the City have been satisfied;
- .3 all necessary subdivision or development agreements have been entered into, and that the conditions of these agreements have been, or will be met; and
- .4 development satisfies all other relevant policies of this Official Plan.

18.6 Interim Control Bylaws

18.6.1 Council may enact interim control bylaws in accordance with the Planning Act, in order to limit or prevent the use of certain lands until such time as a review or study of the land use planning policies of the lands has been undertaken.

18.6.2 Interim control bylaws will specify the use (and any additional regulations applicable thereto) which will be permitted while the bylaw is in effect, provided that such interim uses do not conflict with the ultimate designated use of the lands.

18.6.3 Interim control bylaws shall define the specific area affected and establish an expiry date of not more than one year from the date of passing thereof.

18.6.4 Council may pass a further bylaw to grant an extension of the interim control bylaw of up to one additional year. Council may not enact another interim control bylaw on the same lands where one has

lapsed, for a period of three years.

- 18.6.5 Interim control bylaws shall not prohibit the use of lands for any purpose lawfully in existence, or for which a building permit has been issued under the Building Code Act, on the date of passing of the interim control bylaw.

18.7 Temporary Use Bylaws

- 18.7.1 Council may enact temporary use bylaws in accordance with the Planning Act, in order to allow lands to be zoned for uses otherwise prohibited in the Zoning Bylaw, on a temporary basis.
- 18.7.2 Temporary use bylaws shall define the specific area affected and establish an expiry date of not more than three years from the date of passing thereof.
- 18.7.3 Council may pass further temporary use bylaws to grant an extension of the temporary use bylaw of up to three additional years.
- 18.7.4 Subsequent to the expiration of the bylaws enacted in accordance with Sections 18.7.2 or 18.7.3, the use permitted by that bylaw shall cease or, if such use continues, it will be considered illegal with respect to the comprehensive Zoning Bylaw.
- 18.7.5 In considering temporary use bylaws, Council shall be satisfied that:
- .1 the proposed development or redevelopment is consistent with the temporary nature of the use;
 - .2 the proposed use is compatible with adjacent uses and, where necessary, buffering is provided to ensure visual separation and compatibility between uses;
 - .3 the size of the lot and/or building is appropriate for the proposed use; and
 - .4 adequate services are available.
- 18.7.6 The temporary use bylaw shall establish all necessary site regulations within the bylaw or by reference to the comprehensive Zoning Bylaw.

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18.8 Subdivision Control

- 18.8.1 All lands within the City shall be subject to subdivision control pursuant to the Planning Act.
- 18.8.2 The provisions of the Planning Act relating to subdivision control, including subdivision agreements, will be used by Council to ensure that the land use designations and policies of this Official Plan are complied with, and that a high standard of layout and design is maintained in all development.
- 18.8.3 Council will recommend for approval only those plans of subdivision which conform with the following criteria:
- .1 The plan of subdivision conforms with the policies of this Plan;
 - .2 Adequate servicing, such as water supply, sewage disposal facilities, storm water drainage, solid waste collection and disposal, and roads can be provided; and
 - .3 The City is able to provide necessary municipal services without imposing undue increases in taxation on all residents.

18.9 Consents

- 18.9.1 Consents may be permitted for reasons of the creation of a new lot, boundary adjustments, rights-of-way, easements, and to convey additional lands to an abutting lot, provided an undersized lot is not created.
- 18.9.2 Applications for consents will only be granted where:
- .1 The severance is for the purpose of infilling within existing development;
 - .2 It is clearly not necessary in the public interest that a plan of subdivision be registered;
 - .3 The lot can be adequately serviced by roads, sanitary sewage disposal, water supply, and storm drainage facilities;
 - .4 No extension, improvement or assumption of municipal services is required;
 - .5 The lot will have frontage on an improved public road, and access will not result in traffic hazards;
 - .6 The lot will not restrict the ultimate development of adjacent lands;

- .7 The size and shape of the lot conforms to the Zoning Bylaw, and is appropriate to the use proposed and compatible with adjacent lots; and
- .8 The consent complies with all relevant provisions of this Official Plan.

18.9.3 The City shall endeavour to acquire the road right-of-way widenings on arterial and collector roads as indicated on **Schedule 5-2 - Transportation: Road Widenings** as a condition of the creation of new lots by consent, where practical. Similarly, the City shall endeavour to acquire road rights-of-way as a condition of the creation of new lots by consent, where practical in order to achieve a minimum right-of-way of 20 metres for local roads.

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It is the intent of Council to generally acquire such road widenings at equal distance on either side of the centre line of the existing road allowance except where existing site conditions necessitate taking the widenings unequally from, or only, one side of the centre line.

18.10 Site Plan Control

18.10.1 The provisions of the Planning Act relating to site plan control will be used by Council to ensure that the land use designations and policies of this Official Plan are complied with, and that a high standard of site layout and design is maintained in all development.

18.10.2 The entire City is defined as a site plan control area. Council may pass a bylaw to designate all lands within the corporate boundaries of the City of Brantford as a site plan control area for the purposes of the Planning Act.

Min. Mod. #22
Nov. 4/87
OPA #169
Sept. 16/11

18.10.3 Within the site plan control area identified in Section 18.10.2, Council may by bylaw identify certain types of development which may be undertaken without site plan approval, including:

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- .1 single detached, semi-detached, and duplex residential dwellings and accessory buildings and structures;
- .2 agricultural buildings and structures which are in conformity with the Zoning Bylaw;
- .3 minor extensions or additions to existing buildings or structures; and
- .4 mineral aggregate extraction operations which are in conformity with the Zoning Bylaw.

- 18.10.4 Notwithstanding Section 18.10.3, Council may:
- .1 exempt development which would otherwise be subject to site plan approval where it considers such approval to be unnecessary due to the type or scale of development proposed;
 - .2 by specific bylaw, include the requirement for site plan approval for developments otherwise exempted by Section 18.10.3, where it considers such approval to be necessary as part of the City's approval of a comprehensive development plan which incorporates several types of development;
 - .3 require site plan approval as a condition of subdivision agreement;
 - .4 require site plan approval as a condition of any decision of Committee of Adjustment;
 - .5 require site plan or building permit approval prior to the issuance of demolition permits for municipally inventoried cultural heritage resources; and
 - .6 attach terms and conditions to any demolitions that are approved.
- 18.10.5 Applications for site plan approval may be reviewed with respect to:
- .1 the provision of adequate off-street pedestrian and vehicular access, parking areas, bicycle and loading facilities;
 - .2 the location of external lighting fixtures to avoid direct glare on adjoining roads or properties;
 - .3 the appearance of the proposed building or structure, including its massing, conceptual design, and relationship to adjacent roads and buildings;
 - .4 the preservation and use of natural features, including the site's existing topography;
 - .5 the location of signs, garbage collection/storage areas, fences and screens;
 - .6 the location of appropriate landscaping on the site;
 - .7 the provision of services for stormwater drainage and sanitary sewage disposal;
 - .8 the provision of any necessary easements for public services; and

OPA #125
Dec. 3/08
OPA #84
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OPA #84
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OPA #59
Nov. 19/97

- .9 the impact of the proposed plan on cultural heritage resources and the plan’s overall strategies toward the preservation, incorporation, interpretation and commemoration of cultural heritage resources.
- 18.10.6 Notwithstanding Sections 18.10.3 and 18.10.4, within the site plan control area identified in Section 18.10.2, for those developments requiring approval under the City of Brantford Site Alteration Bylaw, the provisions of Section 41(7) (a) (9) of the Planning Act, 1990 relating to grading or alteration in elevation or contour of the land and provision for the disposal of storm, surface and waste water from the land and from any buildings or structures thereon, shall apply. OPA #169
Sept. 16/11
- 18.10.7 Approval of site plans and the execution of related site plan agreements shall be required prior to the issuance of building permits. OPA #169
Sept. 16/11
- 18.10.8 The City shall endeavour to acquire the rights-of-way widenings as indicated on **Schedule 5-2 - Transportation: Road Widenings** as a condition of site plan control. It is the intent of Council to generally acquire such road widenings at equal distance on either side of the centreline of the existing road allowance. Where existing site conditions, or the nature of the proposed development, necessitate taking the widenings unequally from or on only one side of the centreline, it is the intent of Council to acquire up to 50% of the widening from any one side as a condition of site plan approval. Any land acquisition greater than this will be obtained through a negotiated agreement with the landowner. Min. Mod. #23
Nov. 4/87

OPA #84
July 14/00

OPA #169
Sept. 16/11
- 18.10.9 The City may also require road widenings in addition to those specified on **Schedule 5-2 - Transportation: Road Widenings** in order to provide appropriate turning lanes and daylighting triangles at intersections. OPA #84
July 14/00

OPA #169
Sept. 16/11

18.11 Minor Variances

- 18.11.1 Applications for minor variances shall be considered by the Committee of Adjustment on the basis of compliance with the general intent and purpose of this Official Plan and the implementing Zoning Bylaw.
- 18.11.2 The Committee of Adjustment will consider applications for minor variances on the basis of conformity to the following or other criteria:
- .1 The applicant cannot acquire additional property to comply with the minimum requirements of the Zoning Bylaw;
 - .2 Adequate provision is made for vehicular access and off-street parking on the lot;

- .3 Building coverage is not excessive and adequate landscaping can be provided on the lot;
- .4 The lot size and design of the proposed building or structure are in keeping with adjacent development and the general intent of the provisions in the Zoning Bylaw; and
- .5 The proposed building or structure is sited and designed in such a manner that the minor variances do not adversely affect the amenity of the adjacent properties.

18.12 Non-conforming Uses

- 18.12.1 In accordance with the Planning Act, the following uses which are not in conformity with the land use designations of this Official Plan shall be recognized as legal non-conforming uses:
- .1 Any land, building or structure lawfully in existence on the date of passage of any Zoning Bylaw to implement this Official Plan, provided that it continues to be used for that purpose; or
 - .2 Any building or structure for which a building permit has been issued under the Building Code Act prior to the date of passage of any Zoning Bylaw to implement this Official Plan, provided that it is erected and used for that purpose, and that the building permit is not otherwise revoked.
- 18.12.2 Non-conforming uses shall be encouraged to relocate or redevelop so that the land may be developed in conformity with the Official Plan and the relevant Zoning Bylaw.
- 18.12.3 Council may consider the feasibility and desirability of acquiring any legal non-conforming use and of disposing, exchanging or holding such use in accordance with the Planning Act.
- 18.12.4 Applications for the extension or enlargement of a legal non-conforming use may be permitted by amendment to the Zoning Bylaw, or by minor variance approved by the Committee of Adjustment, in accordance with the Planning Act.
- 18.12.5 Applications for the extension or enlargement of a legal non-conforming use will be evaluated on the basis of conformity to the following criteria:
- .1 It is not possible to relocate the legal non-conforming use to a location where it will conform to the prevailing land use designation;
 - .2 The proposed extension or enlargement represents a reasonable increase in the size and scale of the legal non-conforming use;
 - .3 The proposed extension or enlargement will not unduly aggravate the situation created by the existence of the legal non-conforming use;

- .4 Abutting uses will be afforded reasonable protection by the provision of landscaping, screening, buffering and setbacks, where appropriate;
- .5 Adequate provisions will be made for off-street parking and loading facilities, where necessary;
- .6 All services, such as water, sanitary sewage disposal, stormwater drainage and roads serving the legal non-conforming use, will be adequate; and
- .7 The application has been circulated for comments to those municipal departments, public agencies, and property owners which may be concerned or affected, prior to a decision being made on the application.

18.12.6 An established use that existed prior to the passing of a Zoning Bylaw and that does not conform to the land use policies and designations of this Official Plan, may be zoned in accordance with the existing non-conforming use provided that:

- .1 The zoning of such non-conforming use will not permit any significant change of use that will be detrimental to any existing conforming uses;
- .2 The non-conforming use does not constitute a danger to surrounding uses by virtue of their hazardous nature or the traffic they generate;
- .3 The non-conforming use does not pollute the environment to the extent of interfering in the natural use of the property; and
- .4 The non-conforming use does not interfere with the continued development of adjacent conforming uses.

18.13 Property Standards

- 18.13.1 Council has enacted, and may from time to time, amend a Property Standards Bylaw prescribing standards for the maintenance and occupancy of property within the City. Min. Mod. # 24
Nov. 4/87
- 18.13.2 Council may require, within the Property Standards Bylaw, that property that does not conform to that Bylaw be repaired and maintained to the standards of the Bylaw or prohibit occupancy of such property, or may order the property to be cleared and graded.
- 18.13.3 Council may make or grant loans to owners for the repair or demolition of properties in accordance with the Planning Act.

18.14 Demolition Control

- 18.14.1 Where a Property Standards Bylaw identified in Section 18.13 is in effect, Council may enact a bylaw creating an area(s) of demolition control pursuant to the Planning Act. OPA #84
July 14/00

18.15 Parkland Acquisition

- 18.15.1 Land required for public park or recreational uses in accordance with this Official Plan may be generally acquired through dedication to the City in accordance with the provisions of the Planning Act, as follows:
 - .1 As a condition of development or redevelopment for residential purposes at a rate of:
 - i) 5 percent of the land proposed for development, or
 - ii) an amount up to 0.4 hectares per 120 dwelling units for areas of high density residential development as identified in the Official Plan;
 - .2 As a condition of development or redevelopment for industrial or commercial purposes at a rate of 2 percent of the land proposed for development; and
 - .3 As a condition of development or redevelopment for any other use at a rate of 5 percent of the land proposed for development.
- 18.15.2 Council may require in lieu of the conveyance of parkland, in accordance with Section 18.15.1, cash payment of money equal to the value of the land to be conveyed. The value of the land shall be determined in accordance with the provisions of the Planning Act. OPA #84
July 14/00

- 18.15.3 Land dedicated for park purposes shall only be accepted when minimum site and location standards and site preparation have been deemed acceptable by the City.
- 18.15.4 Council shall use the lands conveyed to the City under Section 18.15.1 for public park or recreational uses, but may sell such lands at any time. OPA #84
July 14/00
- 18.15.5 All monies received under the provisions of Sections 18.15.2 and 18.15.4 shall be used for the sole purpose of public park or recreational uses in accordance with the Planning Act. OPA #84
July 14/00
- 18.15.6 Council may utilize any monies identified in Section 18.15.5 to acquire or develop public park or recreational uses in any area of the City it considers necessary. OPA #84
July 14/00
- 18.15.7 The City shall endeavour to encourage other agencies and groups to make land and facilities available for the general use of all residents.
- 18.15.8 The City may also acquire lands which are of particular value either because of their physical character or because their location provides a link with other portions of the open space system.
- 18.15.9 Parkland acquisition may include any of the following: Min. Mod. #25
Nov. 4/87
 - .1 dedication through development;
 - .2 lease;
 - .3 shared use agreement;
 - .4 property exchange; and
 - .5 property donation.

18.16 Land Acquisition

- 18.16.1 Council may acquire and hold lands within the City for the purposes of implementing the Official Plan in accordance with the provisions of the Planning Act.

18.17 Sign Bylaws

- 18.17.1 Council may adopt Sign Bylaws setting forth standards and requirements for signage erected on property within the City.

18.18 Public Works

- 18.18.1 Public works shall be undertaken in accordance with the goals and policies of this Official Plan.

18.19 Municipal Finance

- 18.19.1 Five-year capital works programmes and other financial plans shall be proposed in accordance with the goals and policies of this Official Plan.
- 18.19.2 Future development will be monitored to ensure that a balance is maintained between demands for municipal service and the overall fiscal capacity of the City, and that an appropriate relationship is maintained between residential and non-residential assessment.

18.20 Other Legislation

- 18.20.1 The Planning Act, the Municipal Act and other relevant statutes governing such uses as waste disposal sites, automobile wrecking yards, pits and quarries, trailers, and signs shall be reviewed and, where appropriate, existing bylaws shall be amended and new by-laws shall be enacted to ensure that such uses are properly regulated and controlled according to the policies of the Official Plan.
- 18.20.2 Nothing in this Plan shall be interpreted to mean that an undertaking which is subject to the Environmental Assessment Act may proceed except in compliance with that Act. Min. Mod. #26
Nov. 4/87

18.21 Public Consultation

- 18.21.1 Council shall, in its consideration of an application to amend the Official Plan or Zoning Bylaw, solicit the views of the public on such application at a public meeting, as required by the Planning Act. OPA #125
Dec. 3/08

OPA #84
July 14/00
- 18.21.2 The public information and notice requirements of the Planning Act shall apply in all cases except in the following types of amendments where the choice may be made between the provisions of the Planning Act and the following alternative Notice procedures: Min. Mod. #27
Nov. 4/87

OPA #84
July 14/00
 - .1 Council may forego public notification and public meetings in connection with technical or housekeeping revisions to the Official Plan, Zoning Bylaw, or Community Improvement Plan if the amendment will not affect the provisions and intent of the Official Plan, Zoning Bylaw, or Community Improvement Plan, or an amendment previously enacted to each document in any material way and may include the following matters: OPA #49
June 1/95
OPA #160
Nov. 6/09
 - .1 consolidations of previous amendments into the parent document without altering any approved policies or maps;
 - .2 changing the numbers of sections or the order of sections, or re-formatting of policies, schedules or maps, but not adding or deleting sections, or altering a designation in a schedule or map;

- .3 correcting grammatical, clerical or typographical errors, or punctuation, or deleting obsolete policies, which do not affect the intent or effect of the policies or maps;
- .4 changing reference to legislation where changes to legislation have occurred.

18.21.3	Public Notice of an application for amendment to the Official Plan or Zoning Bylaw shall include erection of a sign on the land affected by the application describing briefly the amendment application.	OPA #49 June 1/95
18.21.4	The City shall, on matters of major policy significance, ensure effective consultation which provides the opportunity for discussion of the issues early and throughout the process by a broad cross-section of the community as an integral part of the decision-making procedures.	OPA #49 June 1/95
18.21.5	<p>A ward/community meeting will be held to discuss proposed amendments to the Official Plan or Zoning Bylaw; draft plans of subdivision; or approved Community Improvement Plans, except for those amendments that are described in Section 18.21.2.1. The ward/community meeting shall be conducted as follows:</p> <p>18.21.5.1 Will be held, if feasible, within the neighbourhood affected by the planning application;</p> <p>18.21.5.2 Notice will be given in the same manner and to the same notification area as that for the public hearing on the planning application;</p> <p>18.21.5.3 The open house shall be held no later than 7 days before the required public meeting for the planning application; and</p> <p>18.21.5.4 The open house will provide the opportunity to present the planning application and to discuss neighbourhood concerns and issues relating to the application.</p>	Min. Mod. #21 Dec. 3/08
18.21.6	The City shall provide notice to the Six Nations of the Grand River and the Mississaugas of the New Credit in accordance with the Grand River Notification Agreement on matters included in that agreement.	Min. Mod. #22 Dec. 3/08

18.22 Mutual Planning Advisory Area

18.22.1	The Brantford-Brant Annexation Act, 1980, established a Mutual Planning Advisory Area on lands within the City, as indicated on <u>Schedule 6 - Implementation.</u>	OPA #84 July 14/00
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18.22.2 Council shall consult with the Mutual Planning Advisory Committee, as established by the Brantford-Brant Annexation Act, 1980 with respect to any application for an amendment to the Official Plan or Zoning Bylaw, plan of subdivision, or consent on lands within the Mutual Planning Advisory Area.

18.23 Official Plan Review

18.23.1 This Official Plan shall undergo a comprehensive review within approximately five year intervals, the purpose of which will be to measure the degree of achievement of the Official Plan's Principal Goal in maintaining and enhancing a desirable quality of life and to revise subsidiary goals, objectives, policies and methods of implementation where necessary.

OPA #49
June 1/95

18.23.2 Factors affecting the goals and policies of this Official Plan will be monitored, as deemed necessary, to evaluate the Official Plan's performance. Factors which may be monitored include the following:

OPA #49
June 1/95

- .1 population and employment growth;
- .2 development trends;
- .3 rate of development;
- .4 the balance between resident labour force and employment opportunities;
- .5 residential density and housing mix;
- .6 sanitary sewage disposal, stormwater drainage and water supply capacity utilization;
- .7 social indicators;
- .8 the results of household travel surveys;
- .9 updates to the City's Transportation Master Plan; and
- .10 other factors affecting land use planning for the City.

OPA #59
Nov. 19/97

This review will ensure that the goals and policies of this Official Plan remain realistic and will determine how well the policies are being implemented.

18.23.3 As a result of this review and monitoring process, the Official Plan may be amended from time to time.

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|---------|--|-----------------------|
| 18.23.4 | The City shall ensure broad and effective public consultation in the review of the Official Plan. | OPA #49
June 1/95 |
| 18.23.5 | When feasible, the five year review of the Official Plan will be carried out in conjunction with the five year review of the Transportation Master Plan. | OPA #59
Nov. 19/97 |

18.24 Complete Applications

OPA #140
Apr. 4/08

18.24.1 In order for Applications for Official Plan and/or Zoning Bylaw Amendment, Draft Plan of Subdivision, and Consent, to be deemed complete, the City may require other information in addition to that information prescribed by *The Planning Act*, to support the application, which may include one or more of the following:

1. Application Form (Mandatory);
2. Covering Letter (Mandatory);
3. Required Fees (Mandatory);
4. Agricultural Impact Assessment and/or statement of conformity with Minimum Distance Separation Formula;
5. Archaeological Assessment;
6. Building Details (including elevations, colours, materials, etc.);
7. Building Matrix;
8. Commercial Land Needs Assessment;
9. Employment Land Needs Assessment;
10. Environmental Impact Assessment;
11. Environmental Strategy;
12. Erosion/Sediment Control Plan;
13. Financial Impact Study;
14. Functional Servicing Report;
15. Geotechnical Report;
16. Height Survey of Adjacent Buildings;
17. Heritage Impact Statement;
18. Hydrogeology Study;
19. Land Assembly Documents;
20. Landfill Impact Study;
21. Neighbourhood Design Plan;
22. Noise and/or Vibration Study;
23. Odour, Dust and Light Assessment and Mitigation Report;
24. Park Concept Plan;
25. Parking Study;
26. Peer Review Studies;
27. Phase I Environmental Site Assessment;
28. Phase II Environmental Site Assessment;
29. Phasing Plan;
30. Planning Justification Report;
31. Record of Site Condition or Affidavit of Qualified Person;

32. Rental Housing Conversion Study;
33. Residential Land Needs Assessment;
34. Retail/Market Impact Report;
35. Sensitive Land Use Report;
36. Shadow Analysis;
37. Site Plan/proposed Draft Plan of Subdivision and/or Condominium;
38. Soil Report;
39. Stormwater Management Report/Plan;
40. Street Parking Study;
41. Survey (completed within the last five years preceding Application submission showing all buildings/structures currently located on property);
42. Traffic/Transportation Impact Study;
43. Tree Inventory and/or Tree Preservation Study;
44. Top-of-Bank Demarcation; and
45. Urban Design Guidelines

- 18.24.2 In order to determine the specific information requirements for an Application, the City may require the holding of a Pre-consultation Meeting. This Meeting will determine the information that will be required by the City to conduct an appropriate review of the development proposal. If a Pre-consultation Meeting is deemed not to be necessary, only the prescribed information under *The Planning Act* need be submitted in order for the Application to be deemed complete.
- 18.24.3 It is recognized that certain information required to support the application might not be necessary at the outset in order for an application to be processed. In this event, the Applicant will be advised at what point specific information will be required. Should the Applicant not provide this information as required, the City may cease processing of the Application until the requested information has been submitted.
- 18.24.4 Additional information may be required, in addition to that determined through the pre-consultation process, as a result of the formal circulation and review of the development proposal by other City Departments and/or external agencies. The Applicant will be advised of these additional requirements and will be expected to provide the requested information to the City as soon as possible. Processing of the Application will continue to the extent possible prior to the additional information being submitted. Should further processing not be possible, the Applicant will be so advised.
- 18.24.5 The City will outline the requirements for each of the studies/reports noted above for the Applicant during the Pre-Consultation Meeting. In the event that reports do not adequately address these requirements, the Municipality will require that the study/report be revised so that it is in accordance with Municipal requirements. Until such time as the

revised document has been received the application will not be considered “complete”.

18.25 **Pre-consultation Meetings**

18.25.1 Pre-consultation meetings are required for Applications for Official Plan and/or Zoning Bylaw Amendment, Draft Plan of Subdivision, and Site Plan Approval.

18.25.2 The purpose of a pre-consultation meeting is to provide the Applicant with an opportunity to present and review the proposed Application with Staff, to discuss potential issues, and determine the required elements and materials to be submitted with the Application for it to be considered “complete” in accordance with Section 18.24 (if applicable). All Pre-consultation Meetings are to be arranged through the Current Planning Services Department.

18.25.3 The Applicant shall provide the City with, at minimum, general information sufficient to indicate the intention of the development proposal. This information shall indicate the location of the subject lands and a plan/description of the intended development. The Applicant should also be prepared to answer general questions related to servicing, parking, landscaping and other conformity issues. The information submitted will be circulated to the applicable Departments in advance of the Pre-consultation Meeting for review.

18.25.4 It is intended that the Pre-consultation meeting will determine the necessary information requirements in order to immediately begin processing the Application following its submission to the City.

18.25.5 In the event that a Pre-consultation Meeting does not precede the filing of the Application, such meeting will be arranged as soon as possible thereafter. Formal receipt of the Application will not occur, nor processing of it be formally initiated, until the requirements for a Pre-consultation Meeting, and submission of a complete Application, have been fulfilled, unless waived by the Director of Current Planning Services. The required processing timelines as set out in *The Planning Act* will not be deemed to start until these have been fulfilled. At such time as these both have been fulfilled, the timeframe requirements of *The Planning Act* will begin the first full business day following their fulfillment.

18.25.6 Meetings to discuss development proposals arranged by Departments other than Current Planning Services may occur from time to time. These Meetings are not regarded as being Pre-consultation Meetings and will not fulfill the requirement for a Pre-Consultation.

18.25.7 While a Pre-consultation Meeting is deemed to be necessary and

required in most cases, it is recognized that there may be times when it is not necessary, such as in circumstances where a technical amendment is proposed to a definition, or a single provision within the Zoning Bylaw is proposed. In this event the waiving of the Pre-consultation Meeting can occur at the discretion of the Director of Current Planning Services. Sufficient information will be required to be provided by the Applicant in order for the determination by the Director to be made.

- 18.25.8 In no event shall the City refuse to convene a Pre-consultation Meeting should an Applicant request such a meeting.
- 18.25.9 Should a proposal be revised to a minor extent as a result of the Pre-Consultation Meeting, a second Meeting will not be required. The formal Application may be made on the basis of the requirements set out during the Pre-consultation process. If, however, the proposal is substantially revised whether as a result of the Pre-consultation Meeting or otherwise, a second Pre-consultation Meeting shall be necessary. Final determination of the necessity of a second Pre-consultation Meeting shall be made by the Director of Current Planning Services.

19. WEST OF CONKLIN SECONDARY PLAN

OPA #144
June 20/08
OPA #160
Nov. 6/09

19.1 General**19.1.1 Purpose**

- .1 The purpose of this Secondary Plan is to provide a detailed land use plan and policies for the regulation of land use and development within the West of Conklin Secondary Plan Area in the City of Brantford.

19.1.2 Location

- .1 This Secondary Plan applies to the lands within the Southwest Brantford, West of Conklin Area. The limits of the Secondary Plan Area are identified on **West of Conklin Secondary Plan: Schedule 7-1 – Community Structure, West of Conklin Secondary Plan: Schedule 7-2 – Land Use Plan, West of Conklin Secondary Plan: Schedule 7-3 – Transportation Plan, and West of Conklin Secondary Plan: Schedule 7-4 - Greenlands Plan** to this Secondary Plan.

OPA #160
Nov. 6/09

19.1.3 Interpretation

- .1 It is intended that the West of Conklin Secondary Plan Area be developed in accordance with the policies of this Secondary Plan.
- .2 Inherent to the West of Conklin Secondary Plan is the principle of flexibility, provided that the general intent and structure of the Plan are maintained to the satisfaction of the City. As such, it is the intent of the municipality to permit some flexibility in the interpretation of the policies, regulations and numerical requirements of this Secondary Plan and the appended Demonstration Plan and Urban Design Guidelines (Appendix V-A), the Net Land Area/ Density/Housing Mix (Appendix V-B), and the Erosion and Sedimentation Control Plan Design Requirements (Appendix V-C), except where the Secondary Plan is explicitly intended to be prescriptive. The purpose of Appendices V-A, V-B, and V-C are for guidance to the planning process and as such do not require amendment to the Official Plan.
- .3 The boundaries between land use designations on **West of Conklin Secondary Plan: Schedules 7-1 – Community Structure and West of Conklin Secondary Plan: 7-2 –**

OPA #160
Nov. 6/09

Land Use Plan are to be considered approximate except where they meet with roads, rail lines, river valleys or other clearly defined physical features. Where the general intent of this Secondary Plan is maintained, to the satisfaction of the City, minor boundary adjustments will not require an Amendment to this Secondary Plan.

- .4 Development within the West of Conklin Secondary Plan Area will be guided by a detailed series of policies, regulations and guidelines that will create a livable and diverse community that is sympathetic to the environmental context. The Demonstration Plan and Urban Design Guidelines (Appendix V-A) provides the foundation for the development of the West of Conklin Secondary Plan Area and the basis for the policy framework of this Secondary Plan.

OPA #160
Nov. 6/09

The following text and maps, identified as **West of Conklin Secondary Plan: Schedule 7-1 – Community Structure, West of Conklin Secondary Plan: Schedule 7-2 - Land Use Plan, West of Conklin Secondary Plan: Schedule 7-3 - Transportation Plan and West of Conklin Secondary Plan: Schedule 7-4 - Greenlands Plan** attached hereto, constitute the West of Conklin Area Secondary Plan as established and adopted by Amendment No. 144 to the City of Brantford Official Plan.

- .5 Other sections of the Official Plan should be consulted in conjunction with this section for additional applicable policies that are not present in the Secondary Plan
- .6 The following policies shall apply to lands in the Southwest Brantford, West of Conklin Secondary Plan Area. These policies are in addition and complementary to the applicable policies of the City of Brantford. In the event of a conflict between provisions of this Secondary Plan and that of the Official Plan, the Secondary Plan policies shall prevail.

19.2 Principles and Community Structure

19.2.1 Principles

- .1 The West of Conklin Secondary Plan is based on achieving the policies of the Province of Ontario with respect to efficient, cost-effective development and land use patterns, the conservation of natural and cultural heritage features, the protection of public health and safety and the achievement of minimum development densities as articulated in the Planning Act, the Provincial Policy Statement and the

Growth Plan for the Greater Golden Horseshoe. Further, this Secondary Plan is expected to achieve the goals and objectives of the City of Brantford Official Plan. Fundamental to the development of this Secondary Plan is the achievement of a transit supportive community structure and the achievement of a minimum net density of 50 residents and/or jobs per hectare.

- .2 The West of Conklin Secondary Plan is based on a community design that is diverse in use and population, is scaled to the pedestrian, can accommodate private automobiles and transit and has a well defined and high quality public realm - the roads, greenlands system and public buildings.
- .3 A primary principle inherent in the design of the West of Conklin Secondary Plan is the conservation of existing natural heritage features and cultural heritage landscapes. These features and landscapes are conserved and integrated within the overall design strategy.
- .4 The following design principles shall be considered in the review of all public and private sector development applications within the Secondary Plan Area:

.1 Focus

- .1 The community will be multi-centered and will comprise three neighbourhoods.
- .2 Each neighbourhood should have identifiable edges and a distinct higher intensity, mixed use focus that is within a 5 minute walk of the majority of residents.

.2 Greenlands

- .1 A variety of parks for an array of recreation and leisure activities will be provided.
- .2 Parks, open space, natural heritage features and storm water management facilities shall form a connected greenlands system.
- .3 Storm water management facilities shall be designed as landscape amenities, as well as to perform their functional requirements.

.3 Connections/Linkages

- .1 The community will have a continuous system of trails for walking and cycling.

- .2 Roads will provide a network that is appealing for pedestrians, cyclists, and transit facilities, as well as cars.
- .3 Pedestrian connections adjacent to significant natural heritage features shall be planned to anticipate use and to avoid impact on the features and their environmental functions.
- .4 All roads will be designed as important components of the public realm. All roads will be lined with trees and have sidewalks.
- .5 The community and its neighbourhoods will be linked to the existing built areas in Brantford.
- .6 Community design will be based on a modified grid system to enable ease of access and improved connections through the community.

.4 Uses

- .1 Provide a diversity of housing types from single detached houses to apartment buildings to achieve densities anticipated in municipal and provincial policy.
- .2 Plan for a density of development that will help to support transit and commercial activity.
- .3 Provide a mix of uses so that people can have the choice to work, shop and enjoy community facilities in the community.

.5 Infrastructure

- .1 Municipal services shall be provided in a cost effective and efficient manner.

19.2.2 Community Structure

- .1 The community structure of the West of Conklin Secondary Plan Area is based on achieving the principles identified in Section 19.2.1 of this Plan. The planned community structure is reflected conceptually on **West of Conklin Secondary Plan: Schedule 7-1 – Community Structure** to this Secondary Plan. The components of the West of Conklin Secondary Plan Area that define its urban structure are identified in the text below.

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.2 Neighbourhoods:

- .1 Neighbourhoods are the fundamental structural element of the Secondary Plan Area. Neighbourhoods must be cohesive and comprehensible to their residents. Neighbourhoods are self-contained areas with a mix of housing types, land uses and activities.
- .2 The West of Conklin Secondary Plan Area includes three Neighbourhoods. They each blend a mix of low, medium and higher density housing types as well as public open space features. Residential densities, lot sizes and building types shall vary throughout each Neighbourhood to achieve the variety and animation typical of the older, traditional neighbourhoods found in the City of Brantford. The highest densities shall occur adjacent to Shellard Lane and the Collector Road network, and within the designated Neighbourhood Centres and the Village Centre. To encourage pedestrian activity, and reinforce their function, the majority of the Secondary Plan area is within a 400 metre or 5-minute walk of each of these Centres. Lower density housing is located in areas adjoining the identified natural heritage features, and toward the edges of the Neighbourhoods. It is a requirement of this Secondary Plan that each of the three Neighbourhood Centres identified on **West of Conklin Secondary Plan: Schedule 7-1 – Community Structure** shall achieve a minimum net density of 50 residents and/or jobs per hectare. Neighbourhoods are edged either by natural heritage features or the primary road network, giving each Neighbourhood a unique identity. The edge of each Neighbourhood is typically beyond the 400-metre (5 minute walk) radius from the Neighbourhood Centre, and the lowest density of development is anticipated between the 400-metre radius and the edge of the Neighbourhood.
- .3 Public open spaces are located to define the character and structure of each Neighbourhood. Neighbourhood Parks are located adjacent to planned school sites and/or integrated with adjacent natural heritage features. Parkettes and urban squares are dispersed throughout each Neighbourhood and are located on visible road frontages.

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Nov. 6/09

.3 Centres:

- .1 The Village Centre is the primary focal point of the community. It is comprised of a mix of uses - including medium and high density residential development, and an array of live/work,

retail, office and community facilities and a secondary school site - combined to create a rich and vibrant environment - an environment that is active every day, all day.

- .2 The foci within each Neighbourhood is a Neighbourhood Centre, or centres, which may include medium density forms of housing, a Neighbourhood Park, an elementary school, grouped postal facilities, transit stops, small scale retail and service commercial uses and offices and other conveniences of daily life.

.4 Corridors:

- .1 Corridors connect the Village Centre and the Neighbourhood Centres within the West of Conklin Secondary Plan Area. They are places where residents of various Neighbourhoods interact. The Corridors include Shellard Lane and the Collector Roads, as identified on **West of Conklin Secondary Plan: Schedule 7-1 – Community Structure**. Some of the Corridors are expected to become the primary transit routes through the Secondary Plan Area, connecting the Neighbourhoods together and to the rest of the City of Brantford. Where appropriate, Corridors should provide a focus for higher density forms of housing.

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Nov. 6/09

.5 The Public Realm:

- .1 The public realm includes institutional/civic uses (places of worship, schools, recreational buildings and facilities, community centres and seniors housing), the greenlands network (public open space and natural heritage features) and the road network. All of these components of the public realm are significant organizing elements in the pattern of development. They are located to provide interest, diversity and focal points within the community. The design of all elements of the public realm must be to the highest quality possible. The public realm includes:
 - .1 **Institutional/Civic Uses:** This Secondary Plan structures roads and blocks to create a hierarchy of public spaces and locations for institutional and civic uses. As a result, institutional/civic uses have the opportunity to occupy important places, overlooking an urban square or terminating a road vista. These views and vistas provide scenic interest and orientation.
 - .2 **Public Open Space:** The West of Conklin Secondary Plan Area includes a full array of public open spaces. The public open space system is integrated with the natural

heritage features, the cultural heritage landscape and storm water management facilities. A trail network is provided that connects the Neighbourhoods together, and connects the West of Conklin Secondary Plan Area to the wider community of Brantford. Public open space is a major attribute of the West of Conklin Secondary Plan Area.

.3 Natural Heritage Features/Storm Water Management Facilities: Existing natural heritage features are conserved and incorporated into the greenlands system. Storm water management facilities are treated as public assets. The ponds will be designed and planted with native upland, flood tolerant shoreline and aquatic species. Ponds and the overall drainage system are incorporated into the greenlands system.

.4 Roads and Lanes:

.1 Roads play a multi-functional role in the West of Conklin Secondary Plan Area by providing for a variety of activities and services, including parking, to meet the needs of residents and businesses. Roads provide access for pedestrians and bicycles, opportunities for vistas and view corridors and pedestrian amenity areas, and space for utilities and services.

.2 The Secondary Plan Area road pattern is a modified, rectilinear grid. Roads follow predictable routes and are highly interconnected. Variations in the grid through road alignments and block geometrics create sites with identity and character. Within the grid system, roads are organized on a hierarchical basis reflecting their particular functional and design requirements.

.3 In key locations throughout the Secondary Plan Area, there is the potential for garages to be removed from the front of the dwellings and placed to the rear of the lot, accessed by a system of rear lanes. This dramatically improves the visual quality of the streetscape by reducing the impact of garage doors and facilitates traffic flow along the Collector Road network. The lanes may also provide access to coach houses, routes for service infrastructure and garbage pick-up and may provide additional passive recreational space.

.6 Area C:

- .1 The Secondary Plan also includes Area C. It has been identified as an area with significant natural heritage features steep slopes and numerous, complex development constraints that require more detailed environmental and engineering analyses prior to any form of urban development being considered. As such, an area specific policy titled, "Area 'C'/Modified Policy Area 7", as shown on **West of Conklin Secondary Plan: Schedule 7-1 – Community Structure** has been provided to ensure that the appropriate consideration is given to the unique attributes of the site, prior to development.

19.3 Goals and Objectives

OPA #160
Nov. 6/09

19.3.1 Introduction

- .1 The goal and objectives of this Secondary Plan provide the framework for the planning and future use of lands in the West of Conklin Secondary Plan Area by both the public and private sectors.
- .2 The goal and objectives will be implemented by the mechanisms set out in this Secondary Plan and the other planning tools available to the City, including implementing zoning bylaws and site plan control. The City will also implement the goals and objectives of this Secondary Plan through the use of the Demonstration Plan and Urban Design Guidelines (Appendix V-A) that shall be adopted by Council.

19.3.2 Goal

- .1 It is the goal of this Secondary Plan to provide a policy framework for detailed land use planning to guide the future development of a new community in the West of Conklin Secondary Plan Area. The Secondary Plan demonstrates a balance of housing and community uses through adherence to the objectives, principles and policies of this Secondary Plan.

19.3.3 Objectives

The objectives of this Secondary Plan facilitate the vision for the West of Conklin Secondary Plan Area. The objectives establish the context and direction for the development of the community and serve as the basis for the policies and other implementing mechanisms set out in this Secondary Plan. The objectives are:

19.3.3.1 Land Use

- .1 To create a balanced, pedestrian-oriented community comprised of residential neighbourhoods, each with at least one defined centre. The Plan also includes a mixed use Village Centre that is intended to be the central focus of the entire community and to provide opportunities for a variety of housing types, retail/commercial uses, greenland protection and community facilities.
- .2 To ensure a complete and integrated community comprised of:
 - .1 a mix of uses that meet the daily needs of all residents;
 - .2 an appropriate integration of compatible land uses; and,
 - .3 compatibility of building types, achieved through consideration of their scale, massing and relationship to each other.
- .3 To ensure that each of the three Neighbourhoods identified on **West of Conklin Secondary Plan: Schedule 7-1 – Community Structure** within the Secondary Plan Area is designed to achieve a minimum net density of 50 residents and/or jobs per hectare.

19.3.3.2 Urban Design

- .1 To encourage a high quality and consistent level of urban design for the public and private realms through adherence to the principles, policies and requirements of this Secondary Plan and the Demonstration Plan and Urban Design Guidelines (Appendix V-A).
- .2 To further refine the planning and urban design principles set out in this Secondary Plan, and the appended Demonstration Plan and Urban Design Guidelines, by requiring the preparation of the following for each of the three Neighbourhoods identified on **West of Conklin Secondary Plan: Schedule 7-1 – Community Structure**:
 - .1 Neighbourhood Design Plan (see Section 19.9.6.2);
 - .2 Storm Water Management Plan and Environmental Strategy, including any required Environmental Impact Assessments; and,
 - .3 Functional Servicing Plan, including details related to piped water and sewer services and the transportation network.

These studies are mandatory and can be carried out for the entire West of Conklin Secondary Plan Area, or on a Neighbourhood by Neighbourhood basis, and shall be subject to approval by the City, in

consultation with any affected agency having jurisdiction.

Neighbourhood Design Plans are required to be approved by the City prior to any further development approvals for any individual parcel of land within the Secondary Plan Area.

19.3.3.3 Residential Development

- .1 To create an urban environment that provides for safe, functional and attractive residential neighbourhoods.
- .2 To accommodate a minimum of 7,200 residents and/or employees in 2,400 to 2,600 dwelling units upon full build out of the West of Conklin Secondary Plan Area, exclusive of any future development potential in Area C.

19.3.3.4 Community Facilities/Schools

- .1 To provide for opportunities to locate community facilities/schools to serve the needs of residents.
- .2 To provide locations for community facilities/schools that are visible and accessible to residents.
- .3 To encourage multi-functional, shared use of public lands and buildings.

19.3.3.5 The Greenlands System

- .1 To provide a functional and highly interconnected greenlands system for the community that is accessible and visible to residents.
- .2 To ensure continuity of the greenlands system and to provide opportunities for recreational and naturalized links within the West of Conklin Secondary Plan Area and to the broader City of Brantford.
- .3 To conserve significant natural heritage features, cultural heritage landscapes, and cultural heritage features and archaeological resources.

- .4 To provide a continuous greenlands system throughout the community that incorporates links of varying character and function, among natural heritage features, public parks, storm water management facilities and a full array of community amenities.

19.3.3.6 Transportation

- .1 To develop a transportation system that provides a variety of connections to the City of Brantford.
- .2 To create a highly inter-connected network of roads and lanes that provide for ease of access, orientation and safety for pedestrians, cyclists and vehicles.
- .3 To create a linked trails system composed of roads, lanes and open spaces, sidewalks, off road trails and bicycle lanes.
- .4 To ensure that the required components of the transportation system for any portion of the Secondary Plan Area are committed to be in place and operative prior to or coincident with the development of that phase.
- .5 To phase the implementation of transit services based on acceptable operational and financial criteria.

19.3.3.7 Services

- .1 To ensure that the services, including the necessary water, sanitary sewer and storm water management systems, power, streetlights, natural gas and communication services required for any part of the Secondary Plan Area, are in place and operative, prior to, or coincident with the development of that phase.
- .2 To ensure that storm water management facilities are designed to fulfill their functional purpose, are treated as aesthetic components of the greenlands system and that they do not negatively impact on natural heritage features or cultural heritage landscapes at any time in the land development process

19.4 Land Use

19.4.1 General Land Use Policies

- .1 The basic pattern of land use for the subject lands is established as shown on **West of Conklin Secondary Plan: Schedule 7-2 – Land Use Plan** of this Secondary Plan. The land use pattern provided on **West of Conklin Secondary**

Plan: Schedule 7-2 – Land Use Plan is schematic and may be adjusted through the preparation of a Neighbourhood Design Plan, and/or subdivision or site plan approval processes, taking into account the conservation of natural and cultural heritage features and cultural heritage landscapes, storm water management requirements, detailed land use relationships and road patterns.

- .2 **West of Conklin Secondary Plan: Schedule 7-2 - Land Use Plan** provides for the general location and distribution of the following land use designation:
- .1 the Neighbourhood Residential Designation;
 - .2 the Neighbourhood Centre Designation;
 - .3 the Village Centre Designation;
 - .4 the Area 'C' / Modified Policy Area 7 – Shellard Lane Designation;
 - .5 Places of Worship Symbol;
 - .6 Schools Symbol; and,
 - .7 the Greenlands Designation, which is further subdivided on **West of Conklin Secondary Plan: Schedule 7-3 – Transportation Plan** into:
 - .1 Open Space/Parks;
 - .2 Environmental Protection Area; and,
 - .3 Environmental Protection Overlay.
- .3 The locations of all land use designations and symbols shown on **West of Conklin Secondary Plan: Schedule 7-2 – Land Use Plan** have been selected without regard to property ownership. In order to ensure that property owners contribute their proportionate share towards the provision of community and infrastructure facilities such as schools, parks, roads and road improvements, external services and storm water management facilities, property owners will be required to enter into one or more agreements as a condition of approval of development for their lands, providing for the equitable distribution of the costs, including that of land, of the aforementioned community and common public facilities. The preparation of a Neighbourhood Design Plan, noting the locations of these land use designations, will be required prior

to submission of a Zoning Bylaw Amendment or Plan of Subdivision.

- .4 Notwithstanding any other policies of this Secondary Plan, storm water management facilities including storm water management ponds, and all municipal facilities and utilities, shall be permitted on lands in any land use designation. Where any of these facilities are to be located within Environmental Protection Area and/or the Environmental Protection Overlay designations, an Environmental Impact Assessment shall be prepared to the satisfaction of the City, in consultation with any other agency having jurisdiction.

19.4.2 Housing Policies

- .1 This Secondary Plan provides opportunities for a broad range of housing forms throughout the community and within each Neighbourhood.
- .2 The required Neighbourhood Design Plan for each of the three Neighbourhoods identified on **West of Conklin Secondary Plan: Schedule 7-1 – Community Structure** is to include the distribution of housing by house form and will identify, in detail, the composition and distribution of the anticipated housing stock and its relationship to the achievement of the Provincial requirement to achieve a minimum net density of 50 residents and/or jobs per hectare. It is required that each neighbourhood achieve this density target and include low and medium density house forms.
- .3 The City reserves the right to monitor and ensure, through the approval of the Neighbourhood Design Plans, implementing zoning bylaw and plans of subdivision, that the mix of housing types within each Neighbourhood is appropriate and is in conformity with the provisions of this Secondary Plan and any Provincial policy directives.

19.4.3 Employment Policies

- .1 The Secondary Plan Area is planned to accommodate a range of small to moderately scaled retail, office uses and a range of institutional activities. Employment opportunities will be located in the Village Centre, Neighbourhood Centres and on the school /place of worship sites. Home offices and home occupations may also contribute to the supply of employment opportunities.
- .2 Development approvals for lands intended to accommodate mixed use or live/work buildings will be monitored to ensure that short-term housing approvals do not preclude opportunities for the development of employment generating land uses in the longer-term.

19.4.4 Cultural Heritage Policies

- .1 Conservation of significant cultural heritage resources and cultural heritage landscapes shall be consistent with the provisions of Section 9.0 of the Official Plan, and all relevant Provincial legislation and policy directives.
- .2 Prior to construction of infrastructure or development approval, not including Neighbourhood Design Plan, an Archaeological Assessment shall be completed to the satisfaction of the City and the Archaeology and Heritage Planning Unit of the Ministry of Culture.
- .3 No grading or other disturbance shall take place on any site within the West of Conklin Secondary Plan Area prior to the issuance of a letter of clearance for archaeological resources from the Ministry of Culture.

19.5 Land Use Designations

19.5.1 Neighbourhood Residential Designation

- .1 The Neighbourhood Residential designation shall accommodate a range of ground-related housing and open space uses. Permitted residential building types shall include detached and semi-detached dwellings and street, block or stacked townhouses.
- .2 The range of the permitted residential building types shall be distributed throughout the Neighbourhood Residential designation, and shall be articulated further through the

required Neighbourhood Design Plan, draft plans of subdivision and implementing zoning bylaws. The zoning bylaw may permit detached and semi-detached and street, block or stacked townhouses within a single zone to encourage mixing of housing types on individual development blocks and throughout the neighbourhood.

- .3 Building heights shall generally not exceed 3.5 storeys, or 12.5 metres, whichever is less.
- .4 Within the Neighbourhood Residential designation, dwellings will address the road and garage doors shall not dominate the view of the streetscape. Front and exterior side yard porches shall be encouraged. The implementing zoning bylaw shall include details with respect to build within zones for front and exterior side yards, as well as the maximum percentage of lot frontage permitted to accommodate garage doors. Special provisions with respect to porches shall also be included in the bylaw.
- .5 Individual site access for any permitted residential use within the Neighbourhood Residential designation shall not be permitted adjacent to Shellard Lane. Individual site access for any permitted residential use within the Neighbourhood Residential designation adjacent to any Major Collector Road shall be discouraged. Reverse frontage development shall not be permitted within the Neighbourhood Residential designation.

19.5.2 Neighbourhood Centre Designation

- .1 Within each of the Neighbourhoods identified on **West of Conklin Secondary Plan: Schedule 7-1 – Community Structure**, at least one Neighbourhood Centre shall be required. Locations for the Neighbourhood Centre designation are identified on **West of Conklin Secondary Plan: Schedule 7-2 – Land Use Plan** of this Secondary Plan.
- .2 Each Neighbourhood Centre may include a range of medium density housing types, a Neighbourhood Park, an Elementary School and a limited amount of institutional, convenience retail, personal service and business activity intended to serve the residents of the adjacent Neighbourhood.
 - .1 permitted residential building types include street, block or stacked townhouses, small plex-type (e.g. quattroplex) multiple unit buildings and small scale/low-rise apartment buildings. Apartment units are encouraged above the ground floor in a mixed use

building. Single-detached and semi-detached housing units are not permitted within the Neighbourhood Centre designation;

- .2 retail and service commercial uses shall only be permitted on the ground floor of a mixed use building. Individual retail and service commercial uses shall generally be limited in size to a maximum of approximately 200 square metres each; and,
- .3 the following retail and service commercial land uses are specifically prohibited:
 - .1 drive-through establishments of any type;
 - .2 any use that requires the outdoor display or storage of goods, with the exception of a seasonal garden centre associated with another permitted use;
 - .3 night clubs or banquet halls;
 - .4 all automobile related uses (sales, service, gas bars, car washes);
 - .5 amusement arcades;
 - .6 places of entertainment;
 - .7 adult live entertainment parlour;
 - .8 body rub parlour; and,
 - .9 taxi establishments.
- .3 Buildings within a Neighbourhood Centre shall generally range in height from 2.5 to 4.5 storeys, or between 7.5 to 13.5 metres, whichever is less.
- .4 The Neighbourhood Park required within each of the identified Neighbourhood Centres shall be a minimum of .75 of a hectare in size, and shall be surrounded on at least two sides, and preferably three sides, by public roads. The design of each Neighbourhood Park shall be articulated in the required Neighbourhood Design Plan. The Neighbourhood Parks are to be accepted as part of the parkland dedication required under the Planning Act.

- .5 The required Neighbourhood Design Plan and the implementing zoning bylaw shall establish and articulate the range of uses and the distribution of such uses within the Neighbourhood Centre designation.
- .6 All development within the Neighbourhood Centre designation will address the road, and garage doors/service facilities shall not dominate the view of the streetscape. Front and exterior side yard porches shall be encouraged on all ground-related residential units. The implementing zoning bylaw shall include details with respect to build within zones for front and exterior side yards, for the various anticipated development types and forms. Special provisions with respect to porches for the ground-related residential uses shall also be included in the bylaw.
- .7 No individual, direct access shall be permitted for any development lot within the Neighbourhood Centre designation that abuts Shellard Lane and/or any Major Collector Road. Parking lots shall not be located within any front yard within the Neighbourhood Centre designation. Reverse frontage development shall not be permitted within the Neighbourhood Centre designation.

19.5.3 Village Centre Designation

- .1 The Village Centre is the primary focus of the Secondary Plan Area. The Village Centre will incorporate institutional, retail and service commercial, recreational and cultural uses as well as ground-related housing and residential apartment buildings within a mixed use context. Development in the Village Centre designation may be in either single use and/or mixed use buildings.
- .2 The Village Centre may include a range of medium and higher density housing types, a Secondary School and/or an Elementary School, a Neighbourhood Park and a range of institutional, retail, personal service and business activity intended to serve the entire West of Conklin Secondary Plan Area:
 - .1 permitted residential building types include street, block or stacked townhouses, small plex-type (e.g. quattroplex) multiple unit buildings and apartment buildings. Apartment units may be permitted in either stand-alone residential buildings or above the ground floor in a mixed use building. Single-detached and semi-detached housing units are specifically not

permitted within the Village Centre designation;

.2 retail and service commercial development shall only be permitted on the ground floor of a mixed use building. Individual retail and service commercial uses shall generally be limited in size to a maximum of approximately 500 square metres each; and,

.3 the following retail and service commercial land uses are specifically prohibited:

.1 drive-through establishment of any type;

.2 any use that requires the outdoor display or storage of goods, with the exception of a seasonal garden centre, associated with another permitted use;

.3 nightclubs or banquet halls;

.4 all automobile related uses (sales, service, gas bars, car washes);

.5 amusement arcades;

.6 places of entertainment;

.7 adult live entertainment parlour;

.8 body rub parlour; and,

.9 taxi establishments.

.3 Buildings heights shall be within a range of 3 to 8 storeys, or between 8.0 to 26.0 metres, whichever is less. Where sites abut Shellard Lane, building heights shall be within a range of 3 to 10 storeys, or between 8.0 to 32.0 metres, whichever is less.

- .4 The Neighbourhood Park required within the Village Centre shall be a minimum of 0.75 hectares in size, and shall be surrounded on at least two sides, and preferably three sides by public roads. The design of the Neighbourhood Park shall be articulated in the required Neighbourhood Design Plan. The Neighbourhood Park is to be accepted as part of the parkland dedication required under the Planning Act.
- .5 All development within the Village Centre designation shall be planned comprehensively on the basis of the required Neighbourhood Design Plan. The required Neighbourhood Design Plan and the implementing zoning bylaw shall establish and articulate the range of uses and the distribution of such uses within the Village Centre designation.
- .6 All development within the Village Centre designation will address the road, and garage doors/service facilities shall not dominate the view of the streetscape. Front and exterior side yard porches shall be encouraged on all ground-related residential units. The implementing zoning bylaw shall include details with respect to build within zones for front and exterior side yards, for the various anticipated development types and forms. Special provisions with respect to porches for the ground-related residential uses shall also be included in the bylaw.
- .7 No individual, direct access shall be permitted for any development lot within the Village Centre designation that abuts Shellard Lane and/or any Major or Minor Collector Road. Parking lots shall not be located within any front yard within the Village Centre designation. Reverse frontage development shall not be permitted within the Village Centre designation.

19.5.4 Area “C”/Modified Policy Area 7 – Shellard Lane Designation

- .1 The Area ‘C’ / Modified Policy Area 7 – Shellard Lane designation includes an area that provides significant challenges for future urban development. These challenges include a multitude of significant natural heritage features, sub-surface water flows, steep slopes and complex circumstances related to site servicing and access.

Notwithstanding these challenges, the principle of development is acknowledged and the limits and density of development will be defined by various supporting background studies, including an Environmental Impact Assessment, as part of the development application process to the satisfaction of the City of Brantford, the Conservation Authority, and other

approval agencies.

- .2 Development within the Area 'C' / Modified Policy Area 7 – Shellard Lane designation shall not be required to achieve the minimum net density of 50 residents and/or jobs per hectare, due to the preponderance of significant natural heritage features and the general environmental sensitivity of the area. Further, the land area designated Area 'C' / Modified Policy Area 7 – Shellard Lane shall not be included in the net land area calculations of the West Conklin Secondary Plan Area, and will, therefore, not be considered in the calculation of net density for the Secondary Plan Area.

- .3 Permitted uses within the Area 'C' / Modified Policy Area 7 - Shellard Lane designation may include large lot, single-detached housing and/or a range of low impact recreational uses, including a golf course. Notwithstanding those land use permissions, development within this designation will only be permitted in accordance with the following policies:
 - .1 the development proceeds on the basis of full municipal services;
 - .2 the development application includes an engineering analysis establishing the feasibility of providing municipal services to the satisfaction of the City and all other affected agencies having jurisdiction;
 - .3 storm water drainage can be accommodated on site and will not impact on the watercourse through thermal impacts, erosion, sedimentation, or increased rate of runoff;
 - .4 the development application includes an Environmental Impact Assessment, a hydrogeological study and any other studies considered appropriate to ensure that significant natural heritage features and cultural heritage landscapes, including wooded areas, watercourses and wetlands, are maintained in their natural state, and are appropriately conserved, and will continue to contribute to the natural character of the area;
 - .5 access to the development shall be provided to Shellard Lane and at least one additional access point shall be provided to an adjacent Arterial or Collector Road;

- .6 following consultation with the City and all other affected agencies having jurisdiction, development will be prohibited on lands that are identified as significant natural heritage features and/or cultural heritage landscapes, or are sensitive due to groundwater conditions, vegetation, topography or soils;
- .7 sewer and water supply crossings of the D'Aubigny Creek may be permitted subject to approvals from the appropriate authority(s); and,
- .8 road accesses between developable areas may be permitted subject to the findings of an Environmental Impact Assessment and all other required studies, in accordance with Section 19.5.4 and Section 19.5.7.3 of this Secondary Plan.

19.5.5 Places of Worship

- .1 Potential locations for Places of Worship are identified symbolically on **West of Conklin Secondary Plan: Schedule 7-2 – Land Use Plan**. The actual location and configuration of any site for places of worship will be further defined/refined through the required Neighbourhood Design Plans, draft plans of subdivision and the implementing zoning bylaw.
- .2 The provision of place of worship sites will be encouraged within areas designated Village Centre and or Neighbourhood Centre. Site criteria include:
 - .1 a minimum site size of 1.0 hectare and a maximum site size of 2.0 hectares; and,
 - .2 primary frontage on Shellard Land, or on a Major or Minor Collector Road.
- .3 The City shall, by subdivision or other appropriate agreements, ensure that appropriate sites are made available for acquisition and use for places of worship for a prescribed period from the date of registration of the plan of subdivision.
- .4 Place of worship sites may be pre-zoned, with a 'Hold' prefix to permit a place of worship, accessory uses and appropriate alternative uses. Removal of the 'Hold' prefix on a dual zoned place of worship site shall be tied to:

- .1 execution of a site plan agreement for a place of worship; or,
- .2 expiration of a site reservation period of 2 years from the approval of the 'Hold' zoning and the execution of a site plan agreement for the alternative land use.

19.5.6 Schools Symbol

- .1 3 elementary school sites and 1 secondary school site are identified symbolically on **West of Conklin Secondary Plan: Schedule 7-2 – Land Use Plan**. These locations have been selected to reflect the role of school sites in supporting the definition of community structure and patterns of land use. The number, location and configuration of school sites will be further defined through the required Neighbourhood Design Plans, in consultation with the School Boards.
- .2 Where a school site adjoins a Neighbourhood Park, the school site shall be sized and designed to facilitate potential joint use between the City and the respective School Board.
- .3 The City will cooperate with the School Boards to promote smaller school site sizes, and to maximize the area available for on-site recreational and athletic use through the construction of multiple storey buildings that permit smaller building floorplates.
- .4 In the event that all or part of a school site is not be required by a School Board, the following alternate uses shall be permitted without an Official Plan Amendment in order of priority:
 - .1 compatible institutional uses as identified in the implementing zoning bylaw, or based on specific evaluation of each site, and which may include religious institutions, government buildings, community and recreational facilities, housing for seniors and/or cultural buildings (e.g. museum, art gallery); or,
 - .2 residential uses, which shall be developed in accordance with the underlying land use designation either Village Centre, or Neighbourhood Centre, identified on **West of Conklin Secondary Plan: Schedule 7-2 – Land Use Plan** of this Secondary

Plan, as considered appropriate by the City; and,

- .3 the City of Brantford shall have first right of refusal to acquire all or part of the school site; government agencies and community groups with identified needs shall have the second right of refusal.

- .5 School sites and buildings will be developed with the following policies and will have regard for the Demonstration Plan and Urban Design Guidelines (Appendix V-A):
 - .1 joint use sites and multiple use buildings will be encouraged wherever possible. The City will work with the School Boards to achieve appropriate and efficient site designs, and to maximize public service and safety;

 - .2 elementary schools shall be located within a Neighbourhood Centre and on a Major Collector Road to be accessible by residents in more than one neighbourhood;

 - .3 the secondary school site is located within the Village Centre and on Shellard Lane to be accessible by residents within the broader City of Brantford, and surrounding rural communities; and,

- .6 parking and loading areas will be provided and access points designed in a manner that will minimize conflicts between pedestrian and vehicular traffic and will enhance the aesthetic character of the Neighbourhood.

19.5.7 Greenlands Designation

The Greenlands designation is a broad category that includes: Open Space/Parks, and Environmental Protection Areas. The Greenlands designation is identified on **West of Conklin Secondary Plan: Schedule 7-1 – Community Structure** and **West of Conklin Secondary Plan: 7-2 – Land Use Plan** and is more specifically defined on **West of Conklin Secondary Plan: Schedule 7-4 – Greenlands Plan**. In addition to the Open Space/Parks and Environmental Protection Areas, **West of Conklin Secondary Plan: Schedule 7-4 – Greenlands Plan** includes an Environmental Protection Overlay designation. Policies in support of the Open Space/Parks, Environmental Protection Areas and the Environmental Protection Overlay designations are provided in the following text.

19.5.7.1 Open Space / Parks

- .1 The open space system is highly inter-connected and forms a fundamental structuring element within the Secondary Plan Area. Lands within the Open Space/Parks designation shall include lands within the following categories:
 - .1 Neighbourhood Parks;
 - .2 Urban Squares/Parkettes; and,
 - .3 Green Streets/Gateways/Greenways (not shown).
 - .4 Community Recreation Centres (not shown)
- .2 Certain lands included within the Open Space/Parks designation are shown schematically and/or symbolically on **West of Conklin Secondary Plan: Schedules 7-2 – Land Use Plan** and **West of Conklin Secondary Plan: 7-4 – Greenlands Plan**. The locations, configuration and boundaries of these lands shall be confirmed through the required Neighbourhood Design Plans, draft plans of subdivision and implementing zoning bylaw, and may be revised, in accordance with the findings and recommendations of these instruments without further Amendment to this Secondary Plan.
- .3 Each Neighbourhood shall generally include at least 5 percent of the gross land area for public open space purposes.
- .4 Public Parks shall be established in accordance with the following:

.1 Neighbourhood Parks:

- .1 The Neighbourhood Parks are shown symbolically and schematically on West of Conklin Secondary Plan: Schedule 7-4 – Greenlands Plan. The Neighbourhood Parks are expected to form the central focus of each of the identified Neighbourhood Centres, within the Village Centre and within the overall Community. Neighbourhood Parks shall perform an array of functions within the community and shall range in size from 0.5 of a hectare to 3.5 hectares, depending upon their planned roles and function.

.2 Urban Squares/Parkettes:

- .1 Urban Squares/Parkettes, are smaller components of the open space network. They are not shown on West of Conklin Secondary Plan: Schedule 7-2 – Land Use Plan or West of Conklin Secondary Plan: 7-4 – Greenlands Plan. They will be identified and articulated through the required Neighbourhood Design Plans; and,

.3 Green Streets/Gateways/Greenways:

- .1 Green Streets/Gateways/Greenways include small scale open space features incorporated into the Secondary Plan as links in the intended open space system or entrances to the community to provide for connecting pedestrian and bicycle routes and special identity features within the Secondary Plan Area. Green Streets/Gateways/Greenways are not shown on any statutory schedules of this Secondary Plan, however, some are shown conceptually on the Demonstration Plan included as Appendix V-A. They will be identified and articulated through the required Neighbourhood Design Plan.

.4 Community Recreation Centres

- .1 A community recreation centre may be located within a neighbourhood park. The community recreation centre may include a variety of passive and active indoor and

outdoor recreation facilities that serve the needs of the West of Conklin area as well as that of the overall community. The community recreation centre may contain other public facilities such as a library, community health centre and a police sub-station. The Community recreation centre may be developed in conjunction with one or more schools.

- .2 The community recreation centre will be developed with the following policies:
 - .1 have frontage on a collector or arterial road;
 - .2 be linked to the trail network;
 - .3 the location and configuration of the community recreation centre site will be determined through the preparation of neighbourhood design plans;
 - .4 parking areas will be provided and access points designed in a manner that will minimize conflicts between pedestrian and vehicular traffic and will enhance the aesthetic character of the neighbourhood;
 - .5 be a visual focal point in the community; and
 - .6 have regard to the Demonstration Plan and Urban Design Guidelines contained in Appendix V-A.
- .5 The actual locations, sizes, functions and configurations of all components of the open space system will be confirmed in the approval of the Neighbourhood Design Plans that are required for each of the three Neighbourhoods identified on **West of Conklin Secondary Plan: Schedule 7-1 – Community Structure**, and finalized through subsequent development approvals. Adjustments to the Open Space/Parks system shall be dealt with in the required Neighbourhood Design Plans, and shall not require an Amendment to this Secondary Plan,

provided the general intent of the Plan is maintained to the satisfaction of the City.

- .6 All Neighbourhood Parks and Urban Squares/Parkettes shall be accepted by the City as contributing to the parkland dedication requirements of the Planning Act. Green Streets/Gateways/Greenways shall be considered on a case-by-case basis, as fulfilling parkland dedication requirements, subject to a review of their individual function within the neighbourhood. Generally, if the Green Street/Gateway/Greenway provides an important functional attribute to the broader neighbourhood it shall be accepted as contributing to the parkland dedication requirement of the Planning Act.
- .7 Land required for public park or recreational uses in accordance with this Official Plan may be generally acquired through dedication to the City in accordance with the provisions of the Planning Act, as follows:
 - .1 As a condition of development or redevelopment for residential purposes at a rate of:
 - i) 5 percent of the land proposed for development, or
 - ii) an amount up to 1 (one) hectare per 300 dwelling units

19.5.7.2 Environmental Protection Area

- .1 Natural heritage features and natural hazard areas including their associated typical buffer areas within the Secondary Plan Area are designated as Environmental Protection Area on **West of Conklin Secondary Plan: Schedule 7-4 – Greenlands Plan** to this Secondary Plan. Lands designated Environmental Protection Area shall be subject to the policies of Section 8.0 of the Official Plan.
- .2 Further, any development, including any buildings and any necessary grading, infrastructure and roads proposed within, or within 30 metres of the Environmental Protection Area designation shall be required to prepare an Environmental Impact Assessment that will determine the nature and extent of the feature and the actual buffer that will be required between the Environmental Protection Area designation and the limit of

urban development. An Environmental Impact Assessment is to be undertaken by the proponent of development in accordance with City/Conservation Authority requirements and approved by the City, in consultation with any agency having jurisdiction.

19.5.7.3 Environmental Protection Overlay

- .1 Other sections of the Official Plan should be consulted in conjunction with this section for additional applicable polices that are not present in this section.
- .2 Adjacent to some of the areas designated Environmental Protection Area is an Environmental Protection Overlay designation. This designation is based on a distance of 120 metres from the identified Provincially Significant Wetlands, 30 metres from unevaluated wetlands, 30 metres from coldwater watercourses and 15 metres from warm water watercourses, and has been determined in consultation with the Conservation Authority. Further, natural heritage features considered to have a low to moderate sensitivity have been included in the Environmental Protection Overlay designation to ensure appropriate consideration is given to these features prior to any urban development.
- .3 It is the intent of the Environmental Protection Overlay designation to act as a trigger for the preparation of an Environmental Impact Assessment that will determine the nature and extent of the feature and the actual buffer that will be required between the Environmental Protection Area designation and the limit of urban development. As such, prior to any lands being considered for development within any area identified within the Environmental Protection Overlay designation, an Environmental Impact Assessment is to be undertaken by the proponent in accordance with City/Conservation Authority requirements and approved by the City in consultation with any agency having jurisdiction.
- .4 Where findings of an Environmental Impact Assessment result in modifications to the land use boundaries shown on **West of Conklin Secondary Plan: Schedule 7-2 – Land Use Plan**, such modifications shall be permitted without amendment to the Official Plan.

19.6 Urban Design and Amenity

19.6.1 General

- .1 The West of Conklin Secondary Plan Area is designed based on achieving a community that is diverse in use and population, is scaled to the pedestrian, can accommodate private automobiles and transit vehicles, and has a well defined and high quality public realm. This Secondary Plan is premised on high quality urban design, including measures to ensure:
- .1 the provision of a clearly defined public realm;
 - .2 a standardized and highly interconnected pattern of lotting for development blocks;
 - .3 consistent built form;
 - .4 safety, accessibility and comfort in the pedestrian environment;
 - .5 achievement of an overall density within each neighbourhood of at least 50 residents and employees per net hectare; and,
 - .6 support for transit services throughout the community.

19.6.2 Public Realm

- .1 The public realm comprises public roads, lanes, open spaces/parks, natural heritage features and their associated buffers, storm water management facilities, and the public use activity areas of public lands and private development sites and buildings.

19.6.2.1 Roads and Lanes

- .1 It is intended that roads and lanes will:
- .1 provide access for vehicles, pedestrians and bicycles, opportunities for vistas, view corridors and pedestrian amenity areas, and space for utilities and services;
 - .2 be subject to comprehensive streetscape requirements, including landscaping, that will ensure that the public realm is consistent in quality and design;

and,

- .3 be aligned to create a modified rectilinear grid pattern that defines development blocks and establishes a highly inter-connected and permeable network that maximizes accessibility and support for transit.

19.6.2.2 Views and Focal Points

- .1 The preservation, enhancement and creation of significant views and focal points shall be encouraged by:
 - .1 preserving and enhancing views to natural heritage features, including woodlots, cultural heritage landscapes, water bodies, and across parks and open spaces;
 - .2 providing opportunities for views of important public buildings, heritage buildings, open spaces and parks, natural heritage features, and other landmarks; and,
 - .3 providing for sites that terminate roads and view corridors.
- .2 To recognize the importance of public and institutional buildings in the community and to enhance their status these buildings are encouraged to be sited at the following locations:
 - .1 within the Village Centre and the Neighbourhood Centres;
 - .2 at the termination of a road or view corridor;
 - .3 at road intersections; and,
 - .4 on sites that enjoy prominence due to topographic and natural heritage features.

19.6.2.3 Location of Buildings with Respect to Streets and Open Space

- .1 To reinforce the road, lane and block pattern established by this Secondary Plan, the following measures will be employed:
 - .1 buildings will be aligned parallel to a public road;
 - .2 buildings will be located in proximity to the property line adjoining the public road;

- .3 buildings on corner sites will be sited and massed toward the intersection of the adjoining public roads;
- .4 siting and massing of buildings will provide a consistent relationship, continuity and enclosure to the public roads;
- .5 siting and massing of buildings will contribute to and reinforce the comfort, safety, and amenity of the public roads;
- .6 buildings located adjacent to, or at the edge of parks and open spaces will provide opportunities for overlook into the open space;
- .7 the massing, siting and scale of buildings located adjacent to, or along the edge of a park or open space will create an edge or definition appropriate to the type of open space they abut; and,
- .8 buildings of significant public use or architectural merit may be sited to specifically differ from the surrounding urban fabric in order to emphasize their importance as landmarks.

19.6.3 Private Sector Development

19.6.3.1 Development Blocks and Lots

- .1 All the available urban lands are to be subdivided into a series of development blocks and lots, defined by a modified rectilinear grid system of public roads and lanes.
- .2 The size and configuration of each development block will:
 - .1 be appropriate for its intended use;
 - .2 facilitate and promote pedestrian movement; and,
 - .3 provide a sufficient number and, where appropriate, a range of building lots to achieve cost effective and efficient development.
- .3 Each development lot in a block will:
 - .1 have frontage on a public road or lane; and,
 - .2 be of sufficient size and appropriate configuration to accommodate development that reflects the planning and urban design policies set out in this Secondary Plan and companion Demonstration Plan and Urban Design Guidelines (Appendix V-A).
- .4 Notwithstanding the provisions of this Secondary Plan, a lot that does not have frontage on a public road may be permitted, provided the front lot line adjoins public open space fronting a public road, and the rear lot line adjoins, and has access from a public rear lane.
- .5 Notwithstanding the provisions of this Secondary Plan, development lots within either the Neighbourhood Centre or Village Centre designations, having substantial frontage on Shellard Lane and/or a Major Collector Road, may be permitted to have a second access to parking from either Shellard Lane and/or a Major Collector Road provided:
 - .1 the lot contains a comprehensively designed mixed use development;
 - .2 the principle access to the required service areas on the lot is from the exterior side yard,

- .3 the need for a second access to parking can be demonstrated to be necessary to facilitate the development pattern, but will not interfere with, or promote unsafe traffic and pedestrian movement; and,
- .4 the development pattern is otherwise consistent with the provisions of this section of the Official Plan and has regard for the Demonstration Plan and Urban Design Guidelines (Appendix V-A).

19.6.3.2 Built Form

.1 Building Compatibility:

- .1 Over time, new development will be compatible with adjacent and neighbouring development by ensuring that the siting and massing of new buildings does not result in undue adverse impacts on adjacent properties particularly in regard to adequate privacy conditions for residential buildings and their outdoor amenity areas.

.2 Location of Building Entrances:

- .1 To support public transit and for reasons of public safety and convenience, primary building entrances shall be clearly visible and located on a public road or onto public open spaces.
- .2 Access from sidewalks and public open space areas to primary building entrances shall be convenient and direct, with minimum changes in grade, and shall be accessible to people who are mobility challenged.

.3 Parking and Servicing:

- .1 To minimize disruptions to the safety and attractiveness of Shellard Lane and the Major Collector Roads, individual direct access shall be minimized, and, in some cases prohibited, in accordance with the policies of this Secondary Plan.
- .4 To enhance the quality and safety of the public streetscapes throughout the Secondary Plan Area, the construction of parking lots/structures which occupy significant proportions of the at-grade frontage of public roads shall not be permitted.
- .5 To reduce the impact of surface parking and to provide at grade amenity areas the provision of structured parking shall be encouraged for higher density forms of development in the Village Centre and Neighbourhood Centre designations, as shown on

West of Conklin Secondary Plan: Schedule 7-1 – Community Structure. Where it is not feasible to locate parking in structures either below or above grade, parking should be located to the rear of principle buildings and/or within the exterior side yard.

19.6.3.3 Pedestrian Environment

.1 Public Safety:

- .1 To promote safety and security in public places, including roads, parks and open spaces, schools, public transit routes and the public use activity areas of buildings, the following measures are necessary:
 - .1 the design and siting of new buildings shall provide opportunities for visual overlook and ease of physical access to adjacent roads, parks and open spaces;
 - .2 clear, unobstructed views to parks and open spaces shall be provided from the adjoining roads; and,
 - .3 appropriate lighting, visibility and opportunities for informal surveillance shall be provided for all walkways, parking lots, garages and outdoor amenity areas.

.2 Pedestrian Circulation:

- .1 To ensure ease of access for the pedestrian and the enjoyment of public roads and other outdoor spaces, the following measures are necessary:
 - .1 public-oriented spaces and activity areas, including building entrances, terraces and porches, will be oriented toward public roads;
 - .2 provision of a consistent level of landscape design, incorporating such elements as appropriate paving, planting, fencing, lighting and signage; and,
 - .3 avoiding the location of building ventilation systems in pedestrian areas.

19.7 Transportation

19.7.1 General

- .1 Components of the transportation system serving the Secondary Plan area shall include roads, transit, bicycle and pedestrian routes and facilities.
- .2 Roads shall be consistent with the provisions and standards established through this Secondary Plan, and shall have regard for the Demonstration Plan and Urban Design Guidelines (Appendix V-A).
- .3 Descriptions and right-of-way requirements for roads are provided in Table 1 to this Secondary Plan, and shall assist in further defining the road system. Final route alignments, designs and requirements for roads, trails and other components of the transportation system shall be established based on the findings and recommendations of the following studies:
 - .1 Neighbourhood Design Plan; and,
 - .2 Functional Servicing Study.

These studies shall be completed and the requirements for all transportation system components confirmed to the satisfaction of the City in consultation with other agencies having jurisdiction, prior to approval of development within the Secondary Plan Area or within any Neighbourhood.

- .4 Road classifications and right-of-way requirements established by this Secondary Plan shall be subject to confirmation through the further studies required by this Secondary Plan. Minor revisions to these requirements to incorporate design features such as streetscaping and bikeways may be made without further Amendment to this Secondary Plan, provided the requirements are established and confirmed through detailed studies and development approvals.
- .5 The proposed system of roads serving the Secondary Plan Area is shown on **West of Conklin Secondary Plan: Schedule 7-3 – Transportation Plan**. The routes, other than those currently existing, are schematic and are intended to be confirmed through more detailed Neighbourhood Design Plans, Functional Servicing Studies and subsequent development approvals. Consequently, the routes may be adjusted without further Amendment to this Secondary Plan,

provided that the principles of permeability and inter-connectivity are maintained to the satisfaction of the City.

- .6 A system of roads and access points may be established for Area "C"/Modified Policy Area 7 as part of the development application process. Possible access points to Area "C"/Modified Policy Area 7 may be established at existing farm access locations; however validity of these possible access points shall be subject to appropriate studies to the satisfaction of the City of Brantford, the Conservation Authority, and other approval authorities as part of the development application approval process
- .7 Local roads typically have a right-of-way width of 20 metres. Table 1 permits local roads to range from 16.0 metres to 20.0 metres. Reductions below the 20.0 metre standard to 16.0 metres may be supported only through the completion of detailed design study that includes the placement of services, the allocation of parking, should it be required, and traffic issues to the satisfaction of the City of Brantford's Planning Department and Engineering Services.

Table 1

Road Characteristics

Classification	R.O.W. Width	On-Street Parking	Bicycle Facilities	Transit Facilities	Sidewalk(s)	Individual, direct access permission
Arterial	35.0m	No	3.0m path in boulevard (1 side)	Yes	2 sides	No
Collector - Major (with Median)	30.0m	2 sides	Yes	Yes	2 sides	No (laneway access)
Collector - Major	25.0m	2 sides (optionally in lay-by)	Yes	Yes	2 sides	Optional
Collector - Minor	22.0m	2 sides	No	No	2 sides	Yes
Local Road	16.0 - 20.0m*	1 side	No	No	2 sides	Yes
Local – Single-loaded	16.0m	1 side	No	No	2 sides	Yes
Laneway	8.5m	No	No	No	No	Yes
Green Street	18.5m	No	No	No	2 sides	No

* Subject to Policy 19.7.1.7 and specific Council approval based on the additional justification and technical reports required.

19.7.2 Arterial Roads

19.7.2.1 Shellard Lane

- .1 Shellard Lane bisects the Secondary Plan area. It will become part of a key component of the transit system for the area, linking it to the rest of the City of Brantford. The City supports the ultimate function and design for this road, between Conklin Road and the southwest edge of the Secondary Plan Area, as an urban arterial and intends that development adjoining Shellard Lane should be approved on this basis and in accordance with the requirements identified in Table 1.
- .2 The City will pursue road designs for Shellard Lane that balance functional requirements with the objectives of this Secondary Plan in regard to roads as a significant element of the public realm, and in accordance with the recommendations of the Neighbourhood Design Plan.
- .3 No development shall be permitted individual direct access to Shellard Lane.

19.7.3 Collector Roads

- .1 The proposed system of Major and Minor Collector Roads is shown on **West of Conklin Secondary Plan: Schedule 7-3 – Transportation Plan**. The design requirements for the Collector Roads are identified in Table 1, and may be further refined through the Neighbourhood Design Plan and/or the Functional Servicing Study. Routes will be confirmed through the approval of Neighbourhood Design Plans and implemented through subsequent development approvals.
- .2 Conklin Road is designated as a Major Collector Road in the Official Plan and provides the eastern boundary for the Secondary Plan area south of Shellard Lane. All development within the Secondary Plan Area that directly abuts Conklin Road shall provide appropriate buffering, and shall consider the aesthetic function of the corridor. No development shall be permitted individual direct access to Conklin Road.

19.7.4 Local Roads

- .1 The Local Road pattern is not identified on any of the statutory schedules to this Secondary Plan. The Demonstration Plan included in Appendix V-A identifies a Local Road Pattern. This pattern is conceptual only, and has no formal status, other than

it demonstrates the key principles of permeability and inter-connectivity. Changes to the identified Local Road Pattern shall not require any further Amendment to this Secondary Plan, provided that the principles of permeability and inter-connectivity are achieved to the satisfaction of the City.

- .2 The establishment of Green Streets may be permitted throughout the Secondary Plan Area.
- .3 The design requirements for Local Roads are identified in Table 1 and will be confirmed through the approval of Neighbourhood Design Plans and implemented through subsequent development approvals.

19.7.5 Lanes

- .1 A secondary and complementary system of public Lanes may be developed anywhere within the Secondary Plan Area.
- .2 Functional and design standards for Lanes are established in Table 1. Detailed designs for Lanes shall be established in the approval of Community Design Plans and subsequent development approvals.
- .3 Public utilities may be located within public Lanes subject to functional and design standards established by the City.
- .4 Lanes shall be planned to provide for through traffic movements.
- .5 A Financial Impact Report shall be prepared by proponents of development, outlining the ways in which the construction of Lanes will impact City capital and operating costs.

19.7.6 Public Transit

19.7.6.1 General

- .1 The City will work with transit services to develop a system of transit service for the Secondary Plan Area that is related to Shellard Lane and the Major Collector Road network.
- .2 Transit services will be implemented on a phased basis, based on acceptable operational and financial criteria.
- .3 It is intended to develop a series of transit routes that serve and link the Neighbourhood Centres and the Village Centre. There will be a transit stop at the centre of each

Neighbourhood located so as to be within 400 metres of most households within a neighbourhood.

19.7.6.2 Transit-Supportive Development

- .1 To facilitate the development of a transit supportive urban structure, the following measures shall be reflected in development proposals, including the subdivision of land:
 - .1 provision of a local road pattern and related pedestrian routes that provide for direct pedestrian access to transit routes and stops;
 - .2 provision for transit stops and incorporation of bus bays where appropriate into road design requirements; and,
 - .3 transit waiting areas incorporated into buildings located adjacent to transit stops.

19.7.7 Pedestrian and Bicycle Path System

- .1 The Secondary Plan Area shall have pedestrian and bicycle path systems which serve the entire Community and which are linked with other pathway systems in the City. The pathway systems shall be developed in accordance with the findings and recommendations of the Neighbourhood Design Plans, having regard for the conceptual trails network identified in the Demonstration Plan and Urban Design Guidelines (Appendix V-A).

19.7.8 Parking

- .1 It is intended that on-street parking will be encouraged at appropriate locations on all roads, with the exception of Shellard Lane and Conklin Road, in order to assist in calming traffic movement and thereby enhancing pedestrian safety.
- .2 The City will explore opportunities for shared parking facilities within the Neighbourhood Centre and Village Centre designations.
- .3 Subject to the findings and recommendations of the Functional Servicing Studies, on-street parking may be approved at certain locations for specified times to satisfy a portion of the parking requirements of adjacent non-residential development.
- .4 Off-street parking for all uses shall be required and shall be

provided on-site.

- .5 Parking shall be required in accordance with the provisions of the implementing zoning bylaw.
- .6 Parking facilities shall have regard for the Urban Design and Amenity Policies of Section 6.0 of this Secondary Plan and have regard for the companion Demonstration Plan and Urban Design Guidelines (Appendix V-A).

19.7.9 Traffic Calming

- .1 Through the required Functional Servicing Plan for Transportation design consideration shall be provided to incorporate techniques for traffic calming, subject to the approval of the City.

19.7.10 Traffic Roundabouts

- .1 Traffic roundabouts or circles may be incorporated into neighbourhood designs to calm traffic and to direct traffic flow without necessarily requiring stop signs at intersections. Traffic roundabouts or circles will be subject to the following policies:
 - .1 that consideration be given to significant landscape features within the traffic roundabout or circle to contribute to character of the neighbourhood;
 - .2 that the design of a traffic roundabout or circle will ensure ease of snow removal and maintenance;
 - .3 that the design of a traffic roundabout or circle will allow for the safe movement of pedestrians, cyclists and motor vehicles through the intersection; and
 - .4 the design of the traffic roundabout or circle shall be in accordance with appropriate engineering standards to the satisfaction of the City.

19.8 Services & Utilities

19.8.1 General

- .1 All new development within the Secondary Plan Area will be on the basis of full municipal services.
- .2 Prior to any site grading or other development, the applicant shall be required to submit, to the satisfaction of the City and any other agency having jurisdiction, an Erosion and Sediment Control Plan, in accordance with the Design Requirements included as Appendix V-C to this Secondary Plan.

19.8.2 Sanitary Sewers

- .1 This Secondary Plan area will be serviced by sanitary sewers extended from the City of Brantford Sewage System. The assignment of sewage flow and treatment capacity to the subject lands will be determined by the City. Construction of required infrastructure will be based on detailed Functional Servicing Plans, prepared on the basis of the entire Secondary Plan Area, or, alternatively, on the basis of the individual Neighbourhood's identified on **West of Conklin Secondary Plan: Schedule 7-1 – Community Structure**, to be approved by the City in consultation with agencies having jurisdiction.
- .2 All Functional Serving Plans shall have regard for the overall Master Servicing Study that has been prepared in conjunction with this Secondary Plan.
- .3 Development applications shall have appropriate regard to ensure that sanitary sewers are located and sized to provide sufficient capacity for the potential development of Area "C"/Modified Policy Area 7.

19.8.3 Water Supply

- .1 A piped municipal water supply will be provided from the Brantford Water Supply System. The assignment of a water supply to the subject lands will be determined by the City. Construction of required infrastructure will be based on detailed Functional Servicing Plans, prepared on the basis of the entire Secondary Plan Area, or, alternatively, on the basis of the individual Neighbourhood's identified on **West of Conklin Secondary Plan: Schedule 7-1 – West of Conklin Secondary Plan**: Community Structure, to be approved by the City in consultation with agencies having jurisdiction.
- .2 All Functional Serving Plans shall have regard for the overall Master Servicing Study that has been prepared in conjunction with this Secondary Plan.
- .3 Development applications shall have appropriate regard to ensure that water supply services are located and sized to provide sufficient capacity for the potential development of Area "C"/ Modified Policy Area 7.

19.8.4 Stormwater Management

- .1 In considering options for storm water management the

following principles will apply:

- .1 storm water will be considered as a resource, not a waste product;
 - .2 storm water facilities will be designed to maintain environmental and ecological integrity, and to provide a net benefit to the environment;
 - .3 where existing streams are within the Environmental Protection designation, they are to be retained in open channels in accordance with natural channel design principles; and,
 - .4 storm water facilities will be designed to provide community amenities.
- .2 In accordance with established policy, the storm water drainage system will be designed to the satisfaction of the City, in consultation with any agency having jurisdiction.
 - .3 A Storm Water Management and Environmental Strategy must be approved by the City in consultation with the Conservation Authority and any other agency having jurisdiction prior to any draft plan of subdivision or site plan approvals. The required Storm Water Management and Environmental Strategy shall consider the Master Storm Water Management Plan that has been prepared in conjunction with this Secondary Plan, and any findings of required Environmental Impact Assessments.
 - .4 The treatment of storm water in relation to watercourses within the Secondary Plan Area shall be identified within the Storm Water Management and Environmental Strategy and shall be approved by the City, in consultation with any agency having jurisdiction.
 - .5 Storm water facilities shall be constructed with regard for provisions noted in the Demonstration Plan and Urban Design Guidelines (Appendix V-A).

19.8.5 Utilities and Telecommunications

- .1 All local power and telecommunications/communications lines and other cable services serving the Secondary Plan Area shall be located underground and be grouped into a single utility conduit, where feasible. For larger equipment, the City shall ensure that appropriate locations are identified and/or cluster sites have been determined which take into consideration the location requirements for larger infrastructure within public rights of way, as well as easements on private property.
- .2 Utility and telecommunications/communications services shall be permitted in all land use designations.
- .3 The City will support the provision of electronic communications technology involving high capacity fibre optics to enhance telecommunications services within the Secondary Plan Area.

19.9 Implementation

19.9.1 General

- .1 This Secondary Plan shall be implemented in accordance with the provisions of the Planning Act, other applicable Provincial legislation, and the provisions of the City of Brantford Official Plan and this Secondary Plan.
- .2 Approval of development applications shall be conditional upon commitments from the appropriate authorities and the proponents of development to the timing and funding of the required road and transportation facilities. These works shall be provided for in the subdivision and site plan agreements. Phasing of the development, based on the completion of the external road works, may be required by the City of Brantford.
- .3 Approval of development applications shall also be conditional upon commitments from the appropriate authorities and the proponents of development to the timing and funding of required storm water management, sanitary sewer and water supply facilities. These works shall be provided for in subdivision and site plan agreements. Phasing of development, based on the completion of external sewer and water services, may be implemented if required by the City of Brantford.
- .4 The City of Brantford shall control signage within the Secondary Plan Area through the provisions of the Sign Bylaw and the Neighbourhood Design Plan.

- .5 The City of Brantford shall encourage development within the Secondary Plan Area that is consistent with programs intended to reduce the consumption of energy and water and to promote waste reduction
- .6 In order to mitigate potential negative impacts on the introduction of laneways, green streets or reduced rights-of-way, in accordance with Section 19.7.7.7, additional study and consultation with City Engineering staff shall be required prior to final approval of proposed development which includes these three proposed uses. Items to be included in the additional study shall contain, but is not limited to, the potential impacts to municipal capital and operational costs, potential impacts to municipal servicing, and possible implications to operational procedures. Final approval of these three proposed uses is subject to City Engineering consultation and final Council approval.

19.9.2 Financial Agreements

- .1 Prior to the approval of any development, the City of Brantford shall be satisfied as to the availability of water supply and sewer capacity to accommodate the said development. This may require front-end or accelerated payment agreements and limitations to be placed on development.
- .2 Prior to the registration of any development, the owner shall have entered into a Servicing Agreement, including any front-end requirements or accelerated payments, with the City of Brantford that will identify the capital expenditures associated with servicing the lands.
- .3 Prior to any development approvals, an assessment of infrastructure cost requirements to accommodate the Secondary Plan development including development phasing the timing of infrastructure emplacement, and methods of financing including developer front-end or accelerated payment agreements shall be addressed in conjunction with other proponent's developments in the Secondary Plan Area to the satisfaction of the Municipality.

19.9.3 Subdivision and Consent

19.9.3.1 Plans of Subdivision

- .1 Plans of subdivision shall only be recommended for approval, which are consistent with the requirements established in:

- .1 the Erosion and Sedimentation Control Plan (Appendix V-C);
- .2 the Master Servicing Plan and more detailed Functional Servicing Plans;
- .3 the Neighbourhood Design Plan;
- .4 the Storm Water Management and Environmental Strategy; and,
- .5 any pertinent legal agreements.

19.9.3.2 Consents

- .1 Subdivision of land shall generally take place by plan of subdivision. Consents may be permitted in accordance with City of Brantford Official Plan, the applicable provisions of this Secondary Plan and the implementing zoning bylaw.

19.9.4 Zoning

19.9.4.1 Zoning Bylaw

- .1 Appropriate zoning regulations and standards shall be prepared to conform with and implement the provisions of this Secondary Plan. Zoning standards shall reflect the findings and recommendations of the Demonstration Plan and Urban Design Guidelines (Appendix V-A) and the Neighbourhood Design Plan. Zoning shall relate to a plan of subdivision or site plan that is consistent with an approved Neighbourhood Design Plan.
- .2 The implementing Zoning Bylaw for any development application may establish minimum density standards to ensure that density targets for each neighbourhood are achieved.

19.9.4.2 Holding Zones

- .1 The lands within the area of this Secondary Plan may be zoned with an 'H' holding symbol, preceding the use designation in accordance with the City of Brantford Official Plan.
- .2 A holding symbol may be applied to part or all of the lands

within the Secondary Plan Area, to ensure that adequate infrastructure is available to serve such lands, or for any other purposes deemed necessary by the City, in accordance with the Planning Act.

- .3 No development shall occur on any lands within the area zoned with an (H) holding symbol until the (H) holding symbol has been removed by an amendment to the bylaw.

19.9.5 Site Plan Control

- .1 All lands, including lands in public ownership, within the Secondary Plan Area, shall be subject to the provisions of the Planning Act and the City of Brantford Official Plan in regard to site plan control.

19.9.6 Required Studies

19.9.6.1 General

- .1 This Secondary Plan identifies the following studies, plans, and assessments that may need to be completed to the satisfaction of the City of Brantford and any agency have jurisdiction, prior to the approval of development applications within parts of, or the entire, Secondary Plan Area. The City shall determine the need for their studies, plans and assessments, and when in the approvals process they may be required on an application-by-application basis:
 - .1 Erosion and Sedimentation Control Plan (Appendix V-C);
 - .2 Neighbourhood Design Plans;
 - .3 Storm Water Management and Environmental Strategies;
 - .4 Functional Servicing Plans;
 - .5 Parking Study;
 - .6 Environmental Impact Assessments;
 - .7 Archaeological Surveys/Assessments;
 - .8 Tree Preservation Plans;
 - .9 Noise Assessment(s); and,

- .10 Financial Impact Report.
- .2 Additional study requirements, as identified in the Official Plan, may be identified by the City as development within the Secondary Plan Area proceeds.

19.9.6.2 Neighbourhood Design Plans

- .1 Prior to the approval of any development within the Secondary Plan Area, Neighbourhood Design Plans for the three neighbourhoods identified on **West of Conklin Secondary Plan: Schedule 7-1 – West of Conklin Secondary Plan: Community Structure** shall be prepared by proponents of development to the satisfaction of the City of Brantford, in consultation with any agency having jurisdiction. The boundaries for the Neighbourhood Design Plans shall coincide with the boundaries of the Neighbourhoods established on **West of Conklin Secondary Plan: Schedule 7-1 – Community Structure**.

A Neighbourhood Design Plan shall be used to confirm and control the implementation of the intended pattern of development within a Neighbourhood. A Neighbourhood Design Plan shall include:

- .1 **Urban Design:**
- .1 the proposed pattern of roads and development blocks;
 - .2 the proposed network of roads, transit, pedestrian and bicycle routes;
 - .3 a Comprehensive Streetscape Plan, that articulates specific urban design issues to be addressed in implementing zoning bylaws, plan(s) of subdivision or site plan approvals;
 - .4 the location of specific features, sites and residential lots within the Neighbourhood such as corner lots and T-intersections that require specific lot and building placement, orientation and architectural features;
 - .5 the proposed pattern of land use including the composition distribution of residential density and the proposed scale of non-residential areas;
 - .6 an Open Space Master Plan, that identifies the location and configuration of uses such as school sites, parks, trails, open space buffers, environmental and cultural heritage features;

- .7 where applicable, the anticipated boundaries of implementing plans of subdivision; and,
- .8 in the case of a school site or a place of worship site, the proposed pattern of alternate land use, in the event that the site is not required for the school or place of worship use.

.2 Urban Design and Architectural Guidelines:

- .1 all development within each Neighbourhood shall be subject to urban design and architectural guidelines arising from the findings and recommendations of the Neighbourhood Design Plan;
 - .2 provision for compliance with the guidelines shall be incorporated into all subdivision, site plan or similar development agreements;
 - .3 a program to ensure compliance with the guidelines shall be established among the landowners group and the City and shall ensure integration with other required planning approvals. Confirmation of compliance with the guidelines shall be required prior to the issuance of building permits; and,
 - .4 such guidelines may be reviewed and amended from time to time provided that any amendments shall conform with the principles and policies of this Secondary Plan and the Demonstration and Urban Design Guidelines (Appendix V-A) and shall be prepared to the satisfaction of the City of Brantford.
- .2 The required Neighbourhood Design Plan for each of the three Neighbourhoods identified on **West of Conklin Secondary Plan: Schedule 7-1 – Community Structure** is to include the distribution of housing by house form and will identify, in detail, the composition and distribution of the anticipated housing stock and its relationship to the achievement of the Provincial requirement to achieve a minimum net density of 50 residents and/or jobs per hectare. It is required that each neighbourhood include low and medium density house forms.

19.9.7 Land Dedication and Acquisition

- .1 The policies for land dedication and acquisition of the City of Brantford Official Plan shall apply.

19.9.8 Public Sector Agreement to Comply

- .1 It is the intent of this Secondary Plan to achieve the agreement of all public agencies involved in any aspect of development in the Secondary Plan Area, to comply with the policies of this Secondary Plan, the regulations in the Zoning Bylaw, and to have regard for the Demonstration Plan and Urban Design Guidelines (Appendix V-A) in order to achieve the goal, objectives, principles and policies of this Secondary Plan.”

20. INTERPRETATION

OPA #160
Nov. 6/09
OPA #84
July 14/00

20.1 General

- 20.1.1 The Official Plan is comprised of Sections 6 to 20 and **Schedules 1-1 to 7-4** inclusive. OPA #160
Nov. 6/09
OPA #49
June 1/95

OPA #84
July 14/00
- 20.1.2 This Official Plan is intended to serve as a guideline for the planning and development of the City, and should be interpreted on that basis.
- 20.1.3 All figures in this Plan are approximate only and any minor variances from these figures will not require an amendment as long as the intent of this Official Plan is maintained.
- 20.1.4 An amendment to the Official Plan shall be required where a policy, designation, schedule or principle is added, deleted or significantly altered.
- 20.1.5 The boundaries of the land use designations on **Schedule 1-1 - Land Use Plan** and **Schedule 1-2 Growth Management Plan** and the delineations on **Schedule 2 - Modified Policy Areas**, **Schedule 3-1 - Natural Heritage: Environmental Areas**, **Schedule 3-2 - Natural Heritage: Mineral Resources**, **Schedule 3-3 - Natural Heritage: Wetland Areas**, **Schedule 4-1 - Community Health and Safety: Floodplain**, **Schedule 4-2 - Community Health and Safety: Floodplain Breach Zone**, **Schedule 4-3 - Community Health and Safety: Steep Slope Erosion Hazard**, **Schedule 4-4 - Community Health and Safety: Slope Setback**, **Schedule 4-5 - Community Health and Safety: Abandoned Landfill Sites**, **Schedule 7-1 - West of Conklin Secondary Plan: Community Structure**, **Schedule 7-2 - West of Conklin Secondary Plan: Land Use Plan**; **Schedule 7-3 - West of Conklin Secondary Plan: Transportation Plan**; and **Schedule 7-4 - West of Conklin Secondary Plan: Greenlands Plan** shall be considered approximate, except where they coincide with roads, railways, lot and concession lines, or other definitive features. Where the general intent of this Official Plan is maintained, minor boundary adjustments will not require an amendment. Min. Mod. #1
Nov. 4/87

OPA #49
June 1/95

OPA #75
May 6/99

OPA #84
July 14/00

OPA #160
Nov. 6/09

OPA #125
Dec. 3/08
- 20.1.6 Where the land use designations shown on **Schedule 1-1 - Land Use Plan** are delineated by symbols, their extent and location in specific development applications may be considered flexibly in accordance with the other policies and the general intent of this Official Plan, and will not require an amendment.
- 20.1.7 **Schedule 5-1 - Transportation: Transportation Plan** and **Schedule 6 - Implementation** are diagrammatic, and realignments which maintain the general intent of this Official Plan will be OPA #84
July 14/00

permitted without an amendment.

20.2 Definitions

OPA #125
Dec. 3/08

20.2.1 For the purposes of this Official Plan, the following definitions will apply:

- .1 Adult entertainment parlour means any premises in which or in part of which, in pursuance of a trade, calling, business or occupation: a live performance of an adult nature is provided.
- .2 Affordable housing means housing which would have a market price or rent that would be affordable to those households within the lowest 35 percent of the income distribution (35th percentile) for Brant/Brantford. Housing that is affordable to households of low and moderate income is defined as follows:

Affordable rental housing is housing where monthly rental costs (excluding utilities) do not exceed 30 percent of a tenant's gross monthly household income.

Affordable ownership housing is housing where monthly housing expenses (including mortgage principle, interest and property tax but excluding insurance or utilities expenses) do not exceed 30 percent of gross monthly household income.
- .3 Body Rub Parlour means any premises or part thereof where a body rub is performed, offered or solicited in pursuance of a trade, calling, business or occupation, but does not include any premises or part thereof where the body rubs performed are for the purpose of medical or therapeutic treatment and are performed by persons otherwise duly qualified, licensed or registered so to do under the laws of the Province of Ontario.
- .4 "City", "City of Brantford", or "Brantford" means that geographical area which represents the City of Brantford;
- .5 "Council" means the Council of The Corporation of the City of Brantford;
- .6 "Department Store" means a large retail store which offers a wide selection of merchandise in departments, including apparel, housewares, domestic goods, drugs, hardware, automotive supplies, sporting goods, toys, furniture and appliances, and is intended to refer to facilities such as major department stores as Eaton's, Simpson's, The Bay and Sears, and junior department stores such as K-Mart, Towers, Woolco and Zellers;
- .7 "Gross Leasable Floor Area" means the total floor area occupied by a commercial facility for its exclusive use, including basements, mezzanines, upper storey areas and integral storage areas but not including public or common areas such as

malls, corridors, stairways, elevators or machine or equipment rooms;

- .8 "Gross Residential Hectare" means the area of land measured in hectares utilized for residential dwelling units including: the lot area; local residential roads; local parks, including walk-ways and bicycle ways; public and separate elementary schools; churches and other institutions such as daycare centres and nursing homes; convenience commercial facilities; and local municipal facilities such as fire halls. The area excludes Major Collector, Minor Arterial and Major Arterial Roads and required widenings thereto, where identified, and Hazard Lands.
- .9 "Infrastructure" means physical structure (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, communication/ tele-communications, transit and transportation corridors and facilities, oil and gas pipelines and associated facilities.
- .10 "Net Residential Hectare" means that portion of the lands defined by Section 20.2.1.5 utilized for residential dwelling units, including the lot area; OPA #59
Nov. 19/97
- .11 "Official Plan" or "Plan" means the Official Plan of the City of Brantford; OPA #84
July 14/00
- .12 Section deleted by Modification. Min. Mod. #48
Aug. 2/91
- .13 Section deleted by Modification. Min. Mod. #48
Aug. 2/91
- .14 "Shopping Centre" means a group of commercial establishments, primarily retail in nature, designed and functioning as a unit with common parking facilities and access points;
- .15 "Supermarket" means a complete departmentalized food store large enough to meet the consumer's weekly food shopping needs as well as incidental convenience or service needs.
- .16 "Utility(ies)" means all public and/or private utilities (including but not exclusive of CATV, Hydro, Gas, Communications/ Telecommunications, Canada Post, etc.) or any similar works or systems necessary to the public interest. OPA #125
Dec. 3/08
- .17 "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. OPA #125
Dec. 3/08
- 20.2.2 Terms used in this Plan but which are not defined in this Section, shall be the same meaning as that provided in the Provincial Policy Statement, 2005 and the Provincial Growth Plan for the Greater Golden Horseshoe. Min. Mod. #23
Dec. 3/08